

**MINUTES of the meeting of Licensing Committee held on 27 September 2006 at 7.00 p.m.**

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**Present:** Councillors Woods (Chair), Maney (Vice-Chair), Gledhill and Mrs. Jones

**Apologies:** Councillor Harris

**In attendance:** P. Easteal – Environmental Health Team Leader  
D. Houghton – Licensing Officer  
S. Jones – Principal Democratic Services Officer

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**6. MINUTES**

The Minutes of the Licensing Committee, held on 12 July 2006, were approved as a correct record.

**7. ITEMS OF URGENT BUSINESS**

The Chair advised the Committee that She had not agreed to the consideration of any items of urgent business.

**8. DECLARATIONS OF INTEREST**

Councillor Woods, Maney and Gledhill declared a personal interest in Agenda Item 5, as they knew Mrs. Sharon Ponder, proprietor of a local taxi firm.

Cllr Mrs Jones declared a personal interest in Agenda Item 5 as she knew Mrs. Pauline Dent, a local taxi driver.

**9. CONTROLS ON THE NUMBERS OF HACKNEY CARRIAGES**

The Environmental Health Team Leader presented a report, which requested the Committee to consider the Council's future policies on controlling the number of hackney carriages it licensed to operate in the Borough.

It was reported that any change would constitutionally be considered a 'key decision' that would have to be made by Cabinet, nevertheless both the Portfolio Holder for Environment and Officers would appreciate the collective opinion of the Committee on this subject before taking the matter further.

Members were advised that at the last meeting of the Committee, it was agreed that no 'unmet demand' currently existed that would merit an increase in the maximum number of hackney carriage licences granted by the Council under its existing 'quantity control' policy. This decision was based upon a study undertaken by Halcrow Group Limited as transport consultants who were commissioned to carry it out on the authority's behalf (Minute No.5 (2) refers).

The Committee were informed that the Government had instructed local authorities such as Thurrock, who had adopted Quantity Control policies, to review not only the number of licences it issued, but also to challenge whether a policy on limiting licence numbers was needed at all. It was reported that the Government had indicated that it would scrutinise the approach taken by each licensing authority that had chosen to maintain a limitation on the issue of hackney carriage licences and that those individual authorities would have to specify the particular circumstances why they believed the status quo should remain.

Members were advised that it was not sufficient for the Council simply to adjudge that there was no 'unmet demand' and to continue with its policy without further consideration, as it was abundantly clear from messages coming from the Department of Transport that they were keen for Councils to remove the limitations on the number of Hackney Carriages as soon as possible.

The Committee noted that whilst the Department of Transport's intentions were clear, it also recognised the Government's view that ultimately local authorities are best placed to determine local transport needs and to make decisions about them in the light of local circumstances.

It was further reported that the Committee agreed to give further consideration to any comments forthcoming from the Thurrock Licensed Drivers' Association, and other interested parties who presented written representations during the study, on the proposal to abandon the present policy on 'quantity control', in order that these views could then be taken into account before any final decision was made and published in accordance with Government instructions.

The Committee were informed that the Thurrock Licensed Driver's Association, through their solicitors, had taken up the opportunity of submitting further representations to this Committee. A copy of their submission was attached at Appendix A to the report.

It was noted that the government's position was summarised in an extract from the Department of Transport's June 2004 Action Plan that was attached to the report at Appendix B.

It was reported that the Thurrock Licensed Driver's Association agreed that there was no justification for increasing the numbers of hackney carriage licences granted the basis of 'unmet demand' and that the Association argued that free market competition would not "bring the same benefits to consumers of taxi services as it does in other walks of life."

Members were therefore requested to assess the validity of the arguments contained in the submission from the Thurrock Licensed Driver's Association and to judge whether this provided a local case for maintaining the restrictions.

In considering the report, Members discussed the costs associated with the Hackney Carriage Unmet Demand Study whereupon the Environmental Health Team Leader advised the Committee that this was in the region of £12,000 every 3 years. During course of the debate, it was noted that the expense of the 3-yearly taxi unmet demand survey was currently not being fully recovered from hackney carriage proprietors through the licence fee system.

Councillor Maney commented that whilst he had sympathy with the issues raised by the Thurrock Licensed Driver's Association, the primary concern to the Committee was that of the benefit to the consumer.

Members then discussed issues with regard to the quality of vehicles and companies operating in the area and suggested that this had improved due to the controls that were in place.

The Environmental Health Team Leader informed the Committee that he would like to think that the quality and maintenance of vehicles had improved in recent years as a result of the enforcement work undertaken by Licensing Officers with the support of the trade.

Members queried what the financial implications would be if the Council removed the controls on the number of hackney carriages it licensed to operate in the Borough. It was suggested that the greater the number of hackney carriage vehicles, the greater the workload. The Environmental Health Team Leader informed the Committee that it had long been the Council's practice to seek to recover all its legitimate costs incurred as a result of licensing regimes through the charging of fees.

In addition, it was reported that as a result of the findings of the study carried out by the Halcrow Group Limited, a significant increase in the total number of licensed vehicles (of both types) was not necessarily expected.

Councillor Mrs. M. S. Jones drew Members attention to the argument that was being put forward by the Thurrock Licensed Driver's Association, as contained in Appendix A to the report.

The Chair enquired as to the number of hackney carriage plates that were expected to be issued in the first year. The Environmental Health Team Leader advised the Committee that it was impossible to say for certain, but Halcrow's Study pointed to there being only a small increase. In time, the market would 'find its own level', where demand meets supply.

Members queried the difference between hackney carriages and private hire vehicles under the Council's vehicle specifications. The Environmental Health Team Leader informed the Committee that the significant differences between a private hire vehicle and any new hackney carriage vehicle to be licensed would be that the latter must be wheelchair accessible, it must have a top sign and that they must have a hackney carriage meter.

It was proposed by the Chair: -

"That the Council ends its policy of controlling the number of hackney carriage licences it issues."

This proposal was not seconded.

Following a request, the Chair then allowed two representatives from the Thurrock Licensed Drivers' Association to briefly address the Committee.

Members attention was drawn to the submission provided by the Thurrock Licensed Drivers' Association, which stated that they were aware that there may be some increase in demand over the forthcoming years because of development in the area and that they respectfully suggested to the Council that if the Council expected or noted an increase in actual demand for hackney carriages then that increase was best met by a controlled increase of hackney carriages, say by the addition of two hackney carriages per annum, until such time as optimum conditions for the customer was reached.

In addition, the Committee were informed that there was no available space on certain taxi ranks to accommodate any additional vehicles. This was a point with which Members indicated their agreement. Whilst it was acknowledged that it was not strictly pertinent to the matter at hand, there was discussion on the adequacy and suitability of ranks and unlawful parking on little-used ranks.

After giving careful consideration to the representations made by the Thurrock Licensed Drivers' Association, together with the extract from The Government's Action Plan for Taxis and Private Hire Vehicles in

England and Wales: Restrictions on the numbers of taxis. (Department of Transport June 2004), as provided at Appendix B to the report, it was then proposed by Councillor Mrs. M. S. Jones and seconded by Councillor Maney: -

“1. That a controlled increase of hackney carriages, by the release of two hackney carriage licences per annum, be undertaken for the next 3 years to allow for expected growth in population and therefore satisfy the anticipated extra demand for taxis.”

“2. That the extra plates will be made available through a ballot system from those writing in to the Council to express an interest, with applications for the plates being accepted from ballot winners from 1<sup>st</sup> January 2007 and on this date each year thereafter.”

“3. That this controlled increase in the numbers of hackney carriages be reviewed in 3 years time following a further unmet demand survey.”

Members stated that, on balance, they accepted the arguments put forward by the Thurrock Licensed Drivers' Association with regard to securing standards of vehicle maintenance and they agreed with the proposal for a managed increase in the number of hackney carriage vehicles. In addition, they agreed that there was currently insufficient space on some taxi ranks and that this situation would likely worsen should delimitation lead to an increase in the number of hackney carriages the Council licenses to operate in the Borough.

Upon being put to the Vote, Members voted unanimously in favour of the proposals put forward by Councillor Mrs. M. S. Jones and seconded by Councillor Maney, whereupon the Chair declared the proposals to be carried.

Members then requested that the trade be advised that two additional hackney carriage licenses would be made available from 1<sup>st</sup> January 2007 and that they also be advised of the application process.

In addition, it was also requested that the trade be informed that: -

- any vehicles to be assigned these new plates must be wheelchair accessible and must fully comply with vehicle specifications
- any applicant must be a fit and proper person.
- any substitute vehicle to which one of these new licences is later transferred must also be wheelchair accessible and meet the vehicle specifications.

**RESOLVED:**

- 1. That a controlled increase of hackney carriages, by the release of two hackney carriage licences per annum, be undertaken for**

**the next 3 years to allow for expected growth in population and therefore satisfy the anticipated extra demand for taxis.**

- 2. That the extra plates will be made available through a ballot system from those writing in to the Council to express an interest, with applications for the plates being accepted from ballot winners from 1<sup>st</sup> January 2007 and on this date each year thereafter.**
- 3. That this policy, including the controlled increase in the numbers of hackney carriages, be reviewed in 3 years time following a further unmet demand survey.**

**The meeting finished at 7.45 p.m.**

Approved as a true and correct record

**CHAIR**

**DATE**

**Any queries regarding these Minutes, please contact  
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or alternatively e-mail [Sjones@thurrock.gov.uk](mailto:Sjones@thurrock.gov.uk)**