

Extracts from “Taxi and Private Hire Vehicle Licensing: Best Practice Guidance” October 2006

Accessibility

12. *Local licensing authorities will want to consider how accessible the vehicles they license as taxis are for disabled people (which includes but is not limited to - people who need to travel in a wheelchair).*

13. *Licensing authorities will know that the Department has for some years now been working on proposals which would substantially improve taxi provision for people with disabilities. This work is continuing and an announcement will be made in due course. In the meantime licensing authorities are encouraged to introduce taxi accessibility policies for their areas. The Department's letter to local licensing authorities of 9 September 2002, the relevant part of which was repeated in the letter of 16 June 2004, gave more detailed guidance.*

14. *Different accessibility considerations apply as between taxis and PHVs. Taxis can be hired on the spot - in the street or at a rank - by the customer dealing directly with a driver; but PHVs can only be booked through an operator. It is important that a disabled person should be able to hire a taxi on the spot with the minimum delay or inconvenience, and having accessible taxis available helps makes that possible. For PHVs, it may be more appropriate for a local authority to license any type of saloon car, noting that some PHV operators offer accessible vehicles in their fleet.*

Existing duties under the Disability Discrimination Act 1995 (DDA)

15. *Since 31 March 2001 licensed taxi drivers in England and Wales have been under a duty (under s.37 of the Disability Discrimination Act 1995) to carry guide, hearing and other prescribed assistance dogs in their taxis, without additional charge. Drivers who have a medical condition that is aggravated by exposure to dogs may apply to their licensing authority for exemption from the duty on medical grounds. Any other driver who fails to comply with the duty is guilty of a criminal offence and liable, on summary conviction, to a fine of up to £1,000. Similar duties covering PHV operators and drivers have been in force since 31 March 2004.*

16. *Enforcement of the duties is the responsibility of local licensing authorities. It is therefore for authorities to decide whether breaches should be pursued through the courts or considered as part of the licensing enforcement regime, having regard to guidance issued by the Department.*

Duties under the DDA , as amended by the Disability Discrimination Act 2005

17. *The Disability Discrimination Act 2005 amended the DDA 1995 to enable the Government to lift the exemption in Part 3 of that Act for operators of transport vehicles. The amendment allowed for the exemption to be lifted for different services, at different times and to different extents. Regulations have been made to lift the exemption in relation to vehicles used to provide public transport services, including taxis and PHVs, as well as for vehicle hire services and breakdown services, These*

Regulations come into force on 4 December 2006 and will effectively apply certain duties in Part 3 of the DDA 1995 to providers of transport services who provide such services through the use of specified vehicles. In order to meet these new duties, licensing authorities will be required to review any practices, policies and procedures that make it impossible or unreasonably difficult for a disabled person to use their services. The Disability Rights Commission (DRC) has produced a Code of Practice to explain the new Part 3 duties for the transport industry. This is on the DRC's website at www.drc-gb.org. The Code is a supplement to, and should be read in conjunction with, the Code of Practice for Part 3 of the Act: Rights of Access to Services and Premises, which is also on the website. An example of responding to these new duties would be providing - for use in informing passengers - Braille cards to those drivers exempted from the duty to carry prescribed assistance dogs.

Vehicles

Specification of Vehicle Types That May Be Licensed

18. The legislation gives local authorities a wide range of discretion over the types of vehicle that they can license as taxis or PHVs. Some authorities specify conditions that in practice can only be met by purpose-built vehicles but the majority license a range of vehicles.

19. Normally, the best practice is for local licensing authorities to adopt the principle of specifying as many different types of vehicle as possible. Indeed, local authorities might usefully set down a range of general criteria, leaving it open to the taxi and PHV trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way there can be flexibility for new vehicle types to be readily taken into account.

20. It is suggested that local licensing authorities should give very careful consideration to a policy which automatically rules out particular types of vehicle or prescribes only one type or a small number of types of vehicle. For example, the Department believes authorities should be particularly cautious about specifying only purpose-built taxis, with the strict constraint on supply that that implies. (There are at present only two designs of purpose-built taxi.) But of course the purpose-built vehicles are amongst those which a local authority could be expected to license. Similarly, it may be too restrictive to automatically rule out considering Multi-Purpose Vehicles, or to license them for fewer passengers than their seating capacity (provided of course that the capacity of the vehicle is not more than eight passengers).

Quantity Restrictions Of Taxi Licences Outside of London

29. The present legal provision on quantity restrictions for taxis outside London is set out in section 16 of the Transport Act 1985. This provides that the grant of a taxi licence may be refused, for the purpose of limiting the number of licensed taxis 'if, but only if, the [local licensing authority] is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet'.

30. Local licensing authorities will be aware that, in the event of a challenge to a decision to refuse a licence, the local authority concerned would have to establish that it had, reasonably, been satisfied that there was no significant unmet demand.

31. Most local licensing authorities do not impose quantity restrictions; the Department regards that as best practice. Where restrictions are imposed, the Department would urge that the matter should be regularly reconsidered. The Department further urges that the issue to be addressed first in each reconsideration is whether the restrictions should continue at all. It is suggested that the matter should be approached in terms of the interests of the travelling public - that is to say, the people who use taxi services. What benefits or disadvantages arise for them as a result of the continuation of controls; and what benefits or disadvantages would result for the public if the controls were removed? Is there evidence that removal of the controls would result in a deterioration in the amount or quality of taxi service provision?

32. In most cases where quantity restrictions are imposed, vehicle licence plates command a premium, often of tens of thousands of pounds. This indicates that there are people who want to enter the taxi market and provide a service to the public, but who are being prevented from doing so by the quantity restrictions. This seems very hard to justify.

33. If a local authority does nonetheless take the view that a quantity restriction can be justified in principle, there remains the question of the level at which it should be set, bearing in mind the need to demonstrate that there is no significant unmet demand. This issue is usually addressed by means of a survey; it will be necessary for the local licensing authority to carry out a survey sufficiently frequently to be able to respond to any challenge to the satisfaction of a court. An interval of three years is commonly regarded as the maximum reasonable period between surveys.

34. As to the conduct of the survey, the Department's letter of 16 June 2004 set out a range of considerations. But key points are:

- **the length of time that would-be customers have to wait at ranks.** However, this alone is an inadequate indicator of demand; also taken into account should be...
- **waiting times for street hailings and for telephone bookings.** But waiting times at ranks or elsewhere do not in themselves satisfactorily resolve the question of unmet demand. It is also desirable to address...
- **latent demand**, for example people who have responded to long waiting times by not even trying to travel by taxi. This can be assessed by surveys of people who do not use taxis, perhaps using stated preference survey techniques.
- **peaked demand.** It is sometimes argued that delays associated only with peaks in demand (such as morning and evening rush hours, or pub closing times) are not 'significant' for the purpose of the Transport Act 1985. The Department does not share that view. Since the peaks in demand are by definition the most popular times for consumers to use taxis, it can be strongly argued that unmet demand at these times should not be ignored. Local authorities might wish to consider when the peaks occur and who is being disadvantaged through restrictions on provision of taxi services.
- **consultation.** As well as statistical surveys, assessment of quantity restrictions should include consultation with all those concerned, including user groups (which should include groups representing people with disabilities, and people such as students or women), the police, hoteliers, operators of pubs and clubs and visitor attractions, and providers of other transport modes (such as train operators, who want taxis available to take passengers to and from stations);
- **publication.** All the evidence gathered in a survey should be published, together with an explanation of what conclusions have been drawn from it and

why. If quantity restrictions are to be continued, their benefits to consumers and the reason for the particular level at which the number is set should be set out.

- **financing of surveys.** *It is not good practice for surveys to be paid for by the local taxi trade (except through general revenues from licence fees). To do so can call in question the impartiality and objectivity of the survey process.*

35. Quite apart from the requirement of the 1985 Act, the Department's letter of 16 June 2004 asked all local licensing authorities that operate quantity restrictions to review their policy and justify it publicly by 31 March 2005 and at least every three years thereafter. The Department also expects the justification for any policy of quantity restrictions to be included in the five-yearly Local Transport Plan process. A recommended list of questions for local authorities to address when considering quantity controls was attached to the Department's letter. (The questions are listed in Annex A to this Guidance.)

Local Transport Plans

67. The Transport Act 2000 requires most local transport authorities in England (not London) to produce and maintain a Local Transport Plan (LTP), having regard to any guidance issued by the Secretary of State. The latest guidance was published in December 2004 asking for a provisional LTP by 29 July 2005 and a final one by 31 March 2006. LTPs set out the authority's local transport strategies and policies, and an implementation programme over a five year period. Authorities report each year on their delivery of policies and programmes in Annual Progress Reports.

68. All modes of transport including taxi and PHV services have a valuable part to play in overall transport provision, and so local licensing authorities have an input to make to the LTP process. The key policy themes for such services could be availability and accessibility. LTP input could include statements of policy on:

- *quantity controls, if any, and plans for their review;*
- *licensing conditions, with a view to safety but also to good supply of taxi and PHV services;*
- *fares;*
- *on-street availability, especially through provision of taxi ranks;*
- *vehicle accessibility for people with disabilities;*
- *encouragement of flexible services.*

69. There should also be a statement of changes in policy since the last LTP and changes that are intended. It would be useful to provide statistics of changes in the number of licences for vehicles, drivers and operators, so that trends in availability can be identified.

Annex A: Taxi and Private Hire Vehicle Licensing: Best Practice Guidance

Useful questions when assessing quantity controls of taxi licences

- *Have you considered the Government's view that quantity controls should be removed unless a specific case that such controls benefit the consumer can be made?*

Questions relating to the policy of controlling numbers

- *Have you recently reviewed the need for your policy of quantity controls?*
- *What form did the review of your policy of quantity controls take?*
- *Who was involved in the review?*
- *What decision was reached about retaining or removing quantity controls?*
- *Are you satisfied that your policy justifies restricting entry to the trade?*
- *Are you satisfied that quantity controls do not:*
 - *reduce the availability of taxis;*
 - *increase waiting times for consumers;*
 - *reduce choice and safety for consumers?*
- *What special circumstances justify retention of quantity controls?*
- *How does your policy benefit consumers, particularly in remote rural areas?*
- *How does your policy benefit the trade?*
- *If you have a local accessibility policy, how does this fit with restricting taxi licences?*

Questions relating to setting the number of taxi licences

- *When last did you assess unmet demand?*
- *How is your taxi limit assessed?*
- *Have you considered latent demand, ie potential consumers who would use taxis if more were available, but currently do not?*
- *Are you satisfied that your limit is set at the correct level?*
- *How does the need for adequate taxi ranks affect your policy of quantity controls?*

Questions relating to consultation and other public transport service provision

- *When consulting, have you included etc*
 - *all those working in the market;*
 - *consumer and passenger (including disabled) groups;*
 - *groups which represent those passengers with special needs;*
 - *local interest groups, eg hospitals or visitor attractions;*
 - *the police;*
 - *a wide range of transport stakeholders eg rail/bus/coach providers and traffic managers?*
- *Do you receive representations about taxi availability?*
- *What is the level of service currently available to consumers (including other public transport modes)?*

Taxi Licensing: Review of Local Authority Quantity Control Policies" September 2005

*LOCAL AUTHORITY RESPONSES REFLECT THEIR POSITION IN 2005

Summary

1. The Department for Transport wrote to 151 local licensing authorities last year asking them to review their policy of controlling taxis numbers. This paper summarises the responses to that request from those local licensing authorities which decided to maintain quantity controls.

2. In total, 82 final responses were received by the end of August 2005. 35 local authorities have made a decision to remove quantity controls and 47 have decided to retain a limit on the number of taxi licences they are prepared to grant. A number of authorities have sent interim replies indicating that they are still considering the matter

Background to the request.

3. The Office of Fair Trading undertook a study of the UK taxi and private hire vehicle (PHV) market in 2002/03; its report was published in November 2003. The principal recommendation was that local licensing authorities' power to restrict the number of taxi licences they issue should be repealed.

4. The Government's response was published in March 2004. The Government did not accept this recommendation, taking the view that local authorities should continue to be responsible for making decisions about whether or not to control taxi numbers in their respective areas.

5. However, in its response to the OFT report, the Government conveyed its belief that, in general terms, quantity restrictions were unlikely to be in the best interests of consumers. The response said that those local licensing authorities that imposed quantity controls would be asked to review their policy with particular emphasis on benefits for consumers. A letter duly issued from the Department on 16 June 2004; it asked 151 local licensing authorities to carry out a review of their quantity control policy. Local authorities were asked to publish the results of their review by 31 March 2005 and to send the published outcome to the Department by 30 April 2005.

6. In essence, those licensing authorities who decided to maintain quantity controls were asked for a justification of their policy. In other words, they were asked "*why continue to control taxi numbers at all; why not remove the limit altogether?*" This paper collates and summarises the responses to that question (the replies from individual authorities should have already been made public by the authority; copies should be available from the authority but can also be obtained on request from the Department).

Background to the legislation

7. In England and Wales (outside London) local licensing authorities can choose to place a limit on the number of taxi (vehicle) licences which they grant. (This relates solely to vehicle licences; there is no power to control the number of driver licences.) More than half of all licensing authorities choose not to impose a limit.

8. Those licensing authorities that choose to control taxi numbers cannot just set an arbitrary limit; they must have regard to the question of demand. Section 16 of the Transport Act 1985 provides that:

"the grant of a licence may be refused, for the purpose of limiting the number of hackney carriages in respect of which licences are granted, if, but only if, the person authorised to grant licences is satisfied that there is no significant unmet demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet".

9. The usual way of assessing demand is by means of a survey. Taxi licence applicants have a right of appeal to the Crown Court against a decision to refuse a licence; if the refusal was on the grounds of limiting numbers, the onus would be on the local authority to demonstrate to the court that there was no significant unmet demand.

10. This issue is restricted to England and Wales (outside London). Different legislation applies in London where quantity controls are not permitted. Different legislation also applies in Scotland and Northern Ireland (and the respective Administrations made separate responses to the OFT report).

Responses - general

11. The Department had, by the end of August 2005, received 82 responses. Of these, 47 were received from local authorities which decided to retain a policy of controlling taxi numbers 35 of the local authorities had abandoned their policy of controlling taxi numbers. (A table listing replies to date is attached)

12. The detail provided in replies varied; some local authorities simply conveyed the fact that they were retaining quantity controls (in which case they were pressed for their reasoning) whilst others went into detail about the positive aspects of controlling taxi numbers.

13. Authorities were asked to make their responses public so that local people could see the decision reached by the local authority and - where quantity controls were being maintained - the justification for that decision.

Reasons given for retaining quantity controls

No reason to change a policy that works

14. The most common response amongst local authorities for retaining quantity controls was that if the limit on taxis was set at the correct level with an adequate level of supply, **no change to the policy was warranted**. The argument ran if the limit was set at the right level with no significant unmet demand (as evidenced by a recent survey), passengers did not have to wait unreasonable lengths of time to secure a taxi and the status quo could therefore prevail with no ill-effects. In essence,

they saw no reason to change a policy that they regarded as satisfactory just for the sake of it.

15. In a few cases, the **sole** reason given by licensing authorities was that there was no unmet demand for taxis in the area so there was no need to change the status quo. In other cases, the absence of any unmet demand was cited as a **contributory factor** in the local authority reaching a decision to retain quantity controls.

16. In justifying that their limit was set at an adequate level, some local licensing authorities compared their local provision to the average ratio of taxis per head of population of 1.1 taxis per 1000 population (a generally agreed rate quoted by consultants). One urban area said its level was double the national average - 2.1 per 1000 and another was 2.15 per 1000 which it claimed was similar to derestricted authority 2.15 per 1000 and justified retention of its policy.

Consumer benefits

17. Local licensing authorities were asked specifically about benefits for consumers. Indeed, the Government's response to the OFT report urged them to abandon quantity controls unless it could be demonstrated that such a policy was in the best interests of consumers. As a general observation, consumer interests did not feature prominently in responses; some did not mention consumers at all. Those that did can be summarised as follows:

- quantity controls allow for multi-shifting (ie those drivers who cannot acquire a licence must rent a vehicle; the vehicle owner will tend to work through the day and the driver who rents is forced to work at less attractive times - evenings and nights); it is this system which ensures adequate coverage throughout the day and night. Increased numbers of cabs - allowing renting drivers to acquire their own vehicle - could undermine the current structure of taxicab provision and could lead to under provision at night time and weekends.
- where the limit is deliberately fixed above the level of demand identified - issuing more licences than identified by survey of unmet demand - consumers benefit from an excess in supply. More than enough cabs - evidenced by very small passenger delay and long driver wait at ranks.
- wider public benefits to be gained from a good relationship between the trade and the licensing authority - no need to jeopardise that relationship for no real gain.
- quantity controls mean that PHV drivers remain in the PHV trade (rather than shifting to the taxi trade) so consumers benefit from having an adequate supply of PHVs for pre-booked work. Particular benefits for consumers in outer lying areas where pre-booked hirings are more common.
- quantity controls enable the trade to earn enough to afford a high quality and safe vehicle fleet which is beneficial to consumers.
- limitation policy per se does not have any adverse impact on customer safety; received no representations or complaints about the level of taxi service provided in the last 12 months.
- deregulation would mean considerable disruption to the level and quality of supply, at least in the short term. In the longer term the level of turnover of proprietors and drivers is also likely to be higher which may have an adverse effect on the quality of vehicles and drivers.
- quantity control policy helps to develop accessibility policy by supporting substantial investment.

- no complaints from members of the public about difficulties in obtaining taxis or excessive waiting times.

Trade interests

18. A number of local licensing authorities considered that an important part of their role in relation to taxi licensing was to provide a degree of protection for the taxi trade and thought that quantity controls contributed to this objective:

- deregulation might lead to reduction in earnings for drivers (and increased waiting times at ranks) resulting in material hardship.
- deregulation would generate an influx beyond just PHV drivers shifting over to taxi work, leading to oversupply and an unviable business.
- in areas of highly seasonal work (eg. seaside town), low level of activity during the winter months, drivers' incomes should be protected.
- restriction in name only; there are unallocated plates, but formally removing limit would be unnecessary and confrontational - dissent within trade for no real reason.
- taxis no longer able to work from the station which mean that there are surplus cabs in the area; quantity controls protect income and value of owners' investment.
- quantity controls enable the quality of the fleet to be maintained whilst also recognising the substantial investment in such vehicles by the trade.
- quantity controls protect the taxi trade; it means reduced competition; in a small town. Income can be insufficient to cover operating costs so protection is justified.
- deregulation might encourage "cherry pickers" to the detriment of full time workers.
- deregulation would mean reduced custom for existing licence holders.
- a quantity control policy provides stability within the trade.

Taxi ranks

19. Some local licensing authorities which decided to retain quantity control expressed concern about the provision of adequate rank space if they were to deregulate.

- if quantity controls were removed, there would be insufficient rank space available to cater for the increased number of cabs.
- there would be a need to manage the ratio of ranks to taxis.
- some cities do not readily lend themselves to additional rank space eg shortage of adequate kerb space.
- the unpredictability of deregulation would exacerbate lack of sufficient taxi ranks in appropriate locations.

Traffic congestion

20. A number of local licensing authorities feared the potential impact that removing quantity controls might have on local congestion:

- if quantity controls were removed, there would be a risk of oversupply; additional vehicles cruising the streets would give rise to traffic management concerns.
- potentially adverse impact on the environment, particularly air pollution, especially where low emission zones are being considered.

- any increase would have a detrimental effect on traffic flow; it would place increased pressure on enforcement resources designed to ensure through flow of traffic within the city centre.
- already a problem with drivers parking up illegally because of shortage of rank space; additional cabs would exacerbate the problem.

Wider transport/social policy

21. A policy of controlling taxi numbers was cited by a number of local licensing authorities as being an integral part of a wider transport/social policies:

- a policy of controlling taxi numbers meets the aims of the area's Local Transport Plan.
- considering taxi provision in the context of a pedestrianised town centre means that deregulation would not be appropriate -only small increments should be made to the existing fleet depending on the evidence for demand.
- policy supports town's transportation policy and existing transport infrastructure.
- potential environmental consequences of change in terms of infrastructure requirements and the impact on the historic city means that the absence of disbenefit is adequate reason to maintain quantity controls.
- small sized city and low density suburban areas do not provide market conditions that lend themselves to traditional taxi activity; PHVs are more geared up to serving this type of market.
- local authority is best placed to determine local needs and those needs must be determined in the context of the long standing and consistent traffic and transport policies in the area. Taxis allowed into certain controlled areas where private cars are prohibited - control of taxis is therefore paramount importance to city council.
- local solutions to local problems.
- deregulation would exacerbate local traffic problems to no apparent benefit given that regular surveys do not indicate unmet demand.
- monitoring major town centre redevelopment before reviewing policy.
- size and geographical nature of the area.

Premiums

22. Where quantity controls are imposed, it is usual for the licences which are in circulation to acquire an intrinsic value; they can be sold for a premium often reaching many thousands of pounds. Some local licensing authorities referred to these - unofficial - premiums in their responses:

- there is an obligation on local authorities to protect licence holders' investment.
- a relatively low level of premium compared to neighbouring areas suggests that little unmet demand, thereby justifying retention of quantity controls.
- the existence of a premium is not necessarily an indicator of unmet demand. The premium may reflect low cab waiting time associated with under supply, and hence passenger delay. It might be due to fares level which is higher than break even level for a given supply. It may simply be a reflection of the absence of alternative means of gaining employment. In an area with low level of passenger delays, it is likely that the high premium is resulting from fare levels having risen above the equilibrium for the given number of vehicles. So, removing the limit would simply remove the premium whilst providing very little measurable benefit to customers. If, on the other hand, fare levels were

addressed the disbenefit to the trade would at least be balanced by benefit to customers.

Miscellaneous

23 Some local licensing authorities put forward other arguments in favour of retaining quantity control policies:

- deregulation would increase the resources required to enforce taxi standards.
- deregulation would introduce uncertainty as to the speed with which licences would be taken up and this could have consequential impact upon matters such as the general management of transport provision and the administration processes within the taxi and PHV licensing section.
- fluctuating staff levels to administer licensing system might lead to redundancies.
- could cost LA £20,000 to defend a judicial review.

Buses and Taxis Division
Department for Transport
September 2005

Name of licensing authority	Final reply	Removing or retaining quantity controls	Comments
Adur			No communication from Council
Amber Valley	28 June 04	Removing	
Ashford	29 March 05	Removing	
Aylesbury Vale	23 June 05	Retaining	
Babergh			Interim 15 June 05; undertaking review
Barnsley			Interim 29 June 05; undertaking review
Barrow-in-Furness			Interim 21 Feb 05; undertaking review
Basildon	10 June 05	Removing	
Basingstoke	24 March 05	Retaining	
Bassetlaw			No communication from Council
Bath and NE Somerset	14 April 05	Retaining	

Bedford	7 July 05	Retaining	
Blackburn Darwen	22 June 05	Retaining	
Blackpool	23 March 05	Retaining	
Blyth Valley			No communication from Council
Bournemouth			Interim 11 Jan 05; undertaking review
Bradford			Interim April 05; undertaking review
Braintree	26 Oct 04	Retaining	
Brighton and Hove	7 March 05	Retaining	
Burnley	18 Feb 05	Retaining	
Calderdale	28 June 05	Retaining	
Cardiff			Interim 29 June 04. Judicial review taking place.
Carrick	1 July 05	Retaining	
Castle Point	17 June 05	Removing	
Chelmsford	14 June 05	Removing	
Cherwell			Interim 28 Jan 05; undertaking review
Chester	May 05	Retaining	
Chester-le-Street			Interim 14 June 05; undertaking review
Chorley	6 June 05	Retaining	
Colchester			No communication from Council
Congleton	30 June 05	Retaining	
Conwy	28 June 05	Removing	
Copeland	4 March 05	Removing	

Corby	29 April 05	Retaining	
Crawley	13 June 05	Removing	
Denbighshire	7 Feb 05	Removing	
Dover			No communication from Council
Durham	22 April 05	Removing	
Easington	25 April 05	Removing	
East Lindsey	10 Dec 04	Removing	
East Northants	11 April 05	Removing	
East Riding	31 March 05	Removing	
Eastbourne			No communication from Council
Eastleigh			No communication from Council
Ellesmere Port	12 April 05	Retaining	
Exeter			Interims seeking clarification re review Oct and Dec 04
Fylde	21 June 05	Removing	
Gosport	19 April 05	Removing	
Great Yarmouth			Interim 8 Nov 04; undertaking review
Guildford	4 July 05	Removing	
Gwynedd			No communication from Council
Halton	26 Jan 05	Retaining	
Harlow			No communication from Council
Harrogate	1 April 05	Retaining	
Hastings			Interim 10 June 05; undertaking review

Havant	30 March 05	Retaining	
High Peak			Interim 21 June 05; considering undertaking cons exercise
Huntingdonshire			
Hyndburn			Interim 18 Oct 04; seeking clarification
Ipswich	8 April 05	Removing	
Kerrier	2 July 04	Removing	
Kettering	13 June 05	Removing	
Kings Lynn			Interim 13 May; undertaking review
Kingston-upon-Hull			
Kirklees			Interim 15 June 05; undertaking review
Knowsley			No communication from Council
Lancaster	8 June 05	Retaining	
Leeds	18 March 05	Retaining	
Leicester	23 June 05	Retaining	
Lincoln	8 Feb 05	Retaining	
Liverpool	6 April 05	Retaining	
Luton			Interim 2 Feb 05; seeking clarification
Maidstone	3 May 05	Retaining	
Manchester			Interim 27 June 05; undertaking review
Merthyr Tydfil			Interim 15 July 04; undertaking review
Middlesbrough			Interim 22 June 04; seeking clarification
Mole Valley	14 June 05	Removing	
New Forest			No communication from

			Council
Newcastle-upon-Tyne	23 June 05	Retaining	
Newcastle-under-Lyme	14 June 05	Retaining	
N E Lincolnshire	11 June 05	Removing	
Nottingham			No communication from Council
Oldham			Interim 28 Feb 05; undertaking review
Oxford	31 Jan 05	Retaining	
Pendle			No communication from Council
Penwith	25 May 05	Retaining	
Plymouth			Interims 25 Jan and 29 July 04; seeking clarification
Poole	8 April 05	Retaining	
Portsmouth			Interim 14 March 05; undertaking review
Preston			Interim 30 June 04; seeking clarification.
Reading	31 March 05	Retaining	
Reigate and Banstead			No communication from Council
Restormel			Interim 18 June 04 - acknowledgement
Ribble Valley	1 July 05	Retaining	
Richmondshire	15 April 05	Retaining	
Rochdale			Interim 29 March 05; undertaking review
Rotherham	17 Feb/21 July	Retaining	
Rugby			Interim 14 June 05; undertaking review
Salford	25 July	Retaining	

	05		
Scarborough			No communication from Council
Sefton			Interim 5 July 05; seeking clarification
Selby	24 June 04	Removing	
Slough	16 June 05	Removing	Judicial review; LA won.
Solihull	14 April 05	Removing	
South Bedfordshire	30 March 05	Removing	
South Ribble	13 June 05	Removing	
South Tyneside	15 June 05	Retaining	
Southampton			Interim 10 June 05; undertaking review
Southend-on-Sea	29 Oct 04	Retaining	
St Edmundsbury			Interim 19 May 05; undertaking review
St Helens			No communication from Council
Stevenage			Interim 8 June 05; undertaking review
Stockport			Interim 11 March 05; undertaking review
Stoke on Trent			No communication from Council
Stratford-upon-Avon	23 July 04	Removing	
Sunderland			Interim 14 Jan 05; undertaking review
Swindon	21 July 05	Removing	
Tameside			Interim 8 July 05; undertaking review
Teignbridge			Interim 23 June 05; undertaking review
Test Valley			Interim 21 June 05;

			undertaking review
Thanet			Interims 15 Dec, 25 Feb, 1 Mar; undertaking review
Thurrock			No communication from Council
Torbay	22 June 05	Retaining	
Torfaen			Interim 31 March 05; undertaking review
Torrige			Interim 28 June 05; undertaking review
Trafford	17 June 05	Retaining	
Tunbridge Wells			No communication from Council
Wakefield			Interim 1 July 04; query re interaction with zones
Walsall	15 June 05	Removing	
Wansbeck	6 July 05	Retaining	
Warrington	17 August 05	Retaining	
Watford	14 March 05	Retaining	
West Somerset	9 June 05	Removing	
Weymouth			Interim 27 April; undertaking review
Wigan			Interim 9 Dec 04; undertaking review
Windsor and Maidenhead			Interim 10 June 05; undertaking review
Woking	9 June 05	Removing	
Wolverhampton	31 March 05	Removing	
Worthing			Interim 19 Jan 05; undertaking review
Wrexham	10 Feb 05	Removing	
Wycombe			No communication from

			Council
Wyre	26 May 05	Retaining	
Wyre Forest	14 June 05	Retaining*	*Deregulation plan - but yet to be ratified
York			Interim 28 June 05; undertaking review
Bristol (sent 28 June 04)			Interim 8 August 05; undertaking review
Mid-Sussex (sent 30 Sept 04)	29 June 05	Retaining	
South Somerset (sent 12 July 04)	28 July 05	Removing	
North Tyneside (sent 1 April 05)	10 May 05	Retaining	
Bolton (sent 10 March 05)			No communication from Council
Sevenoaks (sent 10 March 05)	5 April 05	Retaining	
Welwyn Hatfield (sent 10 Mar 05)			No communication from Council

9TH MARCH 2009

APPENDIX 3

Petition to:

Eastbourne Borough Council, Licensing Committee 13 Oct 2008

The Disability Involvement Group and its wider membership, the undersigned, wish the Council to delimit the number of taxi licences available and for these licences to be for accessible vehicles.

Name	
J. BETTLEY	
R. TOWNSEND	
A JENNER	
J. JENNER	
M. WEEKS	
M KENWARD	
J CLARK	
J MULLEN	
P. DUFFY	
E. S. JEFFERS	
SWILLIAMS	1
M WEST	1
J. LOFT	5
J SYMONS	1
E. HUNTER	1
H. EDWARDS	3
L. POWIS	1

U

Petition to:
Eastbourne Borough Council, Licensing Committee 13 Oct 2008

The Disability Involvement Group and its wider membership, the undersigned, wish the Council to delimit the number of taxi licences available and for these licences to be for accessible vehicles.

Name
HOOSON
FORD
B MORRIS
R CHEESEMAN
F CHEESEMAN
A. HANCOX
V. HANCOX
S McPALL
J CORFED
D SMITH
DE SMITH
S R TOWNSEND
J BETTLEY
A & J JENNER
F HARRIS
Pamela Short
Henry B. B. B.

Petition to:

Eastbourne Borough Council, Licensing Committee 13 Oct 2008

The Disability Involvement Group and its wider membership, the undersigned, wish the Council to delimit the number of taxi licences available and for these licences to be for accessible vehicles.

Name	Address	Signature
N. COVAK		
R. E. CUTLACK		
JEREMY BENGE		
IAN GOWER		
GILL DARRYSHIRE		
MARK DARRYSHIRE		
JACQUELINE STJOHN		

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DIG Sub mission 23/02/09

We very much welcome the opportunity to comment on this important issue, and on behalf of the Disability Involvement Group (DIG) we would like to thank the Committee for their consideration of our views.

The DIG totally accepts that the taxi industry needs to be viable. It would certainly never deny anyone's right to earn a decent living from their chosen career. We also know that wheelchair accessible vehicles are expensive to buy new and the second-hand market is small, and the annual running costs tend to be higher than regular saloons. Taking all this into consideration the DIG would still request the Committee to release more licences for accessible vehicles.

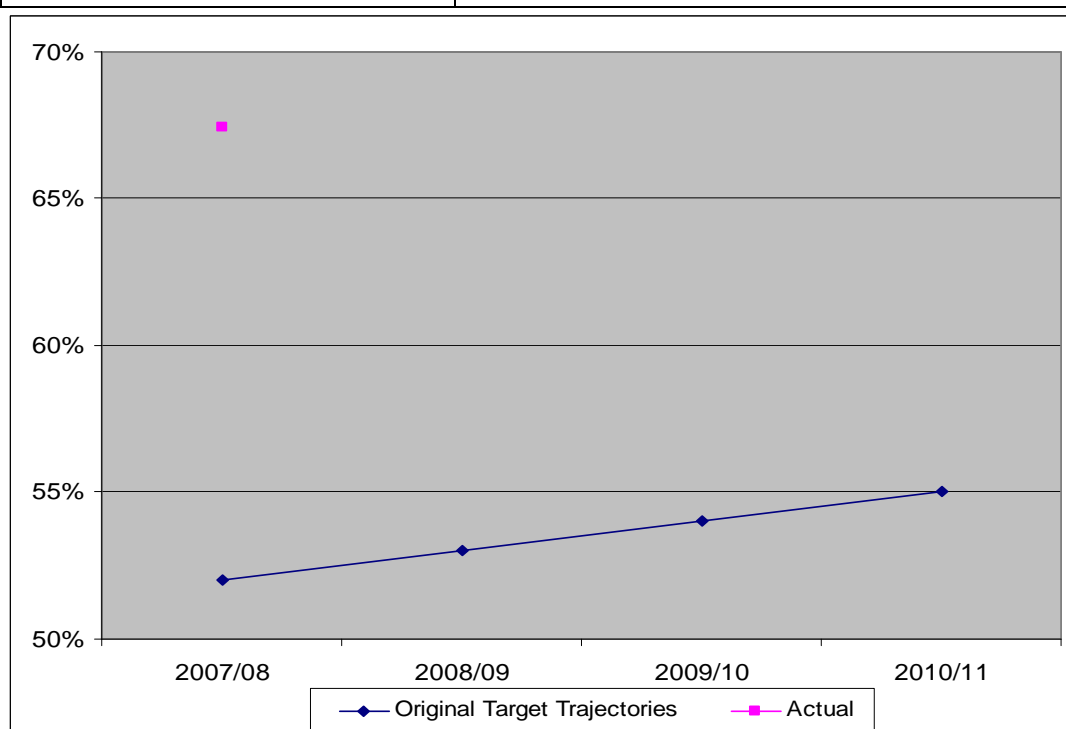
Taxis play a vital role in the lives of many disabled people who depend on them as their only means of transport; it is with this in mind that we would wish to see more accessible vehicles coming into the existing fleet of taxi companies operating in the town. We would also like to stress the importance of a mixed fleet. Only having wheelchair accessible vehicles would soon create access problems for other disabled people, and wheelchair users would not wish to be held responsible for denying any other disabled person a means of transport.

However, more wheelchair accessible vehicles are needed in Eastbourne, as we are advised by some of our members that an accessible taxi is rarely available to book early in the morning or later in the afternoon. The reason given is that these cabs are used for school runs. Again, DIG members are not suggesting that taxi drivers should remain available solely for their use as this would deny a disabled child's opportunity to travel to school. What we are asking is for an increased number of wheelchair accessible vehicles to be available so that opportunities to travel at these times are increased for everyone requiring such a vehicle. This would also increase a disabled person's opportunity to find an accessible taxi at a rank or hail one in the street.

Finally, DIG members are not asking for special treatment, they are asking for equality of opportunity and having a choice about how and when they travel by taxi.

The DIG has representatives from a number of clubs and groups in the town such as the MS Society, the Blind Society, MORE Club, the Access Group, East Sussex Disability Association's Pain Group, British Limbless Ex-Servicemen Association (BLESMA), and others plus individual disabled people representing themselves. The DIG's wider membership represents approximately 1,500 disabled people living in Eastbourne.

OUTCOME TARGET X					
Indicator	Accessibility				
Target Type	Mandatory				
Target	Increase accessibility to and from key centres				
Definition	Proportion of the total population within 30 minutes access by public transport (bus) for an arrival at a key centre between 07:00 – 10:00 <u>and</u> for the return journey from that centre between 16:00 – 19:00.				
Other Relevant LTP2 Objective(s)	Reduce congestion and improve efficiency of the transport network Manage demand and reduce the need to travel by private car				
Baseline (2003/04 unless otherwise stated) Baseline for January 2008	<i>Time Threshold (30 minutes)</i>			<i>Baseline County Indicator</i>	
	Complete outward journey leg between 07:00 – 10:00 Complete return journey leg between 16:00 – 19:00			67%	
Original Target Trajectories	<i>2006/07</i>	<i>2007/08</i>	<i>2008/09</i>	<i>2009/10</i>	<i>2010/11</i>
	51%	52%	53%	54%	55%
Actual Outcome	n/a	67%			
By District	<i>Eastbourne</i>	-	<i>85%</i>		
	<i>Hastings</i>	-	<i>97%</i>		
	<i>Lewes</i>	-	<i>68%</i>		
	<i>Rother</i>	-	<i>50%</i>		
	<i>Wealden</i>	-	<i>49%</i>		
Source of Data	ESCC: County-wide Accession Accessibility Model				



Methodology/Results

The baseline return indicator has been calculated using January 2008 bus data. The bus timetable data includes all services in East Sussex and surrounding areas, allowing cross-border journeys to be made. It will be recalculated in year 2008/09 using the same parameters as for the baseline calculation, with the bus timetable data updated to January 2009. The indicator will subsequently be re-calculated again for years 2009/10 and 2010/11, again using updated bus timetable data. All other parameters including the outward travel time period, return travel time period, threshold journey time, destination centres and other Accession parameters will be kept consistent to provide the most accurate comparison against the baseline calculation. The 23 destinations identified as key centres for the purposes of this calculation are as follows:

Ashford	Crowborough	Heathfield	Seaford
Battle	East Grinstead	Langney	St. Leonards
Bexhill	Eastbourne	Lewes	Tenterden
Brighton	Hailsham	Newhaven	Tunbridge Wells
Burgess Hill	Hastings	Peacehaven	Uckfield
Crawley	Haywards Heath	Rye	

The results of the calculation show that the proportion of total population within 30 minutes' access by public transport (bus) for completing an outward journey to a key centre between 07:00 and 10:00 and the return journey from that centre between 16:00 and 19:00 for year 2007/08 is **67%**. This figure is significantly above the LTP2 accessibility projection for 2007/08 of 52%. The reason for this difference is the adoption of a new methodology since the projections were developed; the need to calculate accessibility for both outward and return journeys necessitated a change in methodology because Accession is unable to model open-ended return journeys such as "after 15:00". The new approach uses fixed travel periods of 07:00-10:00 (outward) and 16:00-19:00 (return) during which times the entire journey must be traversable within 30 minutes each way to pass for the indicator.

The reason why the indicator has increased is because the need to arrive as close to 09:00 as possible has been removed; the previous method considered the travel time *plus* the remaining duration between the arrival time and 09:00, meaning that a destination that could be accessed within 30 minutes with an arrival time of 08:30 was deemed inaccessible by the previous method because the extra time between 08:30 and 09:00 was added to the total journey time. The new approach allows more flexibility in arrival (and departure) time: provided an entire sub-30-minute outward journey can be completed between 07:00 and 10:00 (and a return sub-30-minute journey between 16:00 and 19:00) it no longer matters specifically what time within those windows the journeys are completed. It is argued that this is a more accurate measurement of accessibility since, in reality, different people need to access key centres at varying times of day.



Schedule 5: Taxi Bays (no waiting at any time except taxis)

<u>Col. 1</u>	<u>Col. 2</u>	<u>Col.3</u>	<u>Col.4</u>
<u>ITEM</u>	<u>ROAD NAME</u>	<u>SIDE OF ROAD</u>	<u>DESCRIPTION</u>
1	Ashford Road	southwest	from a point 38.5 metres southwest of the boundary of Nos. 55/57 in a southwesterly direction for a distance of 22 metres
2	Bolton Road	west	from a point 19.5 metres north of the boundary of Nos. 15/17 for a distance of 10 metres in a northerly direction
3	Bolton Road	west	from the boundary of Nos. 15/17 for a distance of 12 metres in a northerly direction
4	Bolton Road	west	from a point 35 metres north of the boundary of Nos. 15/17 for a distance of 15 metres in a northerly direction
5	Bolton Road	west	from a point 60.5 metres north of the boundary of Nos. 15/17 for a distance of 18.5 metres in a northerly direction
6	Bolton Road	west	from a point 87 metres north of the boundary of Nos. 15/17 for a distance of 33 metres in a northerly direction
7	Bolton Road	east	from a point 69.6 metres south of its junction with Terminus Road for a distance of 25 metres in a southerly direction
8	Cavendish Place	southwest	commencing 33 metres southeast of the junction with Pevensey Road and extending in a southeasterly direction for a distance of 22 metres
9	Grand Parade	southeast	at the juncture between the southeastern kerbline and the northeastern boundary of the Carpet Gardens (delineated by posts) for a distance of 9 metres in a northwesterly direction and 4.5 metres in a northeasterly direction (depth)
10	High Street	north	from a point 90 metres west of its junction with Moat Croft Road eastwards for a distance of 30 metres (5 spaces)
11	Langney Road	northwest	commencing from a point 33 metres northeast of its junction with Terminus Road for a distance of 12 metres in a northeasterly direction
12	Marine Parade	southeast	commencing 14.3 metres northeast of the northeast entrance to Eastbourne Pier and extending in a northeasterly direction for a distance of 21.3 metres



<u>Col. 1</u>	<u>Col. 2</u>	<u>Col.3</u>	<u>Col.4</u>
<u>ITEM</u>	<u>ROAD NAME</u>	<u>SIDE OF ROAD</u>	<u>DESCRIPTION</u>
13	<u>Old Orchard Road</u>	northwest	from the boundary between Nos.4 & 2a northeastwards for a distance of 15 metres
14	<u>Old Orchard Road</u>	northwest	from a point 25.3 metres northeast of its junction with <u>Arlington Road</u> northeastwards for a distance of 19.5 metres
15	<u>Old Orchard Road</u>	northwest	from a point 4.87 metres south west of its junction with <u>Southfields Road</u> for a distance of 44.13 metres in a south westerly direction
16	<u>Old Orchard Road</u>	northwest	commencing 9 metres southwest of the junction with <u>Southfields Road</u> and extending in a southwesterly direction for a distance of 82 metres
17	<u>Old Orchard Road</u>	southeast	from its junction with <u>Grove Road</u> for a distance of 82 metres in a southwesterly direction
18	<u>Susans Road</u>	northeast	from a point 14.5 metres northwest of its junction with <u>Seaside Road</u> for a distance of 21 metres

Scrutiny Action Plan April 2008

Appendix 7

Key Issue	Lead Agency/Officer	Actions	Anticipated Cost	Target Date
Lack of Parking enforcement. (Private vehicles parking on designated taxi ranks)	- Sussex Police - EBC - Director of Contracts & Amenities - East Sussex County Council (ESCC)	- Parking enforcement issues to be considered by Lead Agencies - Targeted Police activity	- Resource implications for all partners	May 2008 & beyond until parking issues are resolved
Signage at Taxi Ranks	- ESCC - EBC Planning Department - EBC Licensing Manager - EBC Councillors	- Type & nature of signage to be investigated - Relevant consents to be investigated - Costs & funding stream to be identified	- Costs & funding stream to be identified	December 2008
Education of the travelling public as to the location of taxi ranks as well as safe travel practices	- EBC Licensing Manager - Members of the Licensed trade - Eastbourne Business Crime Manager	- Format and design of education posters being considered - Obtain "buy in" from the licensed trade to ensure effective distribution & display of material	- Approximate cost for 1500 A3 posters £1000. - Funding from Crime Reduction Partnership identified	July 2008
Provision of new taxi ranks	- EBC Licensing Manager - ESCC - Town Centre Re-generation Lead - EBC Planning Department - Sussex Police - EBC Councillors	- ESCC Highways already consulted - Trade consulted - Other "partners consulted	- Further consultation required - Cost & resource implications to be identified	April 2009

Key Issue	Lead Officer/Agency	Actions	Anticipated Cost	Target Date
Shelter Provision	<ul style="list-style-type: none"> -ESCC Highways -AD Contracts & Amenities -EBC Planning -EBC Councillors -Sussex Police 	<ul style="list-style-type: none"> -Further consultation required -Nature of shelter to be determined -Funding stream to be identified-sponsorship 	- £8000 per shelter	April 2009
Re-configure road layout and review traffic management arrangements to allow better flow of taxis, positioning of new ranks and current ranks	<ul style="list-style-type: none"> -ESCC Highways -EBC Planning -EBC Councillors -EBC Lead Officer Town Centre Regeneration -Sussex Police 	<ul style="list-style-type: none"> -ESCC Highways already consulted -Trade consulted -Other "partners" consulted 	<ul style="list-style-type: none"> -Further consultation required -Cost & resource implications to be identified 	April 2009
Disability Awareness & Communication	<ul style="list-style-type: none"> -EBC Licensing Manager -DIG Co-Coordinator -EBC Councillors -Other "interested partners" 	<ul style="list-style-type: none"> -Training for members of the taxi trade being identified -Regular updates provided to DIG -ESCC, Police and DIG invited to attend Taxi Forum to speak re relevant issues 	<ul style="list-style-type: none"> -Resource implications for all partners -Costs of training for taxi trade recovered by way of licensing fees -Regular attendance of partners at Taxi Forum established. Key member of Town Centre Regeneration to be invited 	Ongoing

15 April 2008

Dear

Proceeding to the Next Available Rank

Please be advised that as per the hackney carriage byelaws taxis should proceed to the next available rank when a rank is full.

Unfortunately, complaints have been received in relation to Old Orchard Road rank highlighting the apparently dangerous situation that presents when the rank has been full and certain drivers insist on waiting outside of the rank.

Please ensure that you wait in a designated taxi stand when working and proceed to the next available rank if a rank you wish to wait on is full.

Please do not hesitate to contact me should you require any further clarification.

For advice, publications, or to contact us online, visit our website at **eastbourne.gov.uk/licensing**

Yours sincerely

Miss K Plympton BA (Hons)
Licensing Manager

Licensing Team

Telephone: (01323) 415937

**Ms Kareen Plympton
Head Taxi Licensing
Eastbourne Borough Council
1 Grove Road
Eastbourne
East Sussex**

12 FEB 2009

Dear Kareen

I am writing with regard to the possible delimitation meeting to be held on 9th March 2009.

I would like to state that I have owned a wheelchair accessible vehicle for approximately 5 years now and in that time I can count on the fingers of one hand the amount of disabled people I have picked up from the Station or any rank in Eastbourne.

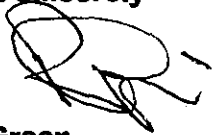
The vast majority of work from these areas is for multi-seater work.

I would also like to add that most of the elderly or those with other disabilities find they are not able to get into or out of my vehicle as it is too high for them – a lot of elderly residents of Eastbourne have hip problems!

I would like the above to be taken into consideration before the Council think about delimitation.

Many thanks for your assistance

Yours sincerely



**Roy Green
Hackney Carriage Plate/vehicle proprietor**

13th February 2009

Ms Kareen Plympton
Taxi Licensing Officer
Eastbourne Borough Council
1 Grove Road
Eastbourne
East Sussex

20 FEB 2009

Dear Kareen

I am writing to you with regard to the forthcoming Council Meeting where I believe deregulation or an issue of hackney plates will be discussed.

I believe all of these factors would not be in Eastbourne Residents or the Trades best interests and again and would ask the committee to consider these factors very carefully.

I was one of the drivers who received a hackney plate after the last survey. I am sure you are aware one of the conditions of receiving that plate was that the successful applicant had to supply a wheelchair accessible vehicle. I think this was a very good condition and has helped many wheelchair users who phone 720 taxis and that the applicant had to make a significant financial commitment.

However in nearly two years I have probably only picked up from any rank about 5 passengers who have been waiting for or have approached my vehicle to use its wheelchair capacity. I have lost count of the number of passengers with disabilities who have said they cannot or do not feel safe stepping up to or getting out of the higher wheelchair accessible car. I would therefore suggest the taxi licensing committee bear this in mind if they were to issue further plates with this as a condition; it may well help a few but exclude many many more from accessible taxi travel.

As far as deregulation is concerned, I feel that the current system entails a driver to make a big financial commitment which he needs to get a return on, which means he looks after his customers to gain repeat custom. If we deregulate, it would attract an element who just want a quick return and I fear standards in cars and customer care could fall. Some of these drivers would only work Friday and Saturday nights which would eat into a full time driver's best earning potential which could result in the Trade asking for bigger fare increases to cover this lost income.

If you have any questions over these issues please do not hesitate to contact me.

Yours sincerely



Iain Staines
Hackney Carriage Plate proprietor

Miss Kareen Plympton
Licensing Officer
Eastbourne Borough Council
1 Grove Road
Eastbourne

Dear Miss Plympton

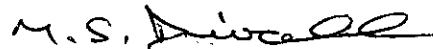
With reference to the meeting to be held on 9th March regarding possible delimitation. I have been a Hackney Carriage Proprietor for 28 years and have owned and driven a wheelchair accessible vehicle, i.e. London Taxi, for the last 20 years. During that time I have picked up very few wheelchair bound customers from the Taxi ranks in Eastbourne, the majority of the work is pre-booked. I have also found that a lot of elderly people who use wheelchairs want to travel in a saloon car with their wheelchair in the boot of the vehicle.

There are also Disabled groups in Eastbourne who own and run mini-buses for their clients, e.g. M.S. Society and M.O.R.E. These are specialist vehicles as the majority of the wheelchairs they transport are too large to fit in a Taxi and most of their clients need an escort.

With regards to delimitation I believe Eastbourne has a superb Taxi service which would be destroyed if E.B.C. went down that route. I am afraid it would become a part-time job and the service the people of Eastbourne enjoy at the moment would disappear overnight. OTHER COUNCILS HAVE TRIED IT. IT DID NOT WORK. They have since returned to limited numbers.

If you have any questions regarding the above please do not hesitate to contact me.

Yours sincerely



M.S. Divall

Plate No.120
Driver No.178

Miss Kareen Plympton
Licensing Manager



Dear Miss Plympton

I am writing to inform you , I have been a Hackney Carriage Proprietor for 30years this year. I have driven London cabs in Eastbourne for the last 20 years. Last year from Bolton Road rank I pick up 2 wheelchair jobs in the Summer, one to the York House Hotel and one to the Grand Hotel.

Wheelchair passengers are 99% pre-booked , There are wheelchair vehicles working Day and Night on 720.720 Taxis seven days a week. When I work nights from the Station rank, there is a good chance of picking up multi-seater work at the weekends.

Yours sincerely

Handwritten signature of Alan Venner.

Alan Venner

MR. E. SAZEDIS

Karen Plymton
Licensing Manager
Eastbourne Borough Council
Ref. 000513

23rd February 2009

PLATE NUMBER 122

24 FEB 2009

Dear Mrs Plymton

Re:- Licensing Committee - Hackney Carriage Prop

I am putting these following points forward that I would like the committee to consider at the meeting on 9th March 09.

I was a private hire driver licensed in Eastbourne from 1987 to 1992, after which time I became a Hackney driver and purchased a Hackney plate at a cost of £22,500.

Since the last survey, (which the Hackney Taxi Trade paid for through their license fees) the council decided to issue 6 Hackney carriage licences at NO COST to the recipients, (putting not only my investment of £22,500 at risk, but that of the other Hackney drivers also). The only proviso being that the vehicles should be wheelchair accessible and kept by that proprietor for a minimum of a year, therefore enabling them to sell at a massive profit without any expenditure on their part.

I have been driving a wheelchair accessible taxi since 1997, and during this time have on average only picked up 3 or 4 wheelchair bound customers from the ranks, that have not been prebooked.

Therefore on that basis, I cannot see the need for more wheelchair accessible vehicles at present. Would it not be advisable for the council only to license multi-seater vehicles, whether Hackney or private hire, that are wheelchair accessible, as is currently and successfully being carried out by Brompton Council. This would surely ensure that in the future wheelchair accessible vehicles would already be in place should the demand increase.

Yours sincerely



24/02/2009

Dear Miss K. Plympton,

The time has come where the Licensing Council must seriously consider deregulation immediately. Private Hire Drivers have been hounded from pillar to post by Hackney Drivers who think they own the town of Eastbourne. We all do the same job taxi or Private hire so it is time for only one colour badge for Eastbourne and in my opinion should have happened about five years ago.

It is totally unfair for the Council to keep giving out Private Hire plates while keeping a very tight restraint on Hackney plates. The Council provides parking ranks scattered for Hackney drivers and even parking for the coaches opposite the Congress Theatre but the Council do not provide even one parking space for over 300 to 350 Private Hire drivers and the only way to describe this state of affairs is discrimination against the Private hire and must not be allowed to continue.

Eastbourne has still got a lot of elderly people who do not like multi seaters or the F X Cabs. This must be taken into account and saloon cars must also be available so that the customer has the best choice at all times.

If the Council do not think they can deregulate fully then I would like to make a suggestion that every Private Hire driver who has served for 10 years should qualify for a Hackney plate. Of the sex plates released last time two of them have never been worked by the people who got them. They rent them out and that is totally wrong and that loop hole should be closed by the Council. These plates are Council property and should be handed back. There are some Hackney independents that are driving around with no door signs. Has the Council got two different laws on door signs? I shall be attending the meeting. I retain a copy of this registered letter for my own records.

Yours Sincerely



J. C. Murray

25 FEB 2009



Eastbourne and Country Taxis

Bookings

(01323)

720 • 720

Fax: 639443

Administration: 41755

Website: 720taxis.com

23rd February 2009

Ms Plympton
Taxi Licensing Officer
Eastbourne Borough Council
1 Grove Road
Eastbourne
East Sussex

Dear Ms Plympton

Subject : General Licensing Meeting 9th March 2009

Concerning the above subject please find attached for your information Eastbourne and Country's comments which we wish to submit to this meeting.

I would also ask that the following persons be permitted to speak at this meeting –

Mr B Morris (Company Chairman)
Mr F Hafernik (Company Financial Director)
Mr D Hopkins (Company Secretary)

Yours faithfully

Dave Hopkins
Company Secretary

Dear Councillor

Subject: Hackney Carriage Proprietors Licence Allocation, General Licensing Committee Meeting 9.3.09

Concerning the above subject and the forthcoming meeting, on behalf of Eastbourne & Country Taxis Ltd, I wish to make the following observations.

Eastbourne & Country Taxis Limited represents the only company in Eastbourne that consists of a large number of Hackney Carriage Proprietors (47) as part of that company. As well as Hackney Carriage Proprietors there are also 85 Licensed Private Hire Proprietors.

Firstly I refer to Kareen Plympton, Licensing Manager's report of 10th March 2008 paragraph 2.6 –

The survey, in summary, concluded that there was evidence of unmet demand and found the following:

- *The survey found that the Council cannot refuse applications for new hackney carriage proprietor licenses on the basis that there was unmet demand which needed to be addressed*
- *It recommended that a minimum of six new hackney carriage proprietor licenses should be released immediately to ensure "no consumer detriment". This would be a minimum number, and would not preclude a larger number of licenses being issued if the Council were so minded*
- *That there was no strong justification for new ranks*
- *That there should be a mixed fleet of vehicles, and a strong case for an increase in the number of "accessible" vehicles for persons with disabilities*
- *That Disability Awareness training should be considered*

Secondly, I refer you to the document from the Department of Transport entitled "Consultation on improving access to Taxis" dated February 2009 paragraph 2.11

It is clear from the data that there are certain risks that the Government wishes to avoid in taking this forward. We do not want to pursue any policies that might lead to fewer wheelchair accessible taxis being available. We do not want to create any difficulties for a local licensing authority who may have already adopted a policy of only licensing wheelchair accessible taxis. We also do not want to implement a policy that might mean licensed hackney drivers transfer en masse into the private hire sector or leave the industry altogether. What we do want to achieve is an improvement in technical standards, for more taxis to be available to disabled people so that they can have improved access to jobs, services and social networks, and for the taxi trade to remain viable. We also want to continue to permit local licensing authorities to impose their own conditions to suit their own local circumstances, and for other aspects of the journey to be improved, for example boarding, driver assistance, and interchange with other public transport modes.

Taking these documents into account, we wish to make the following observations against de-limitation:-

1. Managed Growth

- a. This can only be achieved by a periodic survey covering all aspects and time frames, of all the existing taxi ranks. Incidentally this is paid for by the Hackney Carriage Proprietors

2. The main reasons for de-limitation:-

- a. It is a fact that taxi numbers increase when an area is de-limited, the number of private hire cars decrease. This imbalance causes a smaller number of vehicles for hire per head of the population in a delimited area, so the general public would suffer. It is a fact that waiting times in a restricted area are 30% lower than in a de-limited area (OFT Report). All hackney carriages would become single operators if de-limitation were to take place. Currently many are shared plates leading to a balance between day and night drivers. The resulting cherry picking of shifts could lead to a shortage of available taxis at quieter times. This showing a lower earning potential for drivers, particularly those working the daytime shift. Councillors owe a duty to existing plate holders and should surely consider the length of time they have to wait on a rank for a customer when commissioning a survey
- b. As indicated the earnings potential would drop for owners, drivers and the private hire drivers would suffer as well. This would mean those people who have taken out finance to support and continue their entry into the trade will find it hard to service their loans. This is a common occurrence in a de-limited area. For example, to purchase a London Transport International London Type Taxi it would cost between £30,000 and £35,000 some owners having taken out bank loans or re-mortgaged. Lower earnings could result in vehicles being kept longer and maintained less regularly with a knock on effect of lower standards
- c. Many part-timers would come into the trade who only want to work the busier weekend nights. As current drivers go out of business, there then becomes a shortage of weekday drivers. This could result in a large part-time trade of less dedicated drivers as it would be only a secondary income
- d. Rank space would become an issue. At quiet times there are not enough rank spaces available to accommodate the 90 hackney carriage plate holders. De-limitation would cause traffic congestion with too many taxis looking for too few rank spaces
- e. De-limitation has taken place in a number of areas of the UK only for re-limitation to be re-introduced and the restriction on plate numbers - Sheffield, Liverpool (Police report basically condemned taxi deregulation), Birmingham, Sefton, Halton, Great Yarmouth, Leicester, Bristol and Newcastle to name but a few. In 2005 Hastings made suggested steps to de-limit, but after consultation, the Licensing Committee declined to introduce de-limitation opting for regular surveys and managed growth

3. Wheelchair Accessible Vehicles:-

- a. I would point out that the Richard OXLEY report which was commissioned in an attempt to find a vehicle that was acceptable to the needs of all disabled people. The result being that no vehicle could be found to satisfy the needs of all disabled people. The suggestion being that there should be a mixed fleet with managed controlled growth
- b. As previously indicated LTI's are an expensive commodity. The proprietor only purchasing such a vehicle for commercial reasons. Therefore it would probably be that the driver would need to supplement his earnings, by taking a disabled child to school during term time
- c. As Secretary of Eastbourne & Country Taxis Ltd, I have attended the Scooter and Wheelchair meetings at the MS Society Offices in St Leonard's Road for the past 4 years acting as a liaison between the Trade and this group. During this time, many issues have arisen and in most cases resolved by myself and the group. I have been readily available outside of these meetings for members to contact me should they have any problems. Unfortunately this group was dissolved in November last year and replaced by the Disability Involvement Group I have offered my services to the Council Officer who is the co-ordinator of this group but was declined. So as such the liaison has now ceased, in my opinion a large step in the wrong direction!

- d. The Council last time round waited for the results of the survey before making their decision to release 6 plates which had to have a purpose built wheelchair accessible vehicle in order to work that plate. This in our opinion was a sensible and pragmatic approach. Controlled growth being the only way forward and can only be applied when a survey has taken place. Any new proprietors to such vehicles having to undergo driver training, as an introduction to the care of their customers
- e. By attaching wheelchair accessible vehicles to any newly released plate this would make more such vehicles available. Also to keep a mixed fleet to cover all forms of the disabled, particularly the elderly and infirm who find it much easier getting in and out of a saloon car.

4. Conclusion –

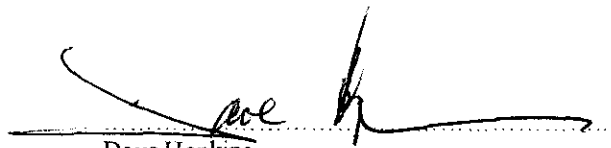
In our opinion Councillors should opt for the following policy –

- 4.1 Require a survey to be made
- 4.2 Depending on the result, adopt a policy of “managed growth”. Managed growth meaning that the committee adopts a policy of releasing a specific number of licenses over a period of time. For example the committee could release 3 licenses a year to effectively manage the growth of the Borough with the proviso that the vehicles are wheelchair accessible
- 4.3 That all parties sign up to agree to whatever recommendations are put forward, they are acted upon without reservation.

Yours faithfully



Barry Morris
Chairman



Dave Hopkins
Company Secretary

Body: General Licensing Committee
Date: 10th March 2008
Subject: Hackney Carriage Proprietors Licence Allocation – Update
Report Of: Karen Plympton, Licensing Manager
Ward(s) All
Purpose At the request of the Leader and Licensing Chair, provide an information report to the Full Licensing Committee regarding hackney carriage proprietors licence allocation in the Borough and options for the future
Contact Karen Plympton, Licensing Manager, Telephone 01323 415937 or internally on extension 5937
E-mail address karen.plympton@Eastbourne.gov.uk

1.0 Background

- 1.1 Quantity controls on hackney carriage vehicles in England and Wales currently have their basis in the Town Police Clauses Act 1847. Section 16 of the Transport Act 1985 requires a Licensing Authority to grant a hackney carriage proprietors licence to any valid applicant. However,
- 'the grant of a licence may be refused, for the purpose of limiting the number of hackney carriages in respect of which licences are granted if, but only if, the person authorised to grant licences is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet.'*
- 1.2 In 1998 White Paper, "A New Deal For Transport, Better For Everyone," gave consideration to taxi services, and the subsequent Transport Act 2000 requires Local Authorities to recognise the importance of taxis in an integrated transport system, and consider them in local transport plans, with reference to the provision of sufficient and suitable taxi ranks.
- 1.3 Guidance from Central Government in 2004 required Licensing Authorities to review any policy of restricting the number of licences, and any mechanism of quality control in respect of the release of hackney carriage licences on a regular basis and publish the findings of such a review, if they intend to refuse to grant further licences. This guidance suggests that the Licensing Authority must address the issue of "consumer detriment." That is to say, if the number of licences is limited, what evidence is there that consumers benefit from this limit, and conversely, how will it be to the detriment of consumers to remove the limit?
- 1.4 Central Government have also indicated that it intends to apply regulations relating to the 1995 Disability Discrimination Act in relation to licensed vehicles. This will require any new vehicle to comply with standards yet to be fully determined, but with a view to offering improved facilities for persons with a disability.

- 1.5 As part of the review process, and where it is intended that the Licensing Authority shall maintain a policy of restricting the number of hackney carriage proprietor licences, the Authority must undertake unmet demand surveys, and publish the findings. This survey can then form the basis of maintaining a position, and/or reviewing it as necessary.
- 1.6 Local Authorities are also permitted to initiate a policy which de-limits the number of hackney carriage proprietor licences granted in the Borough. This means that there are no limits on the available number of hackney carriage proprietor licences.
- 1.7 Local Authorities are not, however, permitted to dictate or control the number of private hire vehicle licences in the Borough.

2.0 Review Of Current Restriction Policy

- 2.1 In June 2005, the Council was contacted a second time by the Department for Transport in respect of its current policy of limiting the number of hackney carriage proprietors licences. At that time, the Council, as the Licensing Authority, had issued 84 Hackney Carriage Proprietor Licences. The last release of such licences took place in 1976.
- 2.2 Following this request from the Department For Transport late 2005, the Full Licensing Committee agreed to review the matter, and agreed that a survey of unmet demand should be undertaken in order to ensure that information was current and provided an up to date means of data to facilitate the decision making process.
- 2.3 The previous unmet demand survey, undertaken by Halcrow Fox Limited had been undertaken in 2000, and could no longer be relied upon as reflecting the Borough. In general terms, it is accepted that survey of this nature has a "life span" of 3 years, however can be repeated sooner if required.
- 2.4 Following a tender process, MCL, independent transport consultants, were appointed to carry out the unmet demand survey. The findings are collated in a report, released in August 2006, can be found at www.eastbourne.gov.uk/licensing.
- 2.5 MCL investigated the provision and use of hackney carriage services in the Borough, and assessed:
 - The overall demand for hackney carriages services in Borough
 - Periods and locations giving rise to significant unmet demand
 - The suitability and locations of taxi ranks and of services for persons with disabilities.
- 2.6 The survey, in summary, concluded that there was evidence of unmet demand and found the following:
 - The survey found that the Council cannot refuse applications for new hackney carriage proprietor licences on the basis that there was unmet demand which needed to be addressed
 - It recommended that minimum of six new hackney carriage proprietor licences should be released immediately to ensure 'no consumer detriment'. This would be a minimum number, and would not preclude a larger number of licences being issued if the Council were so minded.

- That there was no strong justification for new ranks.
- That there should be a mixed fleet of vehicles, and a strong case for an increase in the number of "accessible" vehicles for persons with disabilities.
- That Disability Awareness training should be considered.

2.7 On the 1 November 2006 the Licensing Manager presented a report, 'Outcome of study of demand for Hackney Carriages' to the full General Licensing Committee.

2.8 The Committee's decision was to release six additional hackney carriage proprietor licences, subject to a series of terms and conditions of release, primarily relating to vehicle type and associated accessibility issues.

2.9 It was agreed that 'a further report would be presented to the Committee at the earliest opportunity for a decision on how it is proposed such licences will be allocated.'

3.0 Allocation of Hackney Carriage Proprietor Licences

3.1 On the 23 January 2007, the Full Licensing Committee was presented with a further report from the Licensing Manager, entitled 'Consideration and Allocation of New Hackney Carriage Licences'.

3.2 The report outlined the history leading to the review of a restrictions policy, including the decision by the Licensing Committee to release six hackney carriage proprietor licences. It requested that the mechanism for release be considered and agreed. In addition, the report requested the Licensing Committee to 'agree to allocate such accordingly', subject to the terms and conditions agreed previously.

3.3 The report made specific reference to a 'list' of individuals who had previously expressed an interest in applying for a Hackney Carriage Proprietors Licence and advised that the list had been 'sporadically maintained' since 1976.

3.4 The report also advised that in order to ensure that any party wishing to be considered for a licence be afforded the opportunity to make an application, an advert had been placed in the Evening Herald the week commencing the 8th January 2007, included at paragraph 2.3.

3.5 In addition, information was placed on the Council's website outlining the decision to release six licences, the terms and conditions of release, and that expressions of interest should be made by the 22nd January 2007.

4.0 Mechanism Of Allocation

4.1 The report outlined research in relation to method of hackney carriage proprietor allocation. Following research of Authority practice and legal advice from J Button, Solicitor specialising in Hackney Carriage and private hire matters, it was recommended that an in-house 'draw' take place, and was deemed as the most sound method of allocation.

4.2 At the meeting on the 23 January 2007, the Licensing Committee reviewed the options as presented and following discussion and further legal advice from Victoria Simpson, Principle Lawyer for the Council, agreed to allocate licences via an "in house draw," conducted in open session.

APPENDIX 2

Department for
Transport

Consultation on Improving Access to Taxis

February 2009

- annual running costs tend to be higher for wheelchair accessible taxis (typically just over £1,000 per year more than for drivers of saloon cars);
- the taxi trade can change rapidly and is relatively volatile. The market in urban areas, especially in Greater London, is vastly different from the market in areas with lower population numbers. Many licensed taxi drivers also hold private hire vehicle driver licences and would easily be able to transfer from the licensed hackney to the private hire sector if they wished;
- 64 out of 342 local licensing authorities in England and Wales have implemented a policy of licensing only wheelchair accessible taxis;
- there is no direct correlation between the population size of a local authority and the size of its taxi fleet. There is no direct correlation between the size of taxi fleet and how accessible it is;
- other factors can influence disabled people's use of taxis, for example, driver training and behaviour, links with the physical environment at taxi ranks, links with wider local transport policies and financial incentives or user subsidies like taxi-card schemes; and
- current technical standards used by local licensing authorities are variable.

2.11 It is clear from the data that there are certain risks that the Government wishes to avoid in taking this work forward. We do not want to pursue any policies that might lead to fewer wheelchair accessible taxis being available. We do not want to create any difficulties for a local licensing authority who may have already adopted a policy of only licensing wheelchair accessible taxis. We also do not want to implement a policy that might mean licensed hackney drivers transfer en masse into the private hire sector or leave the industry altogether. What we do want to achieve is an improvement in technical standards, for more taxis to be available to disabled people so that they can have improved access to jobs, services and social networks, and for the taxi trade to remain viable. We also want to continue to permit local licensing authorities to impose their own conditions to suit their own local circumstances, and for other aspects of the journey to be improved, for example boarding, driver assistance, and interchange with other public transport modes.

Q1: What is your view of the analysis and data included here and in the Impact Assessment? Do you have any further or more accurate data that you would be able to send us?

Options

2.12 As noted above, the Government remains committed to improving access to taxis. This consultation document and the Impact Assessment bring together the findings from work and research that have been carried out by the Department and others, and it puts forward options for taking this issue forward.

2.13 The options are:

London-WIDE

By PETER J ROSE

LIQUID GOLD BY THE LITRE

If there is one thing that is top of the agenda at the moment it's the price of diesel. With the cost hovering around £1.15 per litre, possibly exceeding that mark by the time you read this. It is becoming the major factor when drivers are calculating the cost of running a taxi in the Capital.

As I write this oil prices have hit

additional money to be placed on the fare by using the 'extras' button on the meter in the same way that extras are put onto the fare for telephone bookings or at Heathrow.

However the problem with this verity is that the new meter will not allow for small additions using the extras button. After the change extras will be added in increments of fifty

SHEFFIELD RELIMIT!

By CTN REPORTER

On January 8th Sheffield Council agreed to re-impose a taxi limit. The council originally removed the limit, which stood at 300, in 2000. This caused a lot of frustration and financial loss to many in the Sheffield trade.

In 2003 the OFT report heralded Sheffield and Cambridge as standards in taxi licensing. They even stated, with charts and calculations to back up their argument, that taxi 'flag downs' in both cities had increased with delimitation.

This was contrary to our own practical experience and reports from both cities. However, who are we, lowly taxi drivers, to argue with

sophisticated charts composed, no doubt, with a great deal of imaginative dexterity in some London office miles away from Sheffield, Cambridge and reality. The truth is it was the resentment of the trade, to this spurious OFT report, that went up.

The trades in Sheffield and Cambridge as in the rest of the provincial trade still believe in taxi limitation governed by managed growth and local independent taxi surveys.

In the meantime we congratulate Sheffield Council on recognising that there is a need for taxi number limitations.

APPENDIX 3

The Times – 6 February 2009

February 6, 2009

Taxi drivers block streets in protest at minicab threat to their livelihood

Fiona Hamilton, London Correspondent

Hundreds of black cabs caused grid-lock in Central London yesterday as they protested against what they see as the encroachment of minicabs.

The taxi drivers, who are also worried about a 30 per cent drop in customers because of the recession, blockaded Trafalgar Square, The Mall, Downing Street and the Strand to show their anger at a new scheme that promotes their minicab rivals.

Traffic came to a virtual standstill for more than an hour, with police forced to direct motorists away from the area. Grant Davis, chairman of the London Cab Drivers' Club, said that a council-backed scheme allowing minicab drivers to run a rank in Leicester Square was taking work away from black cabs.

The taxi drivers are seeking a moratorium on new licences for the first time in the 350-year history of black cabs because of the lack of passenger demand. They say that they have had to work twice as many hours to earn their usual wages. Queues of cabs are stretching for a quarter of a mile in Central London and drivers say that they regularly have to wait more than an hour for a fare.

Steve McNamara, a spokesman for the Licensed Taxi Drivers' Association (LTDA), said that with more than 24,000 licences issued for black cabs London's needs were already met.

During good times, he said, drivers achieved an estimated ten million fares a month. Because of the recession, that figure had dropped by more than 30 per cent since early last year. He said that drivers were already increasing their shifts to twelve and sixteen hours, seven days a week.

"At the moment it's a nightmare and there are empty cabs everywhere," he said. "This has been the worst Christmas for the cab trade in living memory. January started abysmally and the last week or so has been even worse. Now we are desperate."

At Paddington railway station, cabs were double-ranked for more than 100 metres before a single queue snaked down Harrow Road, almost reaching the Underground station at Edgware Road – a distance of more than a quarter of a mile. Even longer queues have been forming at King's Cross and Waterloo.

There are no controls or limitations on black cab licences – provided by the Public Carriage Office (PCO) – as long as drivers are of sound mind and have passed the

Knowledge. This test requires a detailed knowledge of London streets and places of interest and takes up to four years of study.

Black cabs are expensive to run, with the LDTA estimating that it costs more than £10,000 a year to keep a vehicle on the road. That includes the cost of diesel, insurance and maintenance. However, during buoyant economic periods, drivers can make large profits, with unlimited overtime.

A Transport for London spokesman said that the PCO had no plans to reduce fares to attract more passengers.

The LTDA will seek a meeting with Boris Johnson, the Mayor of London, in the coming weeks to lobby for licence changes. Mr McNamara said: "People are working much longer hours to sustain themselves. Their weekly expenses, such as fuel and maintenance, used to take them two or three days to earn but it's now taking four or five.

"It's crazy to recruit more people when there are empty cabs everywhere. We are the only business in times of a recession that is actively seeking to recruit new people."

A spokesman for Mr Johnson pointed out that a new law would take more than two years to implement. "There's also the problem that people spend such a large amount of time working for their qualifications that we would be open to all sorts of challenges if we stopped them getting their licences."

The meter's running . . .

— Black cab meters compute fares from time of day, distance and journey duration

— There are three tariffs. Tariff 1 runs from 6am to 8pm on weekdays, when journeys cost £4.40-£8 a mile, depending on traffic. Four miles will cost £11-£18. Tariff 2 runs from 8pm to 10pm on weekdays, and 6am to 10pm at weekends, with prices towards the higher end of Tariff 1. Tariff 3, more expensive as distance increases, runs from 10pm to 6am. Four miles will cost up to £21

— There is a minimum fare of £2.20 at all times, a telephone booking charge of up to £2 and surcharge of 10-15 per cent on credit cards

— Drivers can levy a soiling charge of up to £40 if the vehicle requires cleaning after a journey

— A trip from Heathrow to Central London costs £40-£70

The Times – 6 February 2009

‘I’m working 60 hours – for less’

Case study

Fiona Hamilton

Anthony Street guides his black cab through one of London’s wealthiest districts. “We should be OK here,” he says. “If you can’t pick up on Park Lane, you’ve really had it.”

It appears that he has, indeed, had it: there are no prospects of a fare. An hour later, and despite the lunchtime rush, Mr Street, 41, is yet to pick up a passenger. He has been through the bustling streets of West London — the lunch set in Notting Hill, the commuters in Paddington, the hotels of Marylebone. “You can see that it is pretty grim,” he says. “In ten years of driving I have never seen things this slow. No one is getting cabs. Every time I stop at a junction, I see cabs going past with their lights on.”

Mr Street, from Wembley, northwest London, has two children, 16 and 12. Having worked a 40-hour week until a few months ago, he is now working 60 hours, even though his earnings are lower. “I have always done a mix of days and nights but now I’m waiting out until 3am or 4am to try and get the nightclub stragglers — I never used to have to do that before. You get fed up with the longer hours, and you’re wasting expensive petrol by driving around with no one in your cab.”

Cab ranks that used to move swiftly are now backed up for 40 minutes. “I waited at Paddington the other day for more than half an hour, and then got a woman who wanted to go around the corner. That sort of fare makes it tough,” Mr Street said.

The City of London, not long ago a prime spot, is now a “ghost town”, he says. “It’s double trouble because the cabs on the radio circuit used to get all their jobs from the banks. They’ve cut back and so those cabs are back on the street, competing with us.”