

Southend-on-Sea Borough Council

Report of Director of Public Protection

To

Cabinet

On

16th January 2020

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Regulatory Services

**Agenda
Item No.**

Hackney Carriage Unmet Demand Survey 2019

Cabinet Member: Councillor Ron Woodley

A Part 1 Public Agenda item.

1. Purpose of Report

To consider the conclusions of the Hackney Carriage Unmet Demand Study 2019 (Appendix 1) undertaken by LVSA (Licenced Vehicles Surveys and Assessments) on behalf of this Authority. (Hackney Carriage Unmet Demand Survey May 2019 has been placed in the Members Room for reference.)

2. Recommendation

That Cabinet agrees to maintain the authority's current entry control policy and maintains a limit of 276 hackney carriage licenced vehicles.

3. Background

- 3.1 The principal legislation for the regulation of hackney carriage, private hire and operator licensing is the Town Police Clauses Act 1847 (TPCA) and the Local Government Miscellaneous Provisions Act 1976. (LGMPA76). Section 16 of the Transport Act 1985, provides for the Licensing Authority to refuse an application for a taxi licence for the purpose of limiting the number of Hackney Carriages if, but only if, it is satisfied that there is no significant demand for the services of Hackney Carriages within the area to which the licence will apply which is unmet.
- 3.2 In 2004 the Department for Transport (DfT) asked that the decision to limit the number of hackney carriage vehicles be reviewed at least every three years. The key points that must be considered are passenger waiting times at ranks, for street hailings and telephone bookings, latent and peaked demand. Wide consultation is required and publication of "all the evidence gathered" to demonstrate that there is no significant unmet demand for hackney carriage services.
- 3.3 This authority's policy has been to limit the issue of Hackney Carriage Licences. Unmet Demand Surveys were undertaken in 1988, 1990, 1996 and 2001. In line with the recommendations of the 2001 Survey the Council issued more licences immediately, with additional licences being issued each year. All new licences issued were for wheelchair accessible vehicles in line with the Council's policy. Following a request in October 2005 from one of the licenced trade bodies to issue more licences, hackney carriage officers agreed a criteria with the taxi trade for the issuing of more licences annually until a plateau was

- reached, when as many applicants who met the criteria could be issued with a licence. This criteria on de-restricting was adopted in 2006 by Committee.
- 3.4 This was in line with the (DfT) Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' March 2010 (Appendix 2). The guidance restated that the DfT considers it best practice not to impose quantity restrictions. Where restrictions are imposed, the Department urges that the matter is regularly reconsidered.
 - 3.5 A formal request from the licence trade to undertake an independent survey of unmet demand was made to the Council in January 2009. The survey conclusions were that there was no significant unmet demand for hackney carriage vehicles. The Council agreed to limit the number of hackney carriage licences issued as the 2009 survey had identified no significant unmet demand survey in the Borough.
 - 3.6 The Council has followed the DfT guidance and undertaken regular reviews, with further independent surveys being undertaken in 2012, 2015 and 2019.
 - 3.7 The 2019 assessment was completed using the accepted industry standard for determining unmet demand which is the 'index of significance of unmet demand' (ISUD).
 - 3.8 The 2019 report findings are that there is no evidence of any unmet demand for the services of hackney carriages either patent or latent which is significant at this point in time in the Southend on Sea licensing area.
 - 3.9 The report further recommends that the number of Hackney Carriages in the fleet is not increased at this point in time.
 - 3.10 The recommendation brings the Authority's attention to there being some evidence reported from some quarters, that wheelchair users face additional difficulties obtaining service from wheelchair accessible licensed vehicles. It recommends that this should be further investigated, and if evidenced take steps to ensure wheelchair users have access to the same level of service as able-bodied users.
 - 3.11 This Authority has already adopted the requirement to publish the list of wheelchair accessible vehicles to provide transparency to service users. This was agreed at Licensing Committee on 17 October 2019. It is anticipated that this list will be published on the Council's website by the end of the financial year.
 - 3.12 This Authority also restated its policy decision that where new hackney carriage licences are issued that the vehicle must be wheelchair accessible. Licensing Committee 15 November 2013 Minute 491.
 - 3.13 In a study commissioned by the London Assembly on Taxi and Private Hire Services in London 2014 it recognises that taxi and private hire vehicles form a vital part of the public transport network. The taxi and private hire service provides a 24 hour service, operating when bus and train services are unavailable. The service can also be accessed by those who are unable to access buses and trains due to disability or mobility impairment.
 - 3.14 The continuance of the Council's policy of restricting the number of licences issued, where there is no significant unmet demand identified strikes the balance between the interests of the consumers and the viability of the hackney carriage service.

4. Other Options

The Unmet Demand Survey 2019 report provides for this Authority to consider other options including agreeing to issue any number of additional plates as it sees fit, either in one allocation or a series of allocations OR to remove the numerical restriction currently in place.

5. Reasons for Recommendation

That the Unmet Demand Survey 2019 has identified that there is NO evidence of significant unmet demand for hackney carriages in Southend.

6. Corporate Implications

6.1 Contribution to the Southend 2050 Road Map

The hackney carriage service contributes to both the Safe and Well and Connected and Smart 2050 outcome themes. Southend has its own Local Transport Plan (LTP) covering transport policy. This encourages licensed vehicles in supporting access particularly at night when other transport is not available. The licenced hackney carriage and private hire taxi service provides the only 24 hour transport service for residents and visitors. It also provides a service to those who are unable to access buses and trains due to mobility or disability impairment.

6.2 Financial Implications

The recommendation does not place any financial burden on the authority.

6.3 Legal Implications

Section 16 of the Transport Act enables the Council to restrict the number of hackney carriage licences issued, providing there is no significant unmet demand for hackney carriage services, and that this is regularly reviewed. The report confirms there is no unmet demand and forms the review.

6.4 People Implications

None.

6.5 Property Implications

None.

6.6 Consultation

The Unmet Demand Survey included wide ranging consultation with the hackney carriage / private hire trade, the public, community representative groups and council services.

6.7 Equalities and Diversity Implications

The equalities impact has been completed. It does not indicate that restricting the number of hackney carriage licences adversely impacts on any particular group. The issue of accessibility of wheelchair users is to be subject of a further review to ensure that those individuals requiring wheelchair accessible vehicles receive the same level of service as able-bodied users.

6.8 Risk Assessment

The Authority will further progress the recommendations of the report in that it will:

- Monitor incidents and durations of wait times at the ranks during periods of peak late night demand from time to time, to check that incidences and durations of wait times do not significantly increase.
- Undertake a further review of the level of difficulty of wheelchair users accessing the service, and take appropriate action.
- Progress the wheelchair accessible vehicle registrations and publish on the Council's website.

6.9 Value for Money

The administration of the hackney carriage licensing service operates on a cost recovery basis.

6.10 Community Safety Implications

The hackney carriage and private hire service contributes to community safety in terms of it being the only 24 hour transport service for the residents and visitors to Southend and in particular assists in the safe transport of passengers during the late night and early morning periods where other transport services are unavailable.

6.11 Environmental Impact

None.

7. Background Papers

- Licensing Committee 15 November 2013 Minute 491;
- London Assembly Report: Future Proof Taxi and Private Hire Services in London December 2014.

8. Appendices

- Appendix 1: Hackney Carriage Unmet Demand Study 2019;
- Appendix 2: Department for Transport Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' in March 2010.