

Sussex Police – Taxi Delimitation, Eastbourne

The reduction and detection of Public Place Violent Crime (PPVC) is a District, Divisional and Force priority. A high proportion of violent crime in Eastbourne is committed within a relatively small area around licensed premises particularly during Friday and Saturday nights.

Operation Marble has been developed over a number of years to provide a standard policing response to alcohol/drug related violent crime and disorder within Eastbourne Town Centre and to tackle issues surrounding public confidence of policing.

Eastbourne District continue to police the weekend night-time economy in the town centre under Operation Marble. The emphasis is on the deployment of highly visible uniformed officers and Police Community Support Officers on foot patrol at locations and at times of the week when violent crime is most likely to occur. The aim is to stop disorder occurring in the first instance and if an incident does occur, to be in a position to take positive action in order to detect offences and reduce re-offending.

In support of this objective, Eastbourne Crime Reduction Partnership have agreed a violent crime action plan which will operate from April 2008 until March end 2011. Within that plan is contained a number of challenging targets in relation to violent crime.

Transport away from the town centre at key times is essential in support of the overall objective to reduce violent crime, disorder and nuisance. Taxis in Eastbourne are an integral part of the transport network. The delimitation provides for the availability of more taxis which in turn help facilitate dispersal late at night and get people away from the town centre quicker. Eastbourne District Commander, Jayne Dando has endorsed the continuation of the delimitation policy and is keen to see improved use of existing taxi ranks across the town.

Rachel Barrow

Inspector

Neighbourhood Policing Team

Eastbourne



Eastbourne and Country Taxis

Bookings
(01323)

720 • 720

Fax: 639443

Administration: 417100

Website: 720taxis.com

3rd November 2009

Councillor
Eastbourne Borough Council
1 Grove Road
Eastbourne
East Sussex

Dear Councillor

**Re: Hackney Carriage Proprietors Licence Allocation Update. General Licence Committee Meeting
11th November 2009**

Concerning the above subject and the forthcoming meeting on behalf of Eastbourne and Country Taxis Ltd firstly for your information I enclose copies of our previous correspondence regarding this matter for your information. I also enclose copies of press releases of March and July 2009 which outline the general feeling of the Trade towards the decision of the Council to de-limit the Trade in Eastbourne.

In addition to the above, are copies of recent "Taxi Trade" articles showing that Reading have frozen the issue of new public hire licences until such time as a survey was commissioned. Also Southend Council have agreed not to issue any more taxi plates and re-limit, scrapping the managed growth policy.

We would suggest that this totally contradicts the view of your Council Solicitor as of the minutes of this Committees last meeting of 20th July 2009, paragraph 6.1 to 6.4 in that of these areas one is freezing whilst the other re-limiting, both without first having a survey.


This view is also agreed by the National Taxi Association's legal representation Mr T Gray of Sintons Solicitors.

At this time we are waiting for written confirmation of this view which we are anticipating will be available for the meeting on the 11th.

To finalise as a Company we feel that this Committee can make only one recommendation and that is to re-limit and conduct a comprehensive survey of unmet demand which may well lead to managed growth depending upon the results of the survey.

Thanking you in anticipation.

Yours faithfully


D J Hopkins
Company Secretary

1a Susans Road, Eastbourne, East Sussex BN21 3HA • Tel: (01323) 417555 • Fax: (01323) 417100 e-mail; admin@720taxis.com
Eastbourne & Country Taxis Ltd Registered in England & Wales No: 4062617 Reg. Office: 28 Wilton Rd, Bexhill -on -Sea, East Sussex TN40 1EZ
Incorporating

Polegate Station Taxis • Town & Country Taxis • Station Taxis • Greyhound Taxis • Ace Courier Service • Town & Country Private Hire • Centre Cars

Alfred x 'A'

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 Karen 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 LTP'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

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Barry Morris
Chairman

.....
Dave Hopkins
Company Secretary

Appendix B'

PRESS RELEASE

Eastbourne Hackney Carriage Drivers

A drive-through protest is to be held in Eastbourne Town Centre on Friday 27th March commencing from the East side of the Railway Station at 1000 hours and will depart approximately 1015 hrs.

The protest is about Eastbourne Borough Council's decision to delimit the numbers of Hackney Carriage Plates. The conditions to be applied although not yet confirmed, is for all these new licenses to be on wheelchair accessible vehicles that are purpose built for the job, under one year old.

The Trade is livid at the way the decision was taken (at a meeting of the General Licensing Committee on 9th March 2009). The treatment the Trade received at that meeting and the realisation that they were "ambushed" by the Lib/Dem Councillors with the conniving of the Council Officers.

The Trade fully supports the release of additional plates to meet any unmet demand, but feel this should be achieved by means of a survey to measure this.

We recognise the needs of all disabled people many of whom are unable to access wheelchair accessible vehicles.

For further details, contact Mr Nick Bodle 07940 556876 or Mr Steve O'Neill 07748 902302

(NBA)

APPENDIX 'C'

8th July 2009

Ms Kareen Plympton
Taxi Licence Enforcement Officer
Environmental Health
Eastbourne Borough Council
1 Grove Road
Eastbourne
East Sussex

Dear Councillor

Re: Hackney Carriage Proprietors Licence Allocation update. General Licensing Committee Meeting 20.7.09

Concerning the above subject and the forthcoming meeting, on behalf of Eastbourne & Country Taxis Ltd I wish to make these initial observations, we will submit further correspondence to meet the deadline of 13th July 2009.

I enclose the letter we submitted for the meeting of the 9th March 2009. We re-affirm the contents of this letter, which on that occasion were against de-limitation and are now in favour of reverting to re-limitation.

I enclose the following documents:

1. Copy of articles in Taxi Today monthly, outlining concerns in different areas about allowed growth of licensed taxi numbers
2. Copy of Norwich Evening News, showing similar concerns as above
3. Private Hire and Taxi Monthly as 2 above
4. Judgement of Middlesbrough Borough Council v IJH Cameron (Holdings) Ltd

You will see from items 1, 2 & 3 there are concerns in a number of areas in the UK about allowed growth of licensed taxi numbers. These as you can see are a recent concern. If I researched further I am sure I would find evidence of many other areas in a similar situation.

Item 4, this judgement gives you the grounds (as highlighted on page 2) to defer any licence application made, until such time as a survey has been carried out.

I would remind you that the purpose of this meeting is to look at the Hackney Carriage Trade, its numbers and rank work. Any decision you make should not take into account Private Hire work which is obtained by Taxi/Private Hire Companies in Eastbourne ie telephone bookings.

Yours faithfully

Barry Morris
Chairman

Dave Hopkins
Company Secretary

(Handwritten initials)

APPENDIX 5'

9th July 2009

Dear Councillor

Re: Hackney Carriage Proprietors Licence Allocation update. General Licensing Committee Meeting 20.7.09

Concerning the above subject and further to our correspondence of 10th July 2009, we wish to make the additional observations.

We understand that to date, 4 Hackney Carriage Plates; all to independent Hackney Carriage Drivers; have been allocated since your decision of de-limitation on 9th March 2009. These being issued to wheelchair accessible vehicles as considered at your quality control policy meeting on 21st April 2009.

These plates were issued as a direct result of a petition by the Disability Involvement Group with a requirement of more wheelchair accessible vehicles. Have the Licensing Department carried out any form of survey amongst these new plate holders, investigating what wheelchair work they have carried out from the Council ranks or via telephone work (this being as a result of the travelling public contacting the Council Licensing Department to obtain their telephone number), since they started? This is something a survey would identify.

We would suggest that prior to the above meeting you visit taxi ranks in Town particularly those at Old Orchard Road and Bolton Road. There you will see a continuous queue of Hackney Carriages, bearing in mind July is historically the busiest month for the taxi trade.

Our Company believe that as a committee you should not issue any more plates from the 20th July 2009 and seek a survey. Only after the results of a comprehensive survey can you have a balanced view to decide on the way forward.

Finally to again remind you the matter you are dealing with today relates only to the Hackney Carriage Trade numbers and rank work.

Yours faithfully

Barry Morris
Chairman

Dave Hopkins
Company Secretary

Appendix 'E'

22.07.09

720 TAXIS PRESS RELEASE

Subject: Eastbourne Borough Council Licensing Committee Meeting 20.07.09

The Taxi trade are baffled by the decision of Eastbourne Borough Councils Licensing committee after they voted of a continuation of their delimitation policy with quality controls. Despite the release of 5 additional plates in three months.

The taxi trade was seeking a survey to measure unmet demand which they were prepared to pay for. This was proposed by the Conservative Councilors but lost on a 4/8 vote. The Liberal proposal to review the issue monthly and to hold a further Licensing committee meeting in four months time was passed 7/4.

The trade feel that the review meeting will be nothing more than yet another talking shop. When what is needed is positive action to resolve the issue once and for all. This can only be achieved by a full and comprehensive survey carried out by a professional independent body.

Members of the trade feel that they are being used as a political football while their livelihoods are in serious jeopardy due to the economic climate and the increase in driver numbers they urge Councilors to think again before the militant few become the majority.

Barry Morris Chairman

Dave Hopkins Secretary

→ LICENSING NEWS

Reading Cabbies Forced to Stump Up

CABBIES in Reading are among those who have managed to persuade their local council to freeze the issue of new public hire licenses. However they now face a £43 increase in their annual license fee – up from £250 to £293 – to pay for a demand survey to justify the council's decision.

The town now has 214 hackneys – an increase of more than 40 per cent over the last two years. Earlier this year, however, the Council agreed to stop issuing new licenses after drivers complained there was no room on the ranks for more.

To do this the council had to agree, following Department for Transport guidance, to carry out a

survey to see if there is any demand for cabs that the current fleet cannot meet.

The research - costing £10,000 – will start this October, allowing the Council to keep the situation under review next year.

Councillor Terry Byrne assured the meeting their decision would be made for the benefit of “the taxi



Reading

trade and the people of Reading. We're not coming from one side or another,” he said.

“You guys wanted a limit on the number of plates so we are required by law to carry out a survey so we can decide whether to stick with this limitation or not.

“There is no point putting out more badges if there is no demand.”

he added.

Tahir Abdullah, acting chairman of Reading Cab Drivers Association, told the licensing committee: “The first time this was done the results suggested eight more [licenses] but the council ended up giving out 60 more. As long as, this time, the Council goes with what the survey says. it's fine with us.”

SOUTHEND CABBIES FIGHT BACK

SOUTHEND cabbies are also feeling the pinch. The Council, however, has decided not only to continue issuing new plates but to increase the number added each year from 14 to 16.

Almost 200 furious cabbies packed into Southend Rugby Club for the annual meeting of the Southend Licensed Taxi Drivers Association, where members voted to take on the council through ‘strike’ action.

Paul Sutton, chairman of the association, said industrial action would be held on a busy Saturday.

He said: “We're going to ask drivers to stop at noon on a Saturday and just sit in the ranks to start 24 hours of no service,” reports the *Southend Standard*. They also voted to try to get the council to consult taxi drivers on any policy that will affect their trade.

Association Secretary Dave Clift even announced that if the issues are not resolved by January 1, the drivers will start their own political party and run for election to the local council, with candidates already earmarked for every electoral ward.

APPENDIX F'

UNITE VICTORY AS SOUTHEND RE-LIMITS

By MIKE HEDGES

Southend Council announced that they have listened to UNITE and the Southend Licensed Taxi Driver Association (SLTDA) and agreeing not to issue any more taxi plates. They have agreed to scrap the managed growth policy that was due to allow the issue of 16 plates next year.

On hearing the news, Mark Jennings, the UNITE Southend Cab Section Branch Secretary, said "This is the news that we wanted. This result is the culmination of the pressure that we have been putting on the council. They knew that we would have taken militant action to achieve this outcome. Managed growth has become a means to issue seemingly endless plates that are decimating the earnings of our members. We welcome this commonsense decision and now want to work with the council to address the other problems our members are facing."

The Council's decision followed an angry meeting of over 200 drivers called by SLTDA and UNITE. This meeting heard a number of impassioned speeches from Jim Kelly Chair of the UNITE Cab Trade Committee and SLTDA chairman Dave Cliff, amongst others, including local MP David Amess.

The meeting voted overwhelmingly to support the release of the survey, an end to the managed growth policy, a review of the delegated responsibility policy as well as opposing any plans National Express has for charging to use the railway station. A strategy of strike action and electoral

campaigning in order to win these demands was enthusiastically supported by the drivers at the meeting. "It is this stance of unity that has won the day," commented Paul Sutton, of the SLTDA.

He added "This result shows that a strong association with strong union backing can achieve results. Our members wanted to take action and the council knew we were serious in our intentions. With such unity between everybody involved in the Southend taxi trade we always felt we could persuade the council to re-limit and scrap the managed growth policy.

We are pleased that the council has decided to be reasonable and has listened to our concerns."

Although the council have now decided to re-limit there is still a long way to go. Cross-border hiring is still a problem as is the threat from National Express at the station. We need to keep up the pressure on the council and National Express. We can achieve this through our unity and organisation.

As Mark Jennings says, "Many drivers have now recognised the importance of being in a national organisation like UNITE which can fight for our members at all levels of government. I have never seen so many drivers joining our union; this can only make us stronger and increase our influence. If you haven't already joined then see me or my colleagues and help to protect your future."

*Mike Hedges is a member of the
UNITE Cab Trade Committee*

Appendix 'G'