

Committee : Full Licensing Committee
Date : 2nd August 2005
Subject : Report of Consultation Regarding the Issue of
Delimitation
Report of : Licensing Manager

Wards : All

Purpose : To decide on the course of action open to
members regarding the issue of delimitation as
requested by the Department of Transport

1. Introduction

1.1 Following the Committee report compiled by Doug Lindsay on the 9th of March 2005 it was decided by members that further information was required before making a decision. (view report at

1.2 It was decided that a consultation exercise should be initiated in order to gauge the opinions of interested parties.

2. Consultation

2.1 A letter was sent to all members of the taxi and private hire trade on the 4th of May 2005 (see figure 1)

2.2 A similar letter was also sent to the following:

- Eastbourne Access Group
- ESDA
- Eastbourne Hotels Association
- Eastbourne & District Chamber of Commerce
- Mr Norman Kinnish (Director of Economy, Tourism & Environment)
- Inspector Pope
- Mr Graham Kemp (Principal Highway Engineer)

2.3 A Public notice was published in the Herald on the 6th of May 2005 (see figure 2)

3. Representation

3.1 Members of the trade that made representation are as follows (please see appendix for correspondence received)

- Mr S Adams
- Mr N Bodle (Transport & General Workers Union)
- Mr P Clifford
- Mr F Hafernik
- Mr D Haines
- Mr C Larsen
- Mr B Morris
- Mr C Parker
- Mr G Stevens & Mr R Doxford
- Mr A Venner

3.2 Representation has also been received from the following (please see appendix for correspondence received)

- Mrs L Burtenshaw (Eastbourne Hotels Association)
- Mr G Lake (Senior Traffic Engineer- East Sussex County Council)

3.3 No representation has been received in response to the Public Notice posted in the Herald.

4. Correspondence Received from the Department for Transport

4.1 Please read figure 3. This is a request from the DfT asking for guidance from EBC on this issue by the end of June. This correspondence is itself the outcome of the Governments response to the Office of Fair Trading (OFT) report stated by parliament on the 18th of March 2004 (see figure 4).

5. Options Available to Committee

5.1 It is evident from the correspondence that there are a number of options available to committee regarding this issue. These options are summarised in figure 5 (see attached)

5.2 To maintain a restriction policy of any kind (see figure 5 - option 1a & 1b) will necessitate an unmet demand survey. A report can then be sent to the DfT stating this.

5.3 Alternatively Committee may decide on either options 2a or 2b. Either of these options will not require the services of a company to carry out an unmet demand survey. The DfT will be advised accordingly and the policy brought into force.

6 Health, Safety and Enforcement implications

6.1 Taxis and Private Hire Vehicles comprise an integral part of the transport infrastructure of the town. It is important that members are aware that there must be an adequate number of Taxis at the ranks in order to provide a viable service. This is especially true at night as taxis play an important role in efficiently moving the public out of the town away from clubs and pubs. Therefore reducing the number of alcohol related incidents, noise, litter and subsequent work for the Police and other enforcement agencies.

7. Human Resource & Financial Implications

7.1 A significant amount of time has been spent by the Licensing Team in the consultation process and previous committee reports regarding this issue. The costs involved in this are recouped via the licence fees. However the process was time consuming and therefore diverted resources from other licensable activities. If committee decides in favour of possibly pursuing either option 1a or 1b then an unmet demand survey is required at a cost of approximately £25,000.

8. Outcome of decision by members

8.1 The outcome of the decision made by members may have a significant impact on the transport system in Eastbourne, members of the public and members of the trade.

9. Summary of Options

9.1 Members are asked to pursue one of the options in figure 5 so that the DfT can be informed of action taking place and whether an unmet demand survey is required.

9.2 It must be stressed that the Governments response to the OFT report (see figure 4) enables the local authority to decide what is in the best interest of the area.

9.3 Restrictions to the number of Taxis in an authority can only be justified if the removal of the restriction would lead to significant customer detriment. It is envisaged by Government that local authorities will delimit either with or without quality assurance in line with the OFT report.

Figure 5: Options open to committee in light of the OFT report.

Option	Customer safety and service: For and against.	Hackney trade issues; For and against.
1 (a) Maintain restriction policy no other changes	<p>For Any improvements are subject to survey accuracy limits and demand/supply changes between surveys</p> <p>Against Demand/supply not market led Demand/supply problems from time to time No improvement for disabled people Limited service expansion opportunities</p>	<p>For Minimal impact on plates and earnings Demand approximately equal to supply Small risk of congestion at ranks</p> <p>Against Costs of surveys Business opportunities always restricted because unable to exercise free choice to expand.</p>
1 (b) Maintain restriction policy with all new plates for approved wheelchair accessible taxis	<p>For (additional to 1(a) above) Increase in wheelchair accessible taxis</p> <p>Against Limited increase in wheelchair accessible taxis</p>	<p>For (additional to 1(a) above) None</p> <p>Against (additional to 1(a)above) None</p>
2 (a) Delimit, no additional conditions	<p>For Market led changes in demand/supply Increased supply of taxis generally Increased supply of taxis at night plying for hire. Reduction of disorder at night through reduced waiting times Facilitates provision of new ranks Improved service generally Market may become more competitive.</p> <p>Against Little, if any increase in wheelchair accessible taxis</p>	<p>For Business opportunities through expansion of customer base and additional ranks.</p> <p>Against Plate premium will disappear Possible rapid expansion may result in oversupply, loss of earnings and congestion at ranks at times. Provision of additional ranks?</p>
2 (b) Delimit	For (additional to 2(a)	For (additional to 2(a) above)

<p>with all new plates for approved wheelchair accessible taxis (Quality Assurance)</p>	<p>above) Improved supply of wheelchair accessible taxis for people with a range of disabilities. Increased flexibility through greater availability of vehicles licensed for more than 4 passengers.</p> <p>Against None come to mind.</p>	<p>Expansion of vehicles likely to be modest. Reduced possibility of oversupply and congestion at ranks. Reduced effect on plate premium, which could increase, stay the same or decline. Improved driver safety through safer vehicle designs which protect driver</p> <p>Against Plate premium may deflate Could be some reduction of earnings Small possibility of congestion of ranks</p>
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