

PRESENTATION OF HACKNEY CARRIAGE UNMET DEMAND SURVEY

REPORT OF: Lucy Corrie, Assistant Director Communities
Contact Officer: Jon Bryant, Senior Licensing Officer
Email: jon.bryant@midsussex.gov.uk Tel: 01444 477428
Wards Affected: All
Key Decision No
Report To: Licensing Committee
7 February 2023

Purpose of Report

- 1 The purpose of this report is to share the results of the survey commissioned to establish whether there is currently a significant unmet demand for hackney carriages. The full report is at appendix 1.

Summary

- 2 Currently the Council restricts the number of Hackney Carriage vehicle licences to 154.
- 3 Section 16 of the Transport Act 1985 allows an Authority to refuse an application for a Hackney Vehicle licence if, but only if, they are satisfied that there is no significant unmet demand for taxi services in the area to which the licence would apply. In the event of a challenge the Council has to establish that it had, reasonably, been satisfied that there was no significant unmet demand.
4. The Best Practice Guidance issued by the Department for Transport in 2010 recommends that an Unmet Demand Survey is carried out every three years. The last survey was conducted in November 2017 and reported to this Committee in April 2018. Due to the Covid pandemic, following legal advice, the current survey was not carried out in 2020 as it would not have been representative or reliable. As a result this current Survey took place May/June 2022.

Recommendations

- 5 **Members are requested to recommend that the Council continues to limit the number of licensed Hackney Vehicles at 154 based on the results of the survey.**
-

Background

- 6 By virtue of the Town Police Clauses Act 1847, The Local Government (Miscellaneous Provisions) Act 1976 and The Transport Act 1985, the Council is required to administer and enforce the activities of Hackney Carriage and Private Hire Operators throughout the district.
- 7 A Local Authority has the power to limit the number of hackney carriages within its area, but only if it is satisfied that there is no significant unmet demand for hackney carriage services. Local authorities that restrict the

number of hackney carriages are recommended to carry out an unmet demand survey at least every three years.

- 8 The current number of Hackney Carriage vehicle licences that have been issued by the Council is 154. The numbers have been limited to 154 since 2004.
- 9 Unless the Council formally regularly reviews the limitation of hackney carriage licences policy by way of an unmet demand survey, the Council may be open to legal challenge from persons wishing to apply for a hackney carriage vehicle licence.

Conclusions

- 10 The main conclusion of the survey is that there is no evidence of any unmet demand which is significant at this point in time. There is evidence that the retention of the limit on the number of hackney carriage vehicles continues to provide public benefit.
- 11 The good service provided needs to be supported by both local and strategic councils seeking to provide opportunities for council-provided ranks particularly as parts of the central areas are redeveloped.
- 12 A Disability User Survey was conducted as part of the Unmet Demand process. This was an additional on-line questionnaire circulated to disability groups whose service users may need adapted licensed vehicles. Although there were limited responses, with respect to hackney carriages, 57% felt there were too few wheelchair accessible hackney carriages, 14% felt the number was about right with the remaining 29% saying they did not know.
- 13 Respondents felt a wider range of wheelchair accessible vehicles were needed but there was also concern that step heights needed to be less. Overall, 14% said service was excellent, 43% satisfactory but 29% said 'bad' and 14% 'dreadful'. Key conclusions were that training of drivers was important, with the strongest view that more lower step wheelchair accessible vehicles were needed.

Policy Context

- 14 The commissioning of the unmet demand survey is carried out pursuant to powers conferred by the Local Government (Miscellaneous Provisions) Act 1976 as amended, and the Transport Act 1985 which places a duty on the Council to carry out its licensing functions in respect of hackney carriage and private hire vehicles.

Risk Management Implications

- 15 In accordance with the Council's risk management strategy, consideration has been given to the potential risks associated with the recommendations set out in this report. The Council may be open to legal challenge and the resulting costs involved from persons wishing to apply for a hackney carriage vehicle licence if they do not adopt a policy based on the results of the recent survey.

Equality and customer service implications

- 16 The survey finds that there are adequate hackney carriages to meet current customer needs, including an appropriate level of wheelchair accessible vehicles to meet current need and legislative requirements. No other equality impacts have been identified.

Sustainability Implications

- 17 None

Background papers

- Appendix 1 Mid Sussex Unmet Demand Survey - report December 2022