

MAIDSTONE BOROUGH COUNCIL

LICENSING COMMITTEE

THURSDAY 14 NOVEMBER 2013

REPORT OF HEAD OF HOUSING AND COMMUNITY SERVICES

Report prepared by Lorraine Neale

- 1. UNMET DEMAND SURVEY A2Z LICENSING LETTER 29.8.13**
- 1.1 Issue for Decision
- 1.1.1 To consider the content of the letter received from A2Z licensing on 29.8.2013 in respect of the Hackney Carriage rank at Maidstone East Station(Appendix A) and the recommended review of taxi rank provisions
- 1.2 Recommendation of Head of Housing and Community Services
- 1.2.1 a) Note the contents of the report and agree that a review of the current Hackney Carriage rank provisions within the Borough be initiated;

b) Proceed to consider the report on the hackney carriage unmet demand survey at Item 12 of this agenda.
- 1.3 Reasons for Recommendation
- 1.3.1 At the Licensing Committee meeting held on 7 October 2013 Members were asked to note the report on the investigation of the issues raised by A2Z Licensing in their 21 June 2013 letter and were also advised of the further issues raised in a further letter received on 29 August 2013, where the subject of taxi ranks and their lawful creation were being queried, particularly the rank at Maidstone East Station.
- 1.3.2 A considerable amount of research has been undertaken by the Licensing department in an effort to find the evidence that has been requested by A2Z licensing. This has proven to be time consuming and difficult due to the historic nature of the information and it is not considered a productive use of time in provision of a good service for all. It is believed that ranks were correctly appointed and have remained unchallenged for many

years. Investigations will continue but because of the limited resource within the department a deadline for production of the information cannot be given.

1.3.3 It is considered that the rank information provided to Amey in respect of the survey was correct and certainly relates to the ranks in current use. However, in light of the query from A2Z, Amey were asked what the outcome of their survey would have been if the ranks surveyed had never been legally appointed. Amey have confirmed that it would not have affected their survey methodology and the outcome in respect of unmet demand would have been the same (Appendix B).

1.3.4 Consideration of the unmet demand survey has been deferred since the 24 June 2013 report to Committee, to enable consideration of the various matters raised by A2Z. The response to the issues in the 21, June 2013 letter was reported and noted at 7, October 2013 Committee. Further deferral took place to consider the issues raised in the 29 August 2013 letter. As Amey have confirmed that A2Z's query does not affect the outcome of their survey it is considered that Members can be satisfied with the evidential value of the survey and can consider the original report. The report is at item 12 of this agenda.

1.3.5 As a result of the queries raised and the comments made within Amey's report on ranks it is considered timely to undertake a review of the rank situation in the Borough to update the current position. It may be beneficial to remove any ranks in disuse and appoint any further ones which appear to be necessary. A full consultation with the trade and other interested parties would need to be undertaken.

1.4 Alternative Action and why not Recommended

1.4.1 An alternative course of action would be to continue to defer consideration of the unmet demand survey for research of questions raised. This would give rise to a continued risk of challenge on whether quantity restriction is lawful due to the time since the last survey and is not considered appropriate for the reasons set out in the report. Also, there could be no review of the rank provision as it stands but this is not considered to be way forward to provide the most appropriate facilities for the service.

1.5 Impact on Corporate Objectives

1.5.1 A review of taxi rank provision in the Borough will have a positive impact on the economic vitality of the town by providing an update

on efficient and effective sitings of ranks for the use of members of the public

1.6 Risk Management

1.6.1 There is no significant risk

1.7 Other Implications

1. Financial	X
b) Staffing	
c) Legal	X
d) Equality Impact Needs Assessment	X
e) Environmental/Sustainable Development	
f) Community Safety	
g) Human Rights Act	
h) Procurement	
i) Asset Management	

1.7.1 There could be some financial implications in the siting of any new ranks which will be considered as part of a review and that funding would have to be found from existing budgets.

1.7.2 There may need to be legal advice on any proposed creation or removal of ranks should that be agreed at a later stage.

1.7.3 When assessing the provision of the ranks the needs of all will be considered as part of the review.

1.8 Relevant Documents

1.8.1 Appendices

Appendix A – A2Z letter 29.8.13
Appendix B – Amey’s e-mail on survey methodology

1.8.2 Background Documents

None

IS THIS A KEY DECISION REPORT?

THIS BOX MUST BE COMPLETED

Yes

No

If yes, this is a Key Decision because:

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Wards/Parishes affected:

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