

**STUDY OF SERVICE PROVIDED BY HACKNEY CARRIAGE VEHICLES IN THE
BRAINTREE DISTRICT**

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- Background Papers:-**
1. Report prepared by Halcrow Group Ltd (Appendix 1).
 2. Regulation Committee Report dated 21st October 2004 – The Regulation of Hackney Carriages (Appendix 2).
 3. Agenda and Minutes of Licensing Committee Report - 26th January 2006 (Appendix 3).
 4. DFT Taxi and Private Hire Vehicle Licensing: Best Practice Guidance (Appendix 4).

Financial Implications:- Possible saving of £7000 every 2 years

Equalities Implications:- None

Legal Implications:- None

- Options:**
1. To accept the conclusions of the report prepared by Halcrow Group Ltd and not issue any additional Hackney Carriage Vehicle Licenses.
 2. To accept the conclusions of the report prepared by Halcrow Group Ltd and issue such other number of Hackney Carriage vehicle Licenses as Members consider appropriate subject to previously agreed Council Policy regarding such issue.
 3. To accept the conclusions of the report prepared by Halcrow Group Ltd and recommend to Full Council a policy to immediately remove the limit on Hackney Carriage.
 4. To accept the conclusions of the report prepared by Halcrow Group Ltd and recommend to Full Council a policy to remove the limit on Hackney Carriage with a phased deregulation with the issue of additional agreed number of plates per year 2009, 2010, 2011, and 2012 followed by complete deregulation.
 5. Not to accept the report prepared by Halcrow Group Ltd.

Risks: None

EXECUTIVE SUMMARY

To consider a report from Halcrow Group Ltd in relation to Hackney Carriage provisions in the Braintree District.

DECISION

1. To accept the conclusions of the report prepared by Halcrow Group Ltd and not issue any additional Hackney Carriage Vehicle Licenses.
2. To accept the conclusions of the report prepared by Halcrow Group Ltd and issue such other number of Hackney Carriage vehicle Licenses as Members consider appropriate subject to previously agreed Council Policy regarding such issue.
3. To accept the conclusions of the report prepared by Halcrow Group Ltd and recommend to Full Council a policy to immediately remove the limit on Hackney Carriage.
4. To accept the conclusions of the report prepared by Halcrow Group Ltd and recommend to Full Council a policy to remove the limit on Hackney Carriage with a phased deregulation with the issue of an additional plates per year 2009, 2010, 2011, and 2012 followed by complete deregulation.
5. Not to accept the report prepared by Halcrow Group Ltd.

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1. Background

- 1.1 In 1996 Members agreed that a full external survey should be carried out every two years to ascertain whether there are sufficient licensed Hackney Carriage Vehicles in the district. This survey is necessary, under Section 16 of the Transport Act 1985, for the Council to be able to defend its policy of regulation of Hackney Carriages.
- 1.2 The cost of the survey is met by the Trade and the Council who each pay 50%. The Trade's portion being recovered within the licence fee. The Trade is aware that their contribution does not give them any rights over the decision making process. However, the Taxi Association is given a copy of the report when it is submitted to Members and are given the opportunity to make representations to the Committee, during the hearing.
- 1.3 Following the last survey in 2006 members accepted that the survey concluded that there was no unmet demand and no additional plates were issued. The agenda and minutes of this meeting are attached in Appendix 3.

- 1.4 It is currently policy of this Council to regulate the number of licensed Hackney Carriages and at the current time there are 84 licensed vehicles.
- 1.5 In October 2008 tenders were invited from four companies who specialise in this type of Hackney Carriage Survey work. The tenders were evaluated against a comprehensive criteria list and the contract was awarded to Halcrow Group Ltd on that basis.

2. Current Situation

- 2.1 The Hackney Carriages may either wait at various 'taxi' ranks around the district or drive around the streets plying for hire. In practice most vehicles wait at taxi ranks.
- 2.2 Some operate as Private Hire Vehicles and accept telephone bookings. Many of the vehicles may also be used to fill school and other contracts, which may create shortages from time to time.
- 2.3 There are currently 14 wheelchair accessible Hackney Carriage vehicles in the Braintree District. Following a decision by Members this Authority introduced a policy that all newly issued plates would be for wheelchair accessible vehicles and that the plates must be retained by the licensee for a period of no less than two years before they could be transferred. It was felt that this Council has a responsibility to ensure adequate provision of licensed transport for people with disabilities.
- 2.4 Furthermore, Government proposals were in place for the implementation of the Disability Discrimination Act 1995 over a ten-year period commencing in 2010. During this time it was expected that Council's in the "first phase", of which Braintree are one, will be issued with voluntary guidance to establish a mix of vehicles and on the design parameters. The implementations of such proposals have been delayed and to date officers are not aware of a commencement date.

3. Halcrow Group Ltd

- 3.1 Copies of the Halcrow Group findings are attached to this report (Appendix 1). This is a comprehensive report regarding the current situation in the District and to what extent the traveling public is being served by the Trade.
- 3.2 Section 3 of the report outlines the definition and measurements of significant unmet demand which Halcrow Group have applied in respect of this survey. From the findings of the survey and the calculations set out in Section 3 of the report it can be shown that there is no unmet demand in Braintree.
- 3.3 The responses from the consultation carried out were very mixed and I have outlined below some issues that have been raised. These issues can be addressed through the Taxi Liaison Panel and reported back to members in due course.
- Access to High Street, Braintree
 - Shelters at ranks.
 - CCTV in cabs.

- Drivers leaving engine's running whilst parked on the rank.
- Knowledge test for drivers
- Rank Marshals
- New ranks, possibility of moving existing rank locations.

The Council has already made a decision in respect of better signage and the new Hackney Carriage and Private Hire Livery will be introduced in September 2009.

4. Conclusion

- 4.1 The Consultants consider that the survey shows that there is no significant unmet demand and in Para 9.6.1 they offer recommendations that Braintree has discretion to either:
- a) Maintain the limit at 84 licences;
 - b) Issue any number of Hackney Carriage licences as it see fits, either in one allocation or a series of allocations; or
 - c) Remove the limit on the number of Hackney Carriahe licenses.
- 4.2 Whilst the survey would appear to suggest that there is no requirement for additional licences to be issued it is felt that the Government's approach toward deregulation should be considered as reported to the Regulatory Committee in October 2004 (Appendix 2). I would also request members to refer to section 41 to 47 of the DFT Taxi and Private Hire Vehicle Licensing: Best Practice Guidance (Appendix 4), where the DFT provide guidance in respect of quantity restrictions of Taxi licenses outside of London.
- 4.3 Any new Hackney Carriage Vehicle Licences issued will only be to wheelchair accessible vehicles thus improving the provisions of licensed transport to people with disabilities.