

		<b>AGENDA ITEM NO.</b>																									
<b>Report Cover Sheet</b>																											
<b>Name of Meeting:</b>		Regulatory Committee																									
<b>Date of Meeting:</b>		27th September 2007																									
<b>Report Title:</b>		Deregulation of hackney carriage zones																									
<b>Summary of report:</b>		To consider the merging of the four current zones into one																									
<b>For Further Information Please Contact (report author):</b>		David Davies, Licensing Services Manager, Members' Services. Tel: 01926 456107. david.davies@warwickdc.gov.uk																									
<b>Would the recommended decision be contrary to the Policy Framework:</b>		No																									
<b>Would the recommended decision be contrary to the Budgetary framework:</b>		No																									
<b>Wards of the District directly affected by this decision:</b>		All																									
<b>Key Decision?</b>		Yes																									
<b>Included within the Forward Plan?</b>		Yes																									
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>		No																									
<b>Background Papers:</b>		None																									
<b>Consultation Undertaken</b>																											
Below is a table of the Council's regular consultees. However not all have to be consulted on every matter and if there was no obligation to consult with a specific consultee they will be marked as n/a.																											
<table border="1"> <thead> <tr> <th>Consultees</th> <th>Yes/ No</th> <th>Who</th> </tr> </thead> <tbody> <tr> <td>Other Committees</td> <td>n/a</td> <td></td> </tr> <tr> <td>Ward Councillors</td> <td>n/a</td> <td></td> </tr> <tr> <td>Portfolio Holders</td> <td>Yes</td> <td>Councillor Kinson</td> </tr> <tr> <td>Other Councillors</td> <td>n/a</td> <td></td> </tr> <tr> <td>Warwick District Council recognised Trades Unions</td> <td>n/a</td> <td></td> </tr> <tr> <td>Other Warwick District Council Service Areas</td> <td>n/a</td> <td></td> </tr> <tr> <td>Project partners</td> <td>n/a</td> <td></td> </tr> </tbody> </table>				Consultees	Yes/ No	Who	Other Committees	n/a		Ward Councillors	n/a		Portfolio Holders	Yes	Councillor Kinson	Other Councillors	n/a		Warwick District Council recognised Trades Unions	n/a		Other Warwick District Council Service Areas	n/a		Project partners	n/a	
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Parish/Town Council	Yes	All
Highways Authority	n/a	
Residents	n/a	
Citizens Panel	n/a	
Other consultees	Yes	All hackney carriage and private hire drivers
<b>Officer Approval</b> With regard to officer approval all reports must be approved by the report author's relevant director, Finance Services and Legal Services.		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Relevant Director(s)	6/9/07	Robert Inman
Chief Executive		
CMT		
Section 151 Officer		
Legal	6/9/07	Simon Best
Finance	6/9/07	Marcus Miskinis
<b>Final Decision?</b>		No
<b>Suggested next steps (if not final decision please set out below)</b>		

## **1. RECOMMENDATION**

- 1.1 Members are asked to consider whether they wish to agree to apply the provisions of 171(4) of the Public Act 1875 to the whole of the District and, if so, to authorise the officers to give notice to the Secretary of State that it will formally resolve to adopt the provisions. The Regulatory Committee agreed, in principle to this recommendation at a meeting on 30th July 2007.

## **2. REASONS FOR THE RECOMMENDATION**

- 2.1 Prior to 1974, hackney carriages were licensed by the former Boroughs of Leamington Spa and Warwick and the Urban District Council of Kenilworth.
- 2.2 There was no taxi licensing in the area of the former Warwick Rural District Council.
- 2.3 The District Council decided to keep the separate areas, (zones), when the Councils amalgamated to form Warwick District Council. The decision was made because it was felt that if the zones were removed all taxis would concentrate on Leamington Spa and there would be no service for Kenilworth or Warwick.
- 2.4 The Transport Act 1985 extended hackney carriage licensing to all areas of the country. This meant that, for the first time, the area of the former Warwick Rural District Council was covered by the Hackney Carriage Licensing regime. It was decided at that time that this should form a fourth zone.
- 2.5 Byelaws were made by the Leamington and Warwick Borough Councils and the Kenilworth Urban District Council for the regulation of taxis, and these are still in force. It was not felt necessary to make byelaws for the Rural District as there were no ranks in the area and little demand for taxi licences.
- 2.6 The only reason the Council kept these zones in 1974 was because of the fear that all licensed vehicles would congregate in the most lucrative area of Leamington Spa. This argument has been eroded over the years mainly because of the increase in the number of private hire vehicles, and their availability to provide a service for any part of the District. There would also appear to be sufficient trade in Warwick and Kenilworth to ensure that a taxi service is maintained in those towns. This view is supported by the fact that it is the Warwick proprietors who are objecting to the proposal as they feel that cars from all over the District will congregate in Warwick.
- 2.7 The Coventry Airport, the National Agricultural Centre, Stoneleigh and the Warwick Parkway Railway Station are all in the rural area. At present, there are only two taxis licensed for the rural area and if ranks were to be established at the airport and the railway station, the majority of licensed taxis for the district would not be able legally ply for hire from those areas.
- 2.8 At present if a Leamington taxi takes a fare to Kenilworth it is not allowed to wait in Kenilworth to attract a fare but must return empty to Leamington Spa. It is felt that it would be more environmentally friendly if vehicles from the three towns could ply for hire in each town, rather than have to return to the town for which they are at present licensed.

- 2.9 The Department for Transport in their October 2006 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' recommends the abolition of zones.
- 2.10 The deregulation was agreed in principle at a meeting of the Regulatory committee on 30th July 2007, and the necessary advertisements have now been complied with. (Appendix 1)
- 2.11 If that agreement in principle is now ratified, the Secretary of State for Transport will be notified that we wish to apply Section 171(4) (ie amalgamate the zones). The effective date will be specified in the Secretary of State's approval.

### **3. ALTERNATIVE OPTIONS CONSIDERED**

- 3.1 None

### **4. BUDGETARY FRAMEWORK**

- 4.1 None

### **5. POLICY FRAMEWORK**

- 5.1 There will be a large environmental benefit, allowing all hackney carriages to pick up from anywhere in the district, not have to wait until they return to their designated zones.