

BATH AND NORTH EAST SOMERSET

LICENSING COMMITTEE

Thursday, 11th January, 2018

Present:- Councillors Les Kew (Chair), Neil Butters (Reserve) (in place of Michael Norton), Deirdre Horstmann, Caroline Roberts, Will Sandry, Peter Turner, Rob Appleyard and Anthony Clarke

Also in attendance: Cathryn Brown (Environmental Protection and Licensing Manager), Alan Bartlett (Public Protection Team Leader), John Dowding (Senior Public Protection Officer), Shaine Lewis (Team Leader Resources - Legal Team) and Duncan Kerr (Team Manager Business Growth)

Guests: Suzanne Davis (representing Century Casinos), Craig Hoptrough (General Manager, Saw Close Casino) and Ian Millership (LVA)

10 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer advised the meeting of the procedure.

11 ELECTION OF VICE-CHAIR (IF DESIRED)

RESOLVED that a Vice-Chair was not required on this occasion.

12 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Cllrs Emma Dixon and Michael Norton. Cllr Neil Butters substituted for Cllr Norton.

13 DECLARATIONS OF INTEREST

There were none.

14 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

15 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

There were none.

16 MINUTES: 14 OCTOBER 2015

These were approved as a correct record and signed by the Chair.

17 SAW CLOSE CASINO LIMITED - VARIATION TO SCHEDULE 9 AGREEMENT UNDER THE GAMBLING ACT 2005

The Team Manager – Environmental Protection and Licensing presented the report. She introduced Duncan Kerr (B&NES Team Manager Business Growth), Suzanne Davis (representing Century Casinos) and Craig Hoptrough (General Manager of Saw Close Casino).

She said that the proposal before the Committee today was in the nature of a tidying-up exercise. The tendering process for the casino had begun nearly six years ago. On 16 August 2012 a Schedule 9 agreement had been entered into between the Council, Global Gaming Venture (Group) Ltd, Deely Freed Estates Ltd, and Anthony Wollenberg, which specified a number of benefits that the Licensee had to provide, including local employment opportunities. On 20 June 2017 Century Casinos Europe GmbH had purchased the entire share capital of Saw Close Casino Ltd, the company set up to operate the casino. Saw Close Casino Limited had expressed uncertainty about the interpretation of conditions of the Schedule 1 of the Schedule 9 agreement relating to the provision by the operator of employment opportunities. It was felt that there was a need to clarify these conditions. In addition it was felt that because of changes to the local job market since 2012 and the difficulties that the operator might face in recruiting suitably-qualified staff, the applicable fine outlined in paragraph 3 of Schedule 1 of the Schedule 9 agreement should be waived, if the operator had made reasonable endeavours to recruit suitably-qualified local staff. It was therefore proposed to add an additional condition to Paragraph 3 of Schedule 1 to the agreement, as detailed in paragraph 5.5 of the report. The original Schedule 9 agreement was attached as Appendix 1 to the report and the proposed variations as Appendix 2.

The Team Manager – Business Growth said that because of the increase in the number of hotels, restaurants, cafes and bars in Bath, the job market was much more competitive than when the agreement had originally been made. It was therefore felt that the conditions needed to be made fairer for the casino operator. Ms Davis and Mr Hoptrough said the employment situation had been very different when the original Schedule 9 agreement had been agreed. Mr Hoptrough said that overall percentage of staff to be recruited locally would be increased, but the target would be generalised across the whole work force rather than limited to specific roles. There would be a commitment to training and internal promotion for filling vacancies for professional gambling staff.

A Member expresses surprise that it was lawful to allocate a proportion of jobs to local residents. The Team Leader – Resources Legal Team confirmed that such an agreement between parties was perfectly lawful.

In reply to questions from Members Mr Hoptrough stated:

- Gambling was the sole business of the casino, though there were several lounge areas and three bars. There would not be a dedicated restaurant, but food would be available. There would be some entertainment in a multi-use room on the second floor, but the room would also be used for gambling.
- Pay scales had not yet been finalised, but would be at the high end of the range for provincial casinos. He recognised that Bath was a high-cost city with a tight labour market and a competitive property market, and accepted that pay would have to reflect these factors.

- He would use his best endeavours to recruit gambling staff locally, and was working with local agencies to that end. The challenge was to find suitably-qualified people. If enough qualified people could not be recruited locally, he would have to recruit from outside Bath.

In response to a question from a Member about help for gambling addictions the Team Leader – Environmental Protection and Licensing explained that the operator had to submit a policy to deal with this issue

It was proposed by Councillor Kew and seconded by Councillor Appleyard and **RESOLVED** unanimously to agree the amendments to the Schedule 9 agreement contained in Appendix 2 and the proposed condition about waiver of fines set out in paragraph 5.5 of the report.

18 REVIEW OF HACKNEY CARRIAGE UNMET DEMAND SURVEY REPORT

The Team Manager – Environmental Protection and Licensing presented the report and introduced Ian Millership, a consultant who had undertaken the latest unmet demand survey on behalf of the Council.

She explained that because the Council regulates the number of Hackney Carriage Proprietor Licences in the city of Bath, it is under a duty to carry out a review of any significant unmet demand every three years, and can create new Hackney Carriage proprietor licences for the city, if the survey finds that there is significant unmet demand. The latest survey had found that there was no significant unmet demand. The recommendation to the Committee was that it should recommend that the number of vehicles licences in Zone 1 (city of Bath) should remain at the present number of 125, and that the limitation policy should remain in place.

Mr Millership gave a presentation on his unmet taxi demand survey report. A copy of his PowerPoint slides is attached as Appendix 1.

After his presentation Members made comments and asked questions.

The Chair asked whether the Council could reduce the number of licences, if it was found that demand had decreased. Mr Millership replied that it could. A council near to where he lived had imposed a moratorium on new licences, and if an existing licence was surrendered, a new licence was not issued to replace it. The Team Leader – Legal advised that licences could only be revoked for defined reasons.

In response to questions from Members, the Senior Public Protection Officer stated:

- A Hackney Carriage Proprietor's Licence for the city of Bath is seen as something of a cash asset because a Hackney Carriage can operate more flexibly than a private hire vehicle, and with the limitation policy in place there is a restricted market for operators.
- Hackney Carriage drivers in Bath tend to prefer certain ranks to work from than others, although there is encouragement to use a range of ranks.

- All new Hackney Carriages have to be wheelchair-accessible.
- There is very low demand for Hackney Carriages from wheelchair users.
- Some drivers had a preference for working in the day, others for working at night.

A Member asked about air quality. The Team Leader – Environmental Protection and Licensing replied that the Council had been mandated to improve air quality by 2021 as part of the National Air Quality action plan; efforts would be made to make it easier for the public, including taxi operators, to own vehicles with cleaner engines and to improve the emissions performance of taxis. A Member referred to taxis idling adding to the air pollution. The Team Manager- Environmental Protection and Licensing said that consideration was being given to anti-idling areas; conversations with various parties were taking place about this. The Team Leader – Resources Legal Team said that idling is an offence under the Road Traffic Act, and that Civil Enforcement Officers have the power to issue penalties to drivers who idle.

It was proposed by Councillor Kew and seconded by Councillor Appleyard and **RESOLVED** unanimously to recommend:

1. that the number of vehicles in Zone 1 remains at 125;
2. that the limitation policy remains in place.

The meeting ended at 11.40 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services



Bath and North East Somerset Council Taxi unmet demand survey

Ian Millership

**Licensing Committee
Bath and North East Somerset Council
Thursday 11th January 2018**



Aim of this survey

- Identify any significant unmet demand (or otherwise)
- Provide Committee evidence of current position regarding unmet demand and its significance at this point in time
- Allowing Committee to consider question of retaining limit, and at its current level of 125 Bath zone plates

Fleet/Industry issues

- Report relates to Bath Central Zone (former Bath City licensing area)
- 125 hackney carriages are licensed
- Present hackney carriage vehicle numbers are 40% higher than in 1994
- Private hire vehicle numbers have doubled since 1997
- But more recently it is reducing, as are overall driver numbers

Rank activity



- Half of passengers at ranks are from the Station rank (private)
- 43% from the Abbey rank
- 5% from the Westgate Buildings rank
- 1% from the George Street rank, 1% from the Southgate Street rank
- Present flows are 17% less than three years ago, but 46% higher than 2008 estimates
- There is clear vehicle spare capacity in fleet
- Marshal data supported reduced demand at ranks
- Private car abuse of ranks about 5% of overall vehicle movements
- 6% of movements at or near ranks are private hire
- Out of town taxis account for 3% (mainly near the Abbey rank)

Public consultation

- Similar sample to last time
- 55% of all licensed vehicle trips are by hackney carriages
- 42% get licensed vehicles at ranks (high)
- Hackney carriages are most obvious to the public
- Know equally about Station and Abbey ranks
- Low overall latent demand but higher at station



Stakeholder consultation

- Many use phone bookings
- None had issues with service provided
- Police feel current balance of numbers is right
- Bath BID feel marshal input is important



Disability issues

- Present fleet comprises 16% of Wheel chair Accessible Vehicles (WAV)
- This is marginally less than the English average of 25% for similar mixed fleets
- WAV equally as active as other vehicles within fleet
- Just one person accessed hackney carriages in a wheel chair at the station rank
- 15 others with apparent disability issues



Trade consultation

- Higher levels of response, 7% (nearly twice that of last)
- Few vehicles are shared
- Most vehicles service Abbey rank, then the Station rank
- Wider range of ranks are quoted as being used compared to previous years
- Support for limit still very high, 78%, including many private hire, albeit overall level reduced from previous survey



Key conclusions

- Very low value of industry standard ISUD factor
- Area again has a peaky demand profile
- Main concern relates to high latent demand and overall delay levels at station, but this is out of Council control
- Overall current view is positive
- No evidence of any unmet demand that is significant
- Main concern is reduced usage sometimes in face of increased potential demand (e.g. station passenger growth)
- Encourage further focus on customer service for sake of continuance of rank-based demand
- Can retain limit policy and number of Zone 1 licences at same level



Thank You.

Any Questions?