

Meeting: Licensing Committee

Date: 23rd November 2006

Report of: Assistant Director, Public Safety

Subject: Hackney Carriage / Private Hire Statement

Ward Affected: All

1. Purpose of the report

To report the revised Hackney Carriage Private Hire Statement.

2. Recommendation

- 2.1 That Committee approve the Hackney Carriage / Private Hire Statement.

3. Information/Background

The Hackney Carriage / Private Hire Statement forms part of the Local Transport Plan and should be reviewed on a regular basis.

The Local Transport Plan process requires local authorities to consider, in a holistic manner, how transport provision for their area contributes to wider objectives such as economic growth, accessibility and the environment. Taxis are an integral part of local transport provision and should be taken into account within this provision. They are also recognised as a key component in the City Council's sustainable transport solution.

Taxis are considered to be an important service provider of alternative transport within Brighton & Hove. The Council is committed to improving the availability of accessible vehicles for disabled people in the city.

4 Consultation

The matter has been discussed at the Council's Hackney Carriage and Private Hire Consultation Forum.

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Financial Implications

There are no direct implications from the acceptance of the recommendations in this report.

Finance Officer consulted: Alasdair Ridley

Date: 31/10/06

Legal Implications

The Council is required by the Transport Act 2000 to prepare a five-year Local Transport Plan and to take account of Government guidance in doing so

Lawyer Consulted: Louise Hanrahan Date: 31 October 2006

<p>Corporate/Citywide Implications</p> <p>The role of the taxi trade is included in the Local Transport Plan, which identifies it as a key element in providing sustainable transport choices. It creates important links in the transport network to other forms of sustainable transport providing a seamless connection. It will contribute to three of the government's four shared transport priorities – reducing congestion, improving air quality and accessibility.</p>	<p>Risk Assessment</p> <p>None</p>
<p>Sustainability Implications</p> <p>Use of taxis for school transport, licensed vehicles using bus lanes, locating ranks at railway stations and the city coach station, approved use of liquid petroleum gas all contribute to reducing congestion and moving passengers quickly.</p>	<p>Equalities Implications</p> <p>In order to improve services to disabled groups all new drivers are required to attend equalities and disabilities awareness training.</p>

Implications for the prevention of crime and disorder

None

Background papers

None

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Brighton & Hove City Council

Hackney Carriage / Private Hire
Statement

I The Role of Taxis and Private Hire Vehicles

- 1.1 The continued development and management of the city's hackney carriage taxis and private hire vehicles is seen as crucial in the delivery of a balanced and effective integrated transport system.
- 1.2 The taxi and private hire vehicle provides important links in the transport network to other forms of sustainable modes such as trains, coaches and buses providing a seamless connection.

Importantly, they provide the only form of public transport available late into the night and through to the early hours of the morning. They also provide dedicated transport for those people who do not have access, or are unable to use a car.

- 1.3 Brighton & Hove City Council has a team dedicated to hackney carriage and private hire licensing within the Public Safety Division of the Environment Directorate. Its position in that division links it directly with associated functions, for example transport and planning; health, safety and licensing. There are 1.5 Hackney Carriage Officers and 2.7 Enforcement Officers and 1 admin support officer working whole time on this function. This section works from City Direct Hove Town Hall, which gives the easiest access to services for members of the taxi trade.
- 1.4 The Council has one licensing district which has evolved since the amalgamation of the previous Brighton Borough Council and Hove Borough Council in 1997 into the present unitary authority. Since 2002 the City has been operated as one zone which has allowed hackney carriages to pick up anywhere within the City area if they were flagged down and return to any rank within the City.

2. Working Together

- 2.1 Close consultation with the hackney carriage and private hire trades is maintained through the council's Hackney Carriage and Private Hire Consultation Forum, which is comprised of representatives of drivers, owners, operators, unions, police, council officers and invited councillors and meet every six weeks. The forum seeks to deal with a range of issues, any proposed changes for example to fares, licence conditions, etc, are explained and discussed and the trades' views are incorporated into any committee reports which result.

2 Supply & Demand

- 3.1 At present, the council operates a restricted number policy for hackney carriage vehicles. In order that the restricted number policy is accurate and effective, in 2002 the council commissioned independent consultants to undertake a Hackney Carriage Unmet Demand Survey with the aim of exploring the possibility of increasing the number of vehicle licences and to increase it annually thereafter.
- 3.2 Following the conclusion of the report the council decided to adopt two subsequent recommendations –

1. To increase the number of Brighton & Hove City Council hackney carriage vehicle licences by 19 to a total of 478 with immediate effect
 2. To further increase the number of hackney carriage vehicle licences issued by the council by 5 annually in May each year beginning in May 2004.
- 3.3 The Licensing Committee has since confirmed its support for a limited numbers and managed growth policy inline with the current requirements of the DfT as required by the letter from Rupert Cope of 16 June 2004.
- 3.4 The Council is committed to undertaking survey during 2006 to identify if
there is any further significant unmet demand for Hackney Carriages.

4 Licensing Policies & Conditions

- 4.1 The council's licensing policy is considered to be among the best in the country and is often used as an example of best practice.
- 4.2 In relation to ingress and egress for multi seater vehicles and to livery. No passenger should need to move another passenger or his seat in order to escape from a vehicle in the event of an accident, so the number of seats in middle row never exceeds two. Although some other councils will license a vehicle for the maximum number of seats in it, this council will not do so, a policy supported by ROSPA.
- 4.3 The council operates a strict colour policy of white and *aqua marine* for hackney carriages. The colour policy and livery makes the city's hackney carriage fleet highly visible, more so than, for example, vehicles of single colour.
- 4.4 For public safety purposes, vehicles are required to meet strict standards.
Hackney carriages must normally be under 4 years old when first licensed and must be removed from the licence when they are 7 years old (5 and 10 for purpose built vehicles). Approved door signs must be displayed on both front doors and on both rear doors. The vehicle plate number is also displayed on the rear doors giving easy and instant recognition for the public. The roof signs for all vehicles are prescribed. Vehicles must pass an

annual mechanical test at council approved garages prior to licensing. They are also subject to continual random inspection by the enforcement officers. The calendar controlled fare meters required for each vehicle are set and sealed by the council

4. 5 Private hire vehicles must normally be under 5 years when first licensed and must be replaced when they are 10 years old. They are distinguished from hackney carriage vehicles by colour (not white) and by different approved door and roof signs. If a meter is fitted it is a requirement that they are calendar controlled and set to reflect fares advertised within the vehicle. Private hire fares, although not set by the council, normally fall into line with the hackney carriage fares. Annual mechanical tests, to the same standard for hackney carriages, are also required prior to licensing and the vehicles are subject to continual random inspection by the enforcement officers.
4. 6 Equally important in public safety is the need for drivers to be fit. Drivers of both vehicle types must meet the Driver and Vehicle Licensing Agency (DVLA) Group 11 medical standards and any doubts are referred for advice to an independent medical consultant. All potential drivers undergo a Criminal Records Bureau (CRB) check and the council has its own guidelines on the relevance of previous convictions in the licensing process. These guidelines are given to all applicants when they first enquire about licensing. Two references are taken up and a DVLA check on the driver record is undertaken.
4. 7 All new drivers must pass the Driving Standards Agency (DSA) Private Hire / Hackney Carriage driving assessment test designed to ensure that passengers have a safe, comfortable and enjoyable journey. All drivers must also pass a theoretical and practical knowledge test designed and can read, speak and understand the English language and that they know how to drive between destinations within the city area. Existing drivers who obtain more than 4 penalty points within two years are required to undergo and pass the DSA test
4. 8 All new drivers must attend Equalities and Disabilities training provided by The Council which has been introduced following recommendations from the Social Justice Consultation Forum (ESJCF) on driver training with regard to disabled people along with training and ethnic minority awareness. The course involves prospective drivers knowing how to interact with people with disabilities, including helping them in and out of wheelchair accessible taxis. Ethnic minority awareness is intended to

promote racial harmony and equality. Previously licensed drivers are encouraged to attend these courses.

- 4.9 Following concerns expressed by the Hackney Carriage and Private Hire Taxi Forum as to the standard of literacy skills of some new drivers the Hackney Carriage Office in partnership with Adult Skills and Learning and City College devised a pilot scheme to assess driver's literacy and numeracy skills. Two courses have been offered along side the assessments one on Basic Book Keeping and the other on Customer Care. These courses are provided free of charge and Drivers. These courses are held alternately on a monthly basis as an extension to the Equalities and Disabilities Awareness Course that all new drivers are required to attend. Drivers are given feedback on their assessment and where further learning needs are identified suitable training is offered by City College or other adult learning providers. Funding for the pilot has been obtained from Learning and Skills Council.
- 4.10 The Following this successful pilot the Council is now looking to extend the Equalities and Disabilities Awareness Course to include Customer Care and setting an entry level for new drivers in literacy and numeracy consummate with driving a taxi. New applicants that do not reach this entry level will given support in meeting the required level.
- 4.11 The council operates a formal disciplinary policy for drivers. An initial substantiated complaint normally results in a verbal warning followed by suspension or revocation of licence. A substantiated complaint requiring more severe action may not follow that pattern.
- 4.12 In line with the council's sustainable transport agenda, vehicles may use alternative fuels.

5 Fares

- 5.1 Hackney carriage fares are reviewed annually against a formula agreed with members of the Forum, the formula being a reflection of average earnings and vehicle running costs. The formula uses these elements because government and the AA independently produce them. Government average earnings figures are produced by region and the AA figures give running costs for all types of vehicles.
- 5.2 The procedure is transparent and it is entirely equitable that taxi drivers, who are self employed businessmen, should be able to

earn average earnings and recoup the cost of running their businesses. It also removes from the negotiable process the complexities of inflation percentages and their variable influences. The formula indicates the maximum fare the council will permit, the actual fare being negotiated within the upper limit.

- 5.3 Fares are displayed inside all hackney carriage and private hire vehicles. Fare cards contain the necessary detail but also state in simple terms what a fare may be.
- 5.4 The council has a concessionary fares policy for taxi journeys. Taxi vouchers are available to those city residents who are at least 18 years of age, who cannot use buses and who can provide a doctor's certificate. Presently limited to £45 worth of vouchers each year they are not available to anyone in possession of a bus pass.

6 Ranks

- 6.1 The location of taxi ranks is a vital element within the council's transport plan and the introduction of controlled parking. The locations are kept under constant review in liaison with the Forum and members of the council's traffic and transport team. Ranks are sited within the two main railway stations, Hove and Brighton, giving train passengers easy and immediate access to taxis and trains within the station environment. There is also a rank situated at the city's coach station Pool Valley, providing an important link in the public transport network. In other parts of the city the ranks are sited at locations of greatest public demand. Currently there are 58 officially designated ranks and the number of spaces on the ranks equates to roughly one space for every two taxis. That is seen as a reasonable allocation. The average waiting time for passengers is 1.11 minutes and for taxis it is just over 8 minutes.
- 6.2 The two principle ranks are at Brighton railway station and at East Street, Brighton. These two account for about 54% of the total passenger movements from ranks. The rank at Brighton railway station is on private land owned by the railway company which restricts the number of taxis which can have access by issuing permits, the restriction being necessary due to the limited space available. The rank is serviced by the trade on the basis of train movements and works well to clear queues forming after train arrivals.

- 6.3 Ranks are not provided within shopping developments. However, the private hire operators have negotiated contracts with the major outlets to provide direct lines which shoppers can use to book taxis.
- 6.4 Taxi ranks are limited to hackney carriages and no similar provision exists for private hire vehicles as they should all be prebooked through an operator. When not carrying passengers, private hire vehicle can wait wherever they can legally but they must be away from busy public areas and not in groups so as to give the impressions of being available for immediate hire. This arrangement is strictly monitored by the enforcement officers and has the dual advantage of not requiring a vehicle to run empty, thus reducing the environmental impact and allowing them to wait near to locations from which they may be booked frequently, for example retail stores with a freephone to an operator.

7 Disability Access

- 7.1 Brighton & Hove Council operates a mixed vehicle hackney carriage fleet. This policy was developed in consultation with the independent Brighton & Hove Federation of Disabled People (BHFD) and the council's Disabilities Access Advisory Group (DAAG).
- 7.2 The council believes that a mixed fleet is most suited to meet the requirements of disabled users of the service. Results of consultation show that people who use wheelchairs but who do not need to remain in them while using taxis prefer to sit in an ordinary car seat in a saloon car. That is reflected by public attitude generally to sitting in the purpose built wheelchair accessible taxis. The majority of disabled users feel they are difficult to get into and that the nature of the seating makes the ride uncomfortable. But there are two associated matters, first the type of vehicle licensed as wheelchair accessible and second vehicle availability in response to telephone bookings
- 7.3 Currently there are 493 licensed hackney carriage vehicles of which 88 are wheelchair accessible. These figures are likely to change in the very near future in light of the unmet demand survey. There are also 442 licensed private hire vehicle of which only 20 are currently adapted and equipped to carry passengers in wheelchairs.
- 7.4 The council has licensed a variety of vehicles which are wheelchair accessible and will consider any other vehicle

presented if it is satisfied that it meets access and egress requirements. In cases of doubt, the council examines the vehicle in conjunction with the BHFD.

- 7.5 With regard to private hire and disabled access, the council is of the opinion that to impose a licence condition that every vehicle must be wheelchair accessible would likely to be held unreasonable and so will not impose such a condition. It is also aware that to make a distinction between saloon and wheelchair accessible vehicles would only serve to introduce a premium on saloon cars, mirroring the effect of a limited number policy for hackney carriage.

8 Transport Integration

- 8.1 The introduction of bus lanes to speed public transport through the increasingly congested city area has worked very well. From their inception, any licensed hackney carriage or private hire vehicle has been permitted to use them and that has undoubtedly contributed to quicker and cheaper taxi journeys within the city.
- 8.2 Taxibus, whether taxi as bus or bus as taxi, and taxi-sharing services do not feature within the city. Taxi sharing is not favoured or supported by the taxi trade and attempts to introduce taxibus services have all failed in the face of existing excellent public transport.

9 Community Safety

- 9.1 The provision of taxi services is a vital element within the city's community safety strategy. The need to move people safely and with the least delay is reflected in the licensing strategy but that need is underlined at certain peak periods of demand, particularly late night when licensed premises close.
- 9.2 It is recognised that it is impossible to guarantee sufficient taxis at all times to serve public demand and so the council is aware of the need to encourage drivers to work at those times when demand for their services is particularly heavy. At the annual fare review the matter of increased tariff for late night journeys is always considered as an incentive to encourage drivers to work late at night. The trade acknowledges this as a strategy but emphasises that the level of fares alone is not an incentive. Driver protection is of equal importance. Crime reduction initiatives such as driver safety screens and in-car Close Circuit

Television (CCTV) cameras are already approved and in use, and are funded directly by vehicle owners.

- 9.3 Other initiatives are still being developed including links with the community safety strategy and, particularly, an improved awareness between the taxi trade and the police. To that end, the police are providing direct links from the taxi operators' offices into the CCTV room. Drivers in trouble or who want to report incidents worthy of police notice contact the taxi operator using a panic button on their data units, the operator passes the contact to the CCTV operator who views the incident on the CCTV screens. If police attendance is required, the CCTV operator will notify the police control room directly and this will ensure police response.
- 9.4 Female only taxis driven by female drivers and for use only by female passengers have not been successful. The number of female drivers is increasing and the flexible nature of the job, which can be fitted around or incorporated into childcare arrangements, has to be emphasised as a natural attraction. Indeed the flexible nature of the job overall is one of its greatest attractions. However, restricting drivers and vehicles to such an extent has not worked. The taxi operators are aware of the need to respond to specific requests for vehicle types and driver gender and do so readily.

