

Single Member Cabinet Decision**Executive
Forward Plan
Reference****E2783****E2783 Provision of 3 new hackney carriage licences to
Zone 1 (Bath area)**

Decision maker/s	Cllr Martin Veal, Cabinet Member for Community Services
The Issue	The Council currently regulates the number of taxi licences in the city of Bath. Because of this the Council is under a duty to carry out a review of any significant unmet demand every three years. This report requests the Cabinet Member to agree three additional hackney carriage licences to satisfy the significant unmet demand which the survey has identified. This matter has already been considered by the Council's Licensing Committee which has endorsed the recommendation for this number of additional licences.
Decision Date	On or after 22 Aug 2015
The decision	The Cabinet Member agrees the addition of 3 hackney carriage licences to Zone 1 (former Bath City Council area) to satisfy the significant unmet demand which has been identified in the B&NES Taxi Unmet Demand Survey Report 2014.
Rationale for decision	<p>Central Government has recommended to local licensing authorities that a restriction on numbers should only be applied where there is a demonstrable benefit to the consumer and that it would not be in the interest of consumers for market entry to be refused to anyone who meets the application criteria.</p> <p>The 2014 study has identified that there is evidence of significant unmet demand for hackney carriages in Bath and the limit on the number of licences in Zone 1 should be retained. This is because removing the limit would encourage a high take-up of new licences leading to the public being inconvenienced by high numbers of vehicles causing congestion at ranks and a reduction in the trade focus on customers. This conclusion is based upon an assessment of the implications of case law since 2000 and the analysis contained within the survey.</p>
Financial and budget implications	<p>The cost of future unmet demand surveys, required to continue with a limitation policy, will be in the region of £15k. The cost of carrying out the survey is covered by the annual licence fee for all hackney carriages.</p> <p>If the decision is taken to continue with a limitation policy then there is the possibility of legal challenge to the decision in court. The cost of any challenge could be in excess of £40k; these costs would be managed within approved budgets in the Public Protection and Health Improvement service area.</p> <p>If the decision is taken to de-limit the number of taxis then subsequent monitoring of taxi ranks may reveal a need to expand their size or number, which the Council would be responsible for funding. Any further monitoring would be covered by the licence fee income. At this stage it is unlikely that there would be a need to increase the number of ranks, however any decision</p>

	<p>to do would be subject to the normal budgetary process.</p> <p>Administration and compliance will be met from within existing resources funded by the license fee.</p>
Issues considered (these are covered in more detail in the report)	Customer Focus; Health & Safety; Other Legal Considerations
Consultation undertaken	Service Users; Stakeholders/Partners; Other Public Sector Bodies; Section 151 Finance Officer; Monitoring Officer
How consultation was carried out	Through the compilation of the taxi survey, presentation to the Licensing Committee and the circulation of the report
Other options considered	<p>The options available are:</p> <p>To partially delimit: Case law demonstrates that it would be feasible to issue batches of licences at a time which would allow a Council to assess the impact of each tranche and decide whether there is significant unmet demand. This option has been rejected as such assessments would require further budget and may result in periods of uncertainty within the trade and elsewhere.</p> <p>To delimit altogether: This option has been rejected as the unmet demand within Zone 1 (Bath) can be addressed by the addition of three additional licences and the removal of the current limitation policy could result in a legal challenge from the existing vehicle licence holders in light of the findings of the survey.</p>
Declaration of interest by Cabinet Member(s) for decision, including any dispensation granted:	None.
Any conflict of interest declared by anyone who is consulted by a Member taking the decision:	None.

Signatures of Decision Makers	
Date of Signature	

Subject to Call-in until 5 Working days have elapsed following publication of the decision