

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee held on 29th November 2004 at the Town Hall, Runcorn.

Present: Councillors Philbin (Chairman), Cole, Cross, D. Inch, Lowe, Lloyd Jones, Pearsall and Wainwright.

Apologies for absence: Councillors Drakely, Gilligan and E. Ratcliffe.

Absence declared on Council business: None.

ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE COMMITTEE

REG7 TAXI DEREGULATION

The Committee was advised that the Council had a policy to limit the number of hackney carriages licensed to operate in the Borough to 267. As hackney carriage numbers were limited inevitably this resulted in a market in hackney carriage plates. It was thought that vehicles change hands for a premium of up to £10/12,000.

It was noted that under Section 16 of the Transport Act 1985 an application for a new hackney carriage plate could only be refused if the Council were satisfied that there was no significant demand for the services of hackney carriages which was unmet. The Council must have the necessary evidence on which to be able to form such a view. Even if the Council was satisfied that demand was being met it still had a discretion to grant a new licence.

The Office of Fair Trading (OFT) had issued a report in 2003 which was strongly critical of the policy of limiting the numbers of hackney carriages. The OFT favoured a policy of complete deregulation of numbers (effectively the same position as applies to private hire vehicles).

In response to the OFT report, the Department for Transport (DfT) wrote to all taxi licensing authorities in June 2002 requesting them to review their policies and make public their conclusions by 30th April 2005.

The central point made by the DfT was that the Government believed that restrictions should only be retained where there was shown to be a clear benefit for the consumer.

Action

The DfT suggested that the starting point was to look at the current (unofficial) value of Hackney Carriage plates in the Borough. If this was understood to be high this would indicate that there was a significant unmet demand for taxis in the area. This would lead to a need for a survey to be undertaken.

The Committee was advised on the unofficial value of plates in other nearby areas. It was clear that values in Halton were not high when compared with other areas. This implied that the Council could conclude that there was no significant unmet demand in the Borough and there was no obligation to commission a survey.

The Council's Taxi Consultative Group had been asked to comment on the issue. The Group (which included representatives from all parts of the trade) considered that there was no evidence of any significant unmet demand and that there should be no de-regulation in the absence of such evidence.

RESOLVED: That

- (1) the Committee considered that there was no evidence of significant unmet demand in the Borough;
- (2) consequently, the Council's existing policy be confirmed; and
- (3) the Department for Transport be advised accordingly.

Chief Executive

REG 8 SCHEDULE 12 OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

In view of the nature of the business to be transacted, it was –

RESOLVED: That under Section 100 (A) (4) of the Local Government Act 1972 the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 7 of Part I of Schedule 12A of the Act.

REG9 TAXI MATTERS

The Committee were asked to determine three referral cases, details of which had been circulated to Members of the Committee only.

Three of the applicants attended the Committee in support of their application.

RESOLVED: That in respect of:

Case No. 664

A single status driver's licence for a probationary period of 12 months was granted.

Case No. 665

A single status driver's licence for 3 x 12 month probationary periods was granted.

(NB Councillor D. Inch declared a personal and prejudicial interest in the above and left the room during its discussion).

Case No. 666

The request to obtain two free issue Hackney Carriage Plates was refused.

Chief Executive

Meeting ended at 8.30 pm

