Brighton & Hove City Council

Licensing Committee (Non-Licensing Act 2003 Functions)

Title:	**Licensing Committee (Non Licensing Act 2003 Functions)**
Date:	**26 November 2009**
Time:	**3.00pm**
Venue	**Council Chamber, Hove Town Hall**
Members:	**Councillors:** Cobb (Chairman), Lepper (Deputy Chair), West, Harmer-Strange, Hawkes, Hyde, Kitcat, Marsh, Older, Phillips, Pidgeon, Simson, C Theobald, Watkins and Wrighton
Contact:	**Jane Clarke** Democratic Services Officer 01273 291064 jane.clarke@brighton-hove.gov.uk

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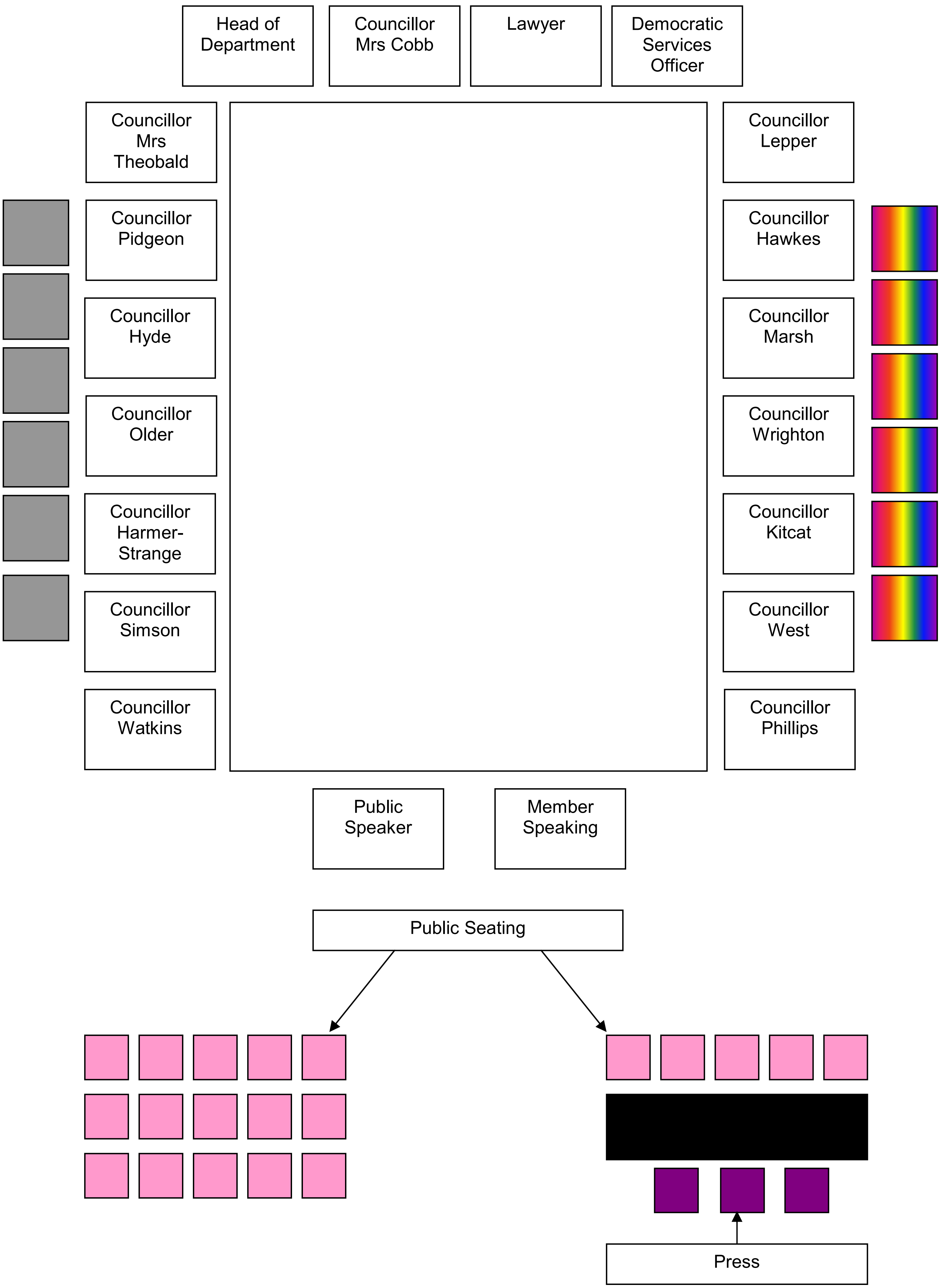

AGENDA

Part One	Page
9. PROCEDURAL BUSINESS	

(a) Declaration of Substitutes - Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.

(c) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

10. MINUTES OF THE PREVIOUS MEETING **1 - 4**

11. CHAIRMAN'S COMMUNICATIONS

12. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on Thursday 19 November 2009).

No public questions received by date of publication.

13. HACKNEY CARRIAGES UNMET DEMAND SURVEY **5 - 146**

Report of the Director of Environment (copy attached).

Contact Officer: Martin Seymour Tel: 29-6659
Ward Affected: All Wards;

14. HACKNEY CARRIAGES/PRIVATE HIRE TRADE ETHNICITY MONITORING **147 - 150**

Report of the Director of Environment (copy attached).

Contact Officer: Martin Seymour Tel: 29-6659

Ward Affected: *All Wards;*

15. STREET TRADING POLICY **151 - 172**

Report of the Director of Environment (copy attached).

Contact Officer: *Jean Cranford* *Tel: 29-2550*
Ward Affected: *All Wards;*

16. POLICING AND CRIME BILL - SEX ESTABLISHMENTS CONSULTATION **173 - 208**

Report of the Director of Environment (copy attached).

Contact Officer: *Tim Nichols* *Tel: 29-2163*
Ward Affected: *All Wards;*

17. ITEMS TO GO FORWARD TO COUNCIL

To consider items to be submitted to the 10 December 2009 Council meeting for information.

In accordance with Procedural Rule 24.3a the Committee may determine that any item is to be included in its report to Council. In addition each Minority Group may specify one further item to be included by notifying the Chief Executive by 10.00am on 30 November 2009.

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

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Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Jane Clarke, (01273 291064, email jane.clarke@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Wednesday, 18 November 2009

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)	Agenda Item 10 Brighton & Hove City Council

BRIGHTON & HOVE CITY COUNCIL

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

3.00PM 25 JUNE 2009

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Mrs Cobb (Chairman), Fallon-Khan, Fryer, Hawkes, Hyde, Kitcat, Marsh, Pidgeon, Simson, C Theobald, Watkins, West and Young

Apologies: Councillors Lepper, Harmer-Strange, Older and Wrighton

PART ONE

1. PROCEDURAL BUSINESS

1a Declarations of Substitute Members

1.1 Councillor Fryer declared that she was substituting for Councillor Wrighton.

1.2 Councillor Fallon-Khan declared that he was substituting for Councillor Older.

1b Declarations of Interests

1.3 There were none.

1c Exclusion of the Press and Public

1.4 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Licensing Committee (Non Licensing Act 2003 Functions) considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100(1) of the Act).

1.5 **RESOLVED** – That the press and public be not excluded.

2. MINUTES OF THE PREVIOUS MEETING

2.1 **RESOLVED** – That the minutes of the previous meeting held on 24 April 2009 be signed as a correct record by the Chairman.

3. CHAIRMAN'S COMMUNICATIONS

3.1 The Chairman updated Members on the situation at Brighton Station with regard to taxi ranks, and noted that recently all transport operators associated with the station had experienced difficulties. A feasibility study was being undertaken by Officers and any proposed rank would need to take this into account. She noted that the appointment of a rank was a function reserved for the Cabinet Member for Environment, with delegated authority to Officers if no objections were received. If a rank were appointed on the highway, a Traffic Regulation Order would be needed.

3.2 Councillor West asked if there had been any proposals for a rank at Brighton Station currently drawn up and the Chairman replied that there had not.

3.3 Councillor Watkins asked if the station proprietors were under any obligation to have a rank and the Head of Environmental Health and Licensing replied that they were not, but one was requested because a by-law stated that taxis needed to proceed to the nearest available rank when not in use. He added that the situation had been alleviated recently by Southern Rail, as they had agreed to stop issuing any more permits and reduce the number of permits currently in use at the station by natural wastage.

3.4 The Chairman went on to update Members on the recent suspensions and revocations of taxi licences. Since the last meeting, one driver had been given a final warning and one garage had been removed from the list of approved garages.

4. CALLOVER

4.1 **RESOLVED** – That all items are called over.

5. PUBLIC QUESTIONS

5.1 There were none.

6. LICENSING ENFORCEMENT POLICY

6.1 The Committee considered a report from the Director of Environment on the Licensing Enforcement Policy (for copy see minute book).

6.2 The Head of Environmental Health and Licensing began by stating that this report followed a consultation period on the policy and was needed to ensure transparency, consistency and efficiency when dealing with licensing enforcement. The policy had been updated after DCMS guidance was issued last year, and the Licensing Panels were already using this guidance in their determinations of licence applications, variations and reviews.

Responses to the consultation were listed in the report, and it was felt that the policy addressed and incorporated the recommendations put forward, and so the recommendation from Officers was for adoption of the policy.

6.3 Councillor West was concerned that the changes would have a significant impact on Officers' time, and asked if the department had the capacity to implement this policy. The Head of Environmental Health and Licensing stated that budgets were always tight, but a restructure of the department had taken place last year and staff members were being reduced in some areas via natural wastage to enable an increase in other areas, such as the Noise Patrol Team. There was a risk based Licensing Enforcement Programme, which enabled the department to manage its programmed and non-programmed cases on a yearly basis and the Head of Environmental Health and Licensing was confident that the department were responding well to current demands.

6.4 Councillor Fryer noted that non-alcohol related problems were not addressed in the policy and stated that there was a particular instance in her ward of a premises trading late night refreshments beyond their permitted hours, but there seemed to be no enforcement action taking place. The Head of Environmental Health and Licensing noted the difference between non-compliant premises that were causing suffering to the community and non-compliant premises that were not causing suffering. The aim of the policy was to target resources at those premises causing suffering and where demonstrable harm was being created.

6.5 Councillor Watkins welcomed the risk based approach that was being taken to the workload for the department, and asked how compatible this programme was with other organisations that the department worked with. The Head of Environmental Health and Licensing stated that the department worked very well with other responsible authorities and many different aspects of licensing issues were discussed and dealt with regularly by all parties.

6.6 Councillor Marsh referred to the lead agency tables contained within the policy and noted that proxy sales of alcohol to children listed Sussex Police as the lead agency. She had been told in the past that this was monitored by Trading Standards and asked for guidance on this area. The Head of Environmental Health and Licensing stated that generally sales of alcohol to minors in off-licensed premises were dealt with by Trading Standards and in on-licensed premises by Sussex Police. He noted that whilst the tables were useful in identifying the agency primarily responsible for the issue, any responsible authority could take action where they felt it was appropriate. He added that Trading Standards generally conducted business support training and guidance after the review process to ensure compliance with the licensing objectives.

6.7 **RESOLVED** – That the committee adopts the Licensing Enforcement Policy (for copy see minute book).

7. DRIVER TRAINING

7.1 The Committee considered a report from the Director of Environment regarding Driver Training (for copy see minute book).

7.2 The Licensing Manager introduced the report and stated that all new Hackney Carriage/Private Hire drivers were required to undertake training regarding disability issues and customer care. The award was a Level 2 BTEC, which was funded by central Government.

7.3 Councillor Hawkes asked where drivers could take this training and the Licensing Manager replied that there were various different ways to access the training material, via classrooms, computers or coursework and the course was tailored to suit the individual in this regard.

7.4 Councillor Simson asked if the requirement extended to jockey drivers as well as those who owned their own vehicles and the Licensing Manager confirmed that it did.

7.5 Councillor Mrs Theobald stated that she had experienced problems recently with Taxi Drivers taking indirect or inappropriate routes through the city, and asked for this to be raised at the next Taxi Drivers Forum. Councillor Cobb agreed and noted that there were instances of bus lanes being used incorrectly by taxi drivers. The Head of Environmental Health and Licensing agreed and noted that some routes in the city were currently posing particular problems. Road signage had been checked by Highways Officers and was deemed to be correct, and so the next step was to raise the issue at the Taxi Drivers' Forum and consider enforcement action in conjunction with the Police.

7.6 **RESOLVED** – That:

1. All prospective Hackney Carriage/Private Hire driver applicants shall be required to hold the Level 2 BTEC Award in Transporting Passengers by Taxi and Private Hire before licensing, from a date agreed by the Director of Environment, and;

2. That the power to approve the training provider is delegated to the Director of Environment.

8. ITEMS TO GO FORWARD TO COUNCIL

8.1 There were none.

The meeting concluded at 3.30pm

Signed Chairman

Dated this day of

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)	Agenda Item 13 Brighton & Hove City Council

Subject:		***Hackney Carriage Unmet Demand Survey***		
Date of Meeting:		**26 November 2009**		
Report of:		***Director of Environment***		
Contact Officer:	Name:	Martin Seymour	**Tel:**	29-6659
	E-mail:	hco@brighton-hove.gov.uk		
Wards Affected:	All			

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

To present the results of the Hackney Carriage Unmet Demand Survey and to give various options available to members to advise the executive. The summary and conclusions section of the survey report is appended (Appendix A).

2. RECOMMENDATIONS:

2.1 That committee recommends to keep the current number of hackney carriage vehicle licences at 528 **or**;

2.2 Recommends to continue to increase the number of hackney carriage vehicle licences issued by the council by 5 annually, such licences to be issued in May each year commencing in May 2010 **or**;

2.3 Recommend to continue to increase the number of hackney carriage vehicle licences issued by the council by a reduced number of 2 annually (or such number as the committee advises), such licences to be issued in May each year commencing in May 2010 **or**;

2.4 Recommend removing the limit on the number of hackney carriage vehicles issued and allow a free entry policy to vehicles, which are constructed or adapted and configured to carry passengers seated in wheelchairs, the type and design of the vehicle to be agreed by the Director of Environment.

2.5 Recommend any additional licences issued under 2.2 & 2.3 above should be issued in accordance with the conditions attached to the Brighton & Hove City Council Hackney Carriage Vehicle Licence Waiting List and to vehicles which are constructed or adapted and configured to carry passengers seated in wheelchairs, the type and design of the vehicle to be agreed by the Director of Environment).

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 The council licenses hackney carriage vehicles and private hire vehicles. The principal differences between the two licensing regimes are (i) hackney carriages can ply for hire in the streets and at taxi ranks whilst private hire vehicles can only accept bookings made through a private hire operator (ii) powers exist to limit the numbers of hackney carriages in prescribed circumstances but there is no power to limit the number of private hire vehicles (iii) the council prescribes fares for hackney carriages but has no power to determine fares for private hire bookings.

3.2 This council last reviewed its policy of quantity control of hackney carriages on 27 November 2008**.**

3.3 This latest review aims to address two key issues (i) the number of hackney carriage vehicles (ii) the percentage of those vehicles which are wheelchair accessible.

3.4 Section 16 of the Road Transport Act 1985 gives the council the power to refuse the grant of a licence for the purpose of limiting the number of hackney carriage vehicles within its area, but only if it is satisfied that there is no significant demand for the service of hackney carriages within its area which is unmet. At present council policy limits the number of hackney carriage vehicle licenses to 528 with 5 additional licenses issued annually in May.

3.5 The Department of Transport has issued Best Practice guidance regarding limiting numbers policies. (Appendices B). Most local licensing authorities do not impose quantity restrictions; the Department regards that as best practice.

3.6 Because of its policy of limiting numbers, from time to time the council must commission an independent study to establish whether there is any significant unmet demand for the service of hackney carriages in Brighton and Hove. The Council recently commissioned such a study from independent transport consultants, Halcrow Group Limited, who produced their study report in October 2009.

3.7 In view of the study findings which found there to be no significant unmet demand Members have a discretion to recommend to the council one of the following options: either (i) delimit, i.e. to remove the limitation on numbers; or (ii) continue with a restricted numbers policy but allow expansion of the fleet in a controlled manner; or (iii) keep the current number of hackney carriages vehicle licences at 528.

3.8 If Members decide to recommend to keep the current level of licences at 528 then the council would be required to commission a further survey to assess demand in around 3 years time. If Members decide to continue with a restricted numbers policy but with a policy of managed growth in line with paragraph 2.1 or 2.2 then the council would be required to commission a further survey to assess demand in around 3 years time. If Members decide to delimit the council would not be required to commission a further survey.

3.9 The council maintains a waiting list for hackney carriage vehicle licences which currently has 114 applicants on it. It is recommended that all additional licences be offered to applicants in accordance with the conditions attached to the waiting list. This means that they would be offered to applicants according to their position on the list.

3.10 There are two potential avenues of legal challenge; an aggrieved party could seek judicial review of the committee's decision, and applicants on the waiting list could appeal against the refusal of a licence to the Courts.

4. THE TYPE OF VEHICLE TO BE LICENSED:

4.1 Taxis provide an important means of transport for disabled people and are often the only viable option available. The council's hackney carriage fleet is mixed; consisting of saloon cars and specially constructed or adapted wheelchair accessible vehicles. Locally, representatives of disabled groups have asked for the continued provision of a mixed fleet. This reflects the differing needs and preferences of the travelling public, including those who find it difficult to negotiate entry into wheelchair accessible vehicles and to sit down easily, and those confined to travelling in wheelchairs. However there is general consensus that there are too few disabled accessible vehicles.

4.2 Although unrelated to the concept of significant unmet demand in the 1985 Transport Act, Halcrow were asked to look at the issue of wheelchair accessibility via telephone bookings. Halcrow has identified significantly longer waiting times for wheelchair accessible vehicles compared with ordinary saloon cars when booked by telephone. To alleviate this discrepancy they estimate that an additional 428 wheelchair accessible vehicles are required. It should be noted that this demand is principally a private hire demand and the requirement for additional accessible vehicles is not necessarily a requirement for more licensed vehicles, but for greater accessibility.

4.3 Members are therefore recommended to require that additional hackney carriage licences are restricted to wheelchair accessible vehicles. This will underline the council's commitment to those who suffer physical disability. However, in the interests of continuing to maintain a mixed fleet this policy, if continued, would need to be reviewed after a suitable interval, for example when the next unmet demand survey is undertaken.

4.4 If Members decide not recommend to so restrict the vehicles, then there is a risk of legal challenge from hackney carriage licence holders who were previously issued licences for wheelchair accessible vehicles, on the ground that the restriction on their licences is unreasonable. If successful, this would lead to a reduction in the number of wheelchair accessible vehicles.

In view of the survey findings, disability interest groups or individuals might also challenge such a decision.

5. RELATED ISSUES:

5.1 The main purpose of the survey was to determine whether or not there exists a significant unmet demand for hackney carriages and to determine the number of licences required to meet any identified unmet demand. There are other related issues which the council needs to keep under review in the longer term, such as the response to telephone bookings for wheelchair accessible vehicles referred to in 4.2 above, initiatives to encourage hackney carriage and private hire drivers to work unsociable hours, particularly at the weekends when there are peaks in night-time demand, the level of fares and measures to improve driver and passenger safety.

5.2 Crime reduction initiatives such as driver safety screens and in-car CCTV cameras have previously been supported by Committee. Other initiatives are still being developed including links with the community safety team and improved partnership between the taxi trade and the police. The level of fares are reviewed regularly including the question of whether there is justification to increase the differential between daytime and night-time fares to encourage drivers to work at times of peak demand.

6. CONSULTATION:

6.1 Officers have consulted with trade representatives on the Hackney Carriage and Private Hire Consultation Forum, including attending a meeting with the consultant, forum members and the police to discuss points the trade wished to clarify.

6.2 Halcrow’s consultations were with Hackney Carriage and Private Hire Trade Representatives; Taxis Operators; Disability representatives and Social Services; and Police and Community Safety Partnership.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 <u>Financial Implications:</u>

- The cost of the current Unmet Demand Survey was met from within existing revenue budgets. The cost of future Unmet Demand Surveys will be contained within the annual licence fee for all hackney carriages.
- The Council sets the fee rates for both hackney carriages and private hire vehicles. Total income in 2008-9 from fees was £285,000.
- If the number of hackney carriages is allowed to increase this will not necessarily result in an increase in income overall, as it may be offset by a reduction in private hire vehicles.
- If the decision is taken to continue with a limitation policy, then there is the possibility of a legal challenge to the decision in court. The costs of

any such challenge would have to be met from within existing budgets, funded from the fee income.

- If the decision is taken to delimit the number of taxis, then subsequent monitoring of taxi ranks may reveal a need to expand their size or number, which the Council would be responsible for funding. Such costs could range from a few hundred pounds to a few thousand pounds, depending on the specific circumstances.

Finance Officer Consulted: Karen Brookshaw *Date: 24/10/2009*

7.2 Legal Implications

These are dealt with in the body of the report.

Lawyer Consulted: Rebecca Sidell *Date: 23/10/2009*

7.3 Equalities Implications:

The Department of Transport had planned to make taxi accessibility regulations under the Disability Discrimination Act but admitted that it could not be achieved in a way that would be acceptable to both disabled people and the taxi trade for the time being. It is recommended that Councils make their own policy concerning accessible taxis in their area.

To issue extra licences each year will counter criticism that the hackney carriage vehicle licence waiting list may be discriminatory because it does not move as no extra licences are issued.

7.4 Sustainability Implications:

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. 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.

7.5 Crime & Disorder Implications:

Sufficient late night transport to reduce public place violent crime is recognised in the community safety, crime reduction and drugs strategy. The presence of CCTV can be an important means of deterring and detecting crime.

7.6 Risk and Opportunity Management Implications:

The transport industry should be safe, profitable and be a positive experience for residents and visitors.

7.7 Corporate / Citywide Implications:

Tourism needs to provide a warm welcome to visitors and the tourism strategy depends upon effective partnership with transport operators particularly to achieve safe late night dispersal for the night time economy.

SUPPORTING DOCUMENTATION

Appendices:

A. Summary and Conclusions from the Halcrow Group Limited Hackney Carriage Demand Survey – October 2009.

B. Taxi and Private Hire Vehicle Licensing: Best Practice Guidance 2005 (Department for Transport).

Documents in Members Rooms:

1. None.

Background Documents:

1. None.

Summary and Conclusions

Introduction

Halcrow has conducted a study of the hackney carriage market on behalf of Brighton & Hove City Council.

The present study has been conducted in pursuit of the following objectives:

- to identify whether or not there exists a significant unmet demand for hackney carriage services in Brighton and Hove;

- to recommend the increase in licences required to eliminate any significant unmet demand; and

- to assess any significant unmet demand for disabled access hackney carriage vehicles at ranks and telephone booked demand.

This section provides a brief description of the work undertaken and summarises the conclusions and implications for regulatory policy.

Significant Unmet Demand

The 2009 study has identified that there is NO evidence of significant unmet demand for hackney carriages in Brighton & Hove. This conclusion is based on an assessment of the implications of case law that has emerged since 2000, and the results of Halcrow's analysis.

On this basis the authority has discretion in its hackney licensing policy and may either:

- continue to limit the number of vehicles at 528 with additional wheelchair accessible licences issued annually as the authority sees fit;
- issue any number of additional plates as it sees fit, either in one allocation or a series of allocations; or
- remove the limit on the number of vehicles and allow a free entry policy.

Summary of Consultation – Interested Parties

The Department for Transport had requested that licensing authorities consult widely to inform their policy making in respect of continued entry control to the hackney carriage market. In addition to the consultation that has routinely been included in previous market studies (correspondence with interested parties), Halcrow has followed the prescribed approach and sought the views of all those involved in the taxi trade.

Stakeholders were generally happy with the numbers of hackney carriages but highlighted more wheelchair accessible vehicles should be made available. Particular problems were highlighted with regard to the availability of accessible vehicles at school contract times. Reference was made to the need to improve driver training opportunities. Rank availability was the other key issue highlighted. It is clear stakeholders do not all consider ranks are sufficient or in the right location.

Summary of Consultation – General Public

Some 493 interviews were carried in June 2009. The key results are as follows:

- Some 63% of respondents had used a taxi in Brighton & Hove within the last three months;
- High levels of satisfaction with delay on last trip
- Some 13% of respondents had given up trying to obtain a vehicle by rank or flagdown;
- Some 55% of respondents feel that taxi services in Brighton & Hove could be improved (need to be cheaper); and
- Majority of respondents felt safe using taxis during the day and night;
- Some 68% of respondents said that they would not be willing to pay a surcharge to fund marshals; and
- Some 44% of respondents stated that they would use pedicabs.

Summary of Consultation – Trade

Some 506 members of the trade responded to a trade survey. The key results are as follows:

- The majority of the hackney carriage trade and private hire trade thought training was not sufficient and English language training in particular was required;
- Majority of drivers feel safe some of the time whilst working in Brighton and Hove;
- Some 89% of hackney carriage respondents stated that there was not sufficient rank space in Brighton and Hove; and
- Some 41% of hackney respondents stated that they would leave the trade should the authority de-restrict.

Conclusions

The 2009 study has identified that there is NO evidence of significant unmet demand for hackney carriages in Brighton & Hove. This conclusion is based on an assessment of the implications of case law that has emerged since 2000, and the results of Halcrow's analysis.

On this basis the authority has discretion in its hackney licensing policy and may either:

- continue to limit the number of vehicles at 528 with additional wheelchair accessible licences issued annually as the authority sees fit;
- issue any number of additional plates as it sees fit, either in one allocation or a series of allocations; or
- remove the limit on the number of vehicles and allow a free entry policy.

Item 13: APPENDIX B

Taxi and Private Hire Vehicle Licensing: Best Practice Guidance 2005 (Department for Transport)

The present legal provision on quantity restrictions for taxis outside London is set out in section 16 of the Transport Act 1985. This provides that the grant of a taxi licence may be refused, for the purpose of limiting the number of licensed taxis 'if, but only if, the [local licensing authority] is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet'.

Local licensing authorities will be aware that, in the event of a challenge to a decision to refuse a licence, the local authority concerned would have to establish that it had, reasonably, been satisfied that there was no significant unmet demand.

Most local licensing authorities do not impose quantity restrictions; the Department regards that as best practice.

Where restrictions are imposed, the Department would urge that the matter should be regularly reconsidered. The Department further urges that the issue to be addressed first in each reconsideration is whether the restrictions should continue at all. It is suggested that the matter should be approached in terms of the interests of the travelling public - that is to say, the people who use taxi services. What benefits or disadvantages arise for them as a result of the continuation of controls; and what benefits or disadvantages would result for the public if the controls were removed? Is there evidence that removal of the controls would result in deterioration in the amount or quality of taxi service provision?

In most cases where quantity restrictions are imposed, vehicle licence plates command a premium, often of tens of thousands of pounds. This indicates that there are people who want to enter the taxi market and provide a service to the public, but who are being prevented from doing so by the quantity restrictions. This seems very hard to justify.

If a local authority does nonetheless take the view that a quantity restriction can be justified in principle, there remains the question of the level at which it should be set, bearing in mind the need to demonstrate that there is no significant unmet demand. This issue is usually addressed by means of a survey; it will be necessary for the local licensing authority to carry out a survey sufficiently frequently to be able to respond to any challenge to the satisfaction of a court. An interval of three years is commonly regarded as the maximum reasonable period between surveys.

As to the conduct of the survey, the Department's letter of 16 June 2004 set out a range of considerations. But key points are:

- **the length of time that would-be customers have to wait at ranks**. However, this alone is an inadequate indicator of demand; also taken into account should be...
- **waiting times for street hailings and for telephone bookings**. But waiting times at ranks or elsewhere do not in themselves satisfactorily resolve the question of unmet demand. It is also desirable to address...
- **latent demand**, for example people who have responded to long waiting times by not even trying to travel by taxi. This can be assessed by surveys of people who do not use taxis, perhaps using stated preference survey techniques.
- **peaked demand**. It is sometimes argued that delays associated only with peaks in demand (such as morning and evening rush hours, or pub closing times) are not 'significant' for the purpose of the Transport Act 1985. The Department does not share that view. Since the peaks in demand are by definition the most popular times for consumers to use taxis, it can be strongly argued that unmet demand at these times should not be ignored. Local authorities might wish to consider when the peaks occur and who is being disadvantaged through restrictions on provision of taxi services.
- **consultation**. As well as statistical surveys, assessment of quantity restrictions should include consultation with all those concerned, including user groups (which should include groups representing people with disabilities, and people such as students or women), the police, hoteliers, operators of pubs and clubs and visitor attractions, and providers of other transport modes (such as train operators, who want taxis available to take passengers to and from stations);
- **publication**. All the evidence gathered in a survey should be published, together with an explanation of what conclusions have been drawn from it and why. If quantity restrictions are to be continued, their benefits to consumers and the reason for the particular level at which the number is set should be set out.
- **financing of surveys**. It is not good practice for surveys to be paid for by the local taxi trade (except through general revenues from licence fees). To do so can call in question the impartiality and objectivity of the survey process.

Quite apart from the requirement of the 1985 Act, the Department's letter of 16 June 2004 asked all local licensing authorities that operate quantity restrictions to review their policy and justify it publicly by 31 March 2005 and at least every three years thereafter. The Department also expects the justification for any policy of quantity restrictions to be included in the five-yearly Local Transport Plan process.

Brighton and Hove City Council
Hackney Carriage Demand Survey
Final Report
October 2009

Halcrow Group Limited

Brighton and Hove City Council

Hackney Carriage Demand Survey

Final Report

October 2009

Halcrow Group Limited

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Brighton and Hove City Council

Hackney Carriage Demand Survey

Final Report

Contents Amendment Record

This report has been issued and amended as follows:

Issue	Revision	Description	Date	Signed
1	0	Draft Report	02.09.09	SP
1	1	Final report	01.10.09	KK

Contents

1 Study Objectives and Overview

1.1 General

1.1.1 This study has been conducted by Halcrow on behalf of Brighton and Hove Council in pursuit of the following objectives:

- to identify whether or not there exists a significant unmet demand for hackney carriage services in Brighton and Hove;
- to recommend the increase in licences required to eliminate any significant unmet demand; and
- to assess any significant unmet demand for disabled access hackney carriage vehicles at ranks and telephone booked demand.

1.1.2 In 2006 the DfT produced 'Best Practice Guidance' for taxi licensing. The guidance also restated that the DfT considers it to be best practice not to impose quantity restrictions. However where restrictions are imposed, the Department urges that the matter is regularly reconsidered.

1.1.3 The DfT guidance is just that, guidance. We are unaware of any actual (or proposed) change in legislation that would affect the legal standing of an entry control policy in the context of local hackney carriage markets. The large body of well established case law and precedent should be unaffected by this guidance. Notwithstanding this, the local authority may wish to take this guidance into consideration when determining its policy, particularly given the forthright way in which DfT chooses to express its views on entry control in Paragraph 31:

'Most local licensing authorities do not impose quantity restrictions; the Department regards that as best practice.'

2 Background

2.1 General

2.1.1 This section of the report provides a general background to the taxi market in Brighton and Hove and the relevant legislation governing the market. This section of the report also provides a background to relevant local policy.

2.2 Relevant Entry Control Regulations

2.2.1 Under the Town Police Clauses Act 1847, a licensing authority had an unfettered discretion to limit the number of hackney carriage licences by being able to licence only such numbers as it thought fit. It was a power, which was widely used by many authorities to restrict the numbers of hackney carriages for the purpose of exercising control and supervision over them. Under the Transport Act 1985, the position in law changed and the 1847 Act, as now amended by Section 16, provides as follows:

"That the grant of a licence may be refused for purposes of limiting the number of hackney carriages…, if but only if, the person authorised to grant a licence is satisfied that there is no significant demand for the services of hackney carriages… which is unmet".

2.2.2 The Act also provides for an appeals procedure whereby unsuccessful applicants for hackney carriage licences may call upon an authority to demonstrate that it is satisfied that there exists no significant unmet demand. If, in the eyes of the Court, the Authority fails to meet this requirement, the appeal against the refusal to issue a licence will be successful.

2.3 Brighton and Hove Overview

2.3.1 The City of Brighton and Hove is situated on the south coast of England and has a population of 247,800 (Census 2001). The area is a popular holiday destination and attracts approximately eight million visitors a year. Brighton and Hove has a very healthy night time economy with numerous bars and nightclubs situated in the town centre that have late licences of between 1am and 4am.

2.4 ***Background to the Hackney Carriage Market in Brighton and Hove***

2.4.1 Brighton and Hove limits the number of hackney carriages. At the time of the study commenced the level was set at 523 with an additional five wheelchair accessible licences issued annually. The five licenses for 2009 were released in May 2009 bringing the total provision up to 528. This gives a level of hackney carriage provision of one vehicle per 470 resident population. Hackney carriages in Brighton and Hove are white in colour with a green bonnet and boot. All vehicles have door signs which include the city council logo with the words “Licensed Taxi”, and must display a plate on the rear of the vehicle. There are currently 126 wheelchair accessible hackney carriages.

2.4.2 The private hire fleet consists of 454 vehicles although this value fluctuates. A total of 21 vehicles within the fleet are wheelchair accessible. Private hire vehicles have door signs which say “Private Hire” or “Prior Booking Only” along with a telephone number. They must also display a green licence plate on the rear of the vehicle.

2.5 ***Provision of Hackney Carriage Stands***

2.5.1 There are 47 taxi ranks in Brighton and Hove providing space for a total of 208 vehicles (see Appendix 1). All of the ranks are provided by Brighton and Hove City Council with the exception of the Brighton railway station rank which is provided by the Railway Authority. Plates 1 -4 picture four of the ranks.

Plate 1 East Street Rank

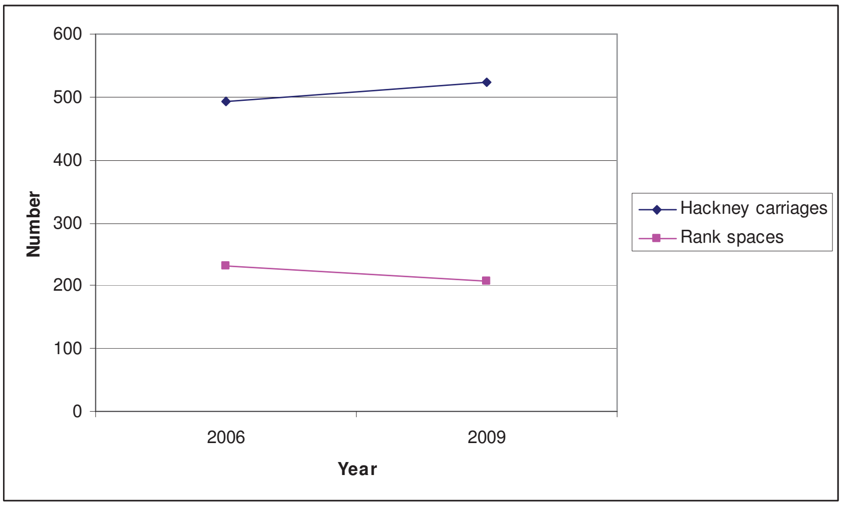
Plate 2 West Street Rank

Plate 3 Railway Station Rank

Plate 4 Queens Square Rank

2.5.2 Figure 2.1 indicates how rank provision has changed in line with hackney carriage numbers.

Figure 2.1 Rank provision v Hackney provision



2.6 Hackney Carriage Fares and Licence Premiums

2.6.1 Hackney carriage fares are regulated by the Local Authority. There are six tariffs. Tariff one consists of Monday to Saturday daytime (6am-10pm), tariff two consists of evenings (10pm-6am), Sundays between 6am and 10pm and Tariff three consists of Friday and Saturday nights between 12am and 6am. Tariffs 4, 5 and 6 are for bank and public holidays.

2.6.2 Tariff 1 is made up of two elements; an initial fee (or "drop") of £2.40 for entering the vehicle and travelling any distance up to 705 yards or 3 minutes 12 seconds of waiting time or a combination of both. For each additional 176 yards travelled or 48 seconds waiting time or a combination of both the fee is 20p. A two-mile fare for tariff 1 would therefore be £5.60. Tariff 2 has an initial fee of £3.20 for entering the vehicle and travelling any distance up to 705 yards or 3 minutes 12 seconds of waiting time or a combination of both. For each additional 176 yards travelled or 48 seconds waiting time or a combination of both the fee is 20p. A two-mile journey for tariff 2 would therefore be £6.40. Table 2.1 outlines the fare structure in more detail.

Table 2.1: Brighton & Hove Hackney Carriage Fare Tariff 2009

	Tariff A	**Tariff B**
Tariff 1 - Standard Charge **Applies to all hiring's except those mentioned in tariffs** Initial fee for any distance travelled up to 705 yards (645 metres) or 3 minutes 12 or a combination of distance and time. For each subsequent 176 yards (161 metres) or 48 seconds or a combination of distance and time	£2.40 20p	£3.60 30p
Tariff 2 – Late Night **Monday to Saturday between 10pm and 6am other than under tariff 3. Sundays – between 6am and 10pm.** Initial fee for any distance travelled up to 705 yards (approximately 645 metres) or 3 minutes 12 seconds or a combination of distance and time. For each subsequent 176 yards (approximately 161 metres) or 48 seconds waiting time or a combination of distance and time.	£3.20 20p	£4.80 30p
Tariff 3 – Late Night **Friday night and Saturday night only between 12 am and 6am the following day.** Initial fee for any distance travelled up to 705 yards (approximately 645 metres) or 3 minutes 12 seconds or a combination of distance and time. For each subsequent 176 yards (approximately 161 metres) or 48 seconds waiting time or a combination of distance and time.	£4.20 20p	£6.30 30p
Tariff 4 – Bank or Public Holiday **Bank or Public holiday to 6am the following day excluding the times covered by the Christmas and New Year extra charge.**		

	Tariff A	Tariff B
Initial fee for any distance travelled up to 705 yards (approximately 645 metres) or 3 minutes 12 seconds or a combination of distance and time. For each subsequent 176 yards (approximately 161 metres) or 48 seconds waiting time or a combination of distance and time	£3.40 20p	£5.10 30p
Tariff 5 – Christmas Day & Boxing Day **Between 10pm 24 December and 6am 27 December, and 5am and 10pm on 1st January.** Initial fee for any distance travelled up to 705 yards (approximately 645 metres) or 3 minutes 12 seconds or a combination of distance and time. For each subsequent 176 yards (approximately 161 metres) or 48 seconds waiting time or a combination of distance and time	£3.60 30p	£5.40 45p
Tariff 6 – New Year **Between 10pm 31 December and 5am 1st January.** Initial fee for any distance travelled up to 705 yards (approximately 645 metres) or 3 minutes 12 seconds or a combination of distance and time. For each subsequent 176 yards (approximately 161 metres) or 48 seconds waiting time or a combination of distance and time	£3.60 30p	£5.40 45p
Other Charges Fouling Charge Booking fee for telephone and pre-booked hirings The driver may charge road charges or toll's where applicable. This must be agreed with the customer before hire commences)	£50.00 40p	£50.00 60p

Source: Brighton & Hove City Council, July 2009

2.6.3 In the published monthly league table, Brighton and Hove is ranked 58 of the 377 authorities cited (Private Hire and Taxi Monthly, July 2009) which is above the level of fares typical elsewhere across the UK. Table 2.2 provides a comparison of where neighbouring authorities rank in terms of fare levels.

Table 2.2: Comparison of Neighbouring Authorities in Terms of Fares (figures are ranked out of a total of 377 Authorities with 1 being the most expensive)

Local Authority	Rank	Average two-mile journey
Adur	3	£6.60
Arun	7	£6.30
Mid Sussex	10	£6.20
Eastbourne	46	£5.70
Brighton and Hove	**58**	**£5.60**
Horsham	84	£5.50
Lewes District	103	£5.40
Worthing	172	£5.20

Source: Private Hire and Taxi Monthly, July 2009

2.6.4 Where local hackney carriage markets are subject to both price and entry regulation, it has commonly been the case that a rent accrues to the ownership of the vehicle licence. This rent or "premium" is difficult to assess accurately as the re-sale of vehicle licences is not encouraged by the Authority. The Hackney Carriage trade estimates that the resale value of a licence in Brighton and Hove is reported to be in the region of £35,000. This has fallen slightly from the estimate of £40,000 which was the level reported during the 2006 study.

2.6.5 The existence of a licence premium is evidence of "excess" profit; that is, profit that would not exist if the level of supply of hackney carriages was determined by the market rather than by the Regulator. Licence premiums do not exist in Authorities where quantity controls are absent. This does not mean that we judge hackney carriage proprietors in Brighton and Hove to be making too much money. It is not within our remit to comment on what is or is not an appropriate rate of remuneration from hackney carriage operation. The term "excess" profit simply means that earnings from plying for hire are higher at present than they would be if a free entry policy was introduced.

2.6.6 Although a premium is a clear indicator of higher than "market" profits it is not necessarily an indicator of significant unmet demand. Where a premium exists, this may be due to low cab waiting time associated with under-supply, and hence passenger delays. Alternatively, it may be due to a fares level, which is higher than the break-even level for a given supply. Finally, it may simply be a reflection of the absence of alternative means of gaining employment.

2.7 Local Transport Plan

2.7.1 The Final Brighton and Hove Local Transport Plan 2006-2011 was produced in March 2006. Local Authorities are required to produce a Local Transport Plan, which are strategies for developing local integrated transport as part of a longer term vision for the city.

2.7.2 The aim of the plan is to ease congestion, improve accessibility, air quality and safety. Taxis are a key factor in achieving these aims because they are important for accessibility particularly for people who find using public transport difficult for example people with disabilities. Taxis are also essential in maintaining a safe night time economy.

2.8 Local Area Agreement

2.8.1 Brighton & Hove have developed a new Local Area Agreement (LAA) which includes 35 local improvement targets. The specific transport targets are to reduce the number of people killed or seriously injured in road traffic accidents; reduce congestion; and improve access to services and facilities by public transport, walking and cycling. The LAA states that taxis are important in achieving the target to reduce congestion. The LAA states that taxis will be promoted as attractive, convenient and sustainable transport alternatives, particularly for journeys to work and school. This will be done through the continued delivery of the LTP and related investment programmes

3 Definition, Measurement and Removal of Significant Unmet Demand

3.1 Introduction

3.1.1 Section 3 provides a definition of significant unmet demand derived from experience of over 100 unmet demand studies since 1987. This leads to an objective measure of significant unmet demand that allows clear conclusions regarding the presence or absence of this phenomenon to be drawn. Following this, a description is provided of the SUDSIM model which is a tool developed to determine the number of additional hackney licences required to eliminate significant unmet demand, where such unmet demand is found to exist.

3.2 Overview

- Significant Unmet Demand (SUD) has two components:
- patent demand – that which is directly observable; and
- "suppressed" demand – that which is released by additional supply.

3.2.1 Patent demand is measured using rank observation data. Suppressed (or latent) demand is assessed using data from the rank observations and public attitude interview survey. Both are brought together in a single measure of unmet demand, ISUD (Index of Significant Unmet Demand).

3.3 Defining Significant Unmet Demand

3.3.1 The provision of evidence to aid licensing authorities in making decisions about hackney carriage provision requires that surveys of demand be carried out. Results based on observations of activity at hackney ranks have become the generally accepted minimum requirement.

3.3.2 The definition of significant unmet demand is informed by two Court of Appeal judgements:

- R v Great Yarmouth Borough Council ex p Sawyer (1987); and
- R v Castle Point Borough Council ex p Maude (2002).

3.3.3 The Sawyer case provides an indication of the way in which an Authority may interpret the findings of survey work. In the case of Sawyer v. Yarmouth City Council, 16 June

1987, Lord Justice Woolf ruled that an Authority is entitled to consider the situation from a temporal point of view as a whole. It does not have to condescend into a detailed consideration as to what may be the position in every limited area of the Authority in relation to the particular time of day. The area is required to give effect to the language used by the Section (Section 16) and can ask itself with regard to the area as a whole whether or not it is satisfied that there is no significant unmet demand.

3.3.4 The term “suppressed” or “latent” demand has caused some confusion over the years. It should be pointed out that following Maude v Castle Point Borough Council, heard in the Court of Appeal in October 2002, the term is now interpreted to relate purely to that demand that is measurable. Following Maude, there are two components to what Lord Justice Keene prefers to refer to as “suppressed demand”:

- what can be termed inappropriately met demand. This is current observable demand that is being met by, for example, private hire cars illegally ranking up; and
- that which arises if people are forced to use some less satisfactory method of travel due to the unavailability of a hackney carriage.

3.3.5 If demand remained at a constant level throughout the day and week, the identification and treatment of significant unmet demand would be more straight-forward. If there were more cabs than required to meet the existing demand there would be queues of cabs on ranks throughout the day and night and passenger waiting times would be zero. Conversely, if too few cabs were available there would tend to be queues of passengers throughout the day. In such a case it would, in principle, be a simple matter to estimate the increase in supply of cabs necessary to just eliminate passenger queues.

3.3.6 Demand for hackney carriages varies throughout the day and on different days. The problem, introduced by variable demand, becomes clear when driver earnings are considered. If demand is much higher late at night than it is during the day, an increase in cab supply large enough to eliminate peak delays will have a disproportionate effect on the occupation rate of cabs at all other times. Earnings will fall and fares might have to be increased sharply to sustain the supply of cabs at or near its new level.

3.3.7 The main implication of the present discussion is that it is necessary, when considering whether significant unmet demand exists, to take account of the practicability of improving the standard of service through increasing supply.

3.4 Measuring Patent Significant Unmet Demand

3.4.1 Taking into account the economic, administrative and legal considerations, the identification of this important aspect of significant unmet demand should be treated as a three stage process as follows:

- identify the demand profile;
- estimate passenger and cab delays; and
- compare estimated delays to the demand profile.

3.4.2 The broad interpretation to be given to the results of this comparison are summarised in Table 3.1.

Table 3.1: Existence of Significant Unmet Demand (SUD) Determined by Comparing Demand and Delay Profiles.

	Delays during peak only	**Delays during peak and other times**
Demand is:		
Highly Peaked	No SUD	Possibly a SUD
Not Highly Peaked	Possibly a SUD	Possibly a SUD

3.4.3 It is clear from the content of the table that the simple descriptive approach fails to provide the necessary degree of clarity to support the decision making process in cases where the unambiguous conclusion is not achievable. However, it does provide the basis of a robust assessment of the principal component of significant unmet demand. The analysis is therefore extended to provide a more formal numerical measure of significant unmet demand. This is based on the principles contained in the descriptive approach but provides greater clarity. A description follows.

3.4.4 The measure feeds directly off the results of observations of activity at the ranks and the results of a passenger survey. In particular it takes account of:

- case law that suggests an authority should take a broad view of the market;
- the effect of different levels of supply during different periods at the rank on service quality;
- the need for consistent treatment of different authorities, and the same authority over time.

3.4.5 The Index of Significant Unmet Demand (ISUD) was developed in the early 1990's and is based on the following formula. The SF element was introduced in 2003 and the LDF element was introduced in 2006 to reflect the increased emphasis on latent demand in DfT Guidance

ISUD = APD x PF x GID x SSP x SF x LDF

Where:

APD = Average Passenger Delay calculated across the entire week.

PF = Peaking Factor. If passenger demand is highly peaked at night the factor takes the value of 0.5. If it is not peaked the value is 1. Following case law this provides dispensation for the effects of peaked demand on the ability of the Trade to meet that demand. To identify high peaking we are generally looking for demand at night (at weekends) to be substantially higher than demand at other times.

GID = General Incidence of Delay. This is measured as the proportion of passengers who travel in hours where the delay exceeds one minute.

SSP = Steady State Performance. The corollary of providing dispensation during the peaks in demand is that it is necessary to focus on performance during "normal" hours. This is measured by the proportion of hours during weekday daytimes when the market exhibits excess demand conditions (i.e. passenger queues form at ranks).

SF = Seasonality factor. Due to the nature of these surveys it is not possible to collect information throughout an entire year to assess the effects of seasonality. Experience has suggested that hackney demand does exhibit a degree of seasonality and this is allowed for by the inclusion of a seasonality factor. The factor is set at a level to ensure that a marginal decision either way obtained in an "untypical" month will be reversed. This factor takes a value of 1 for surveys conducted in September to November and March to June, i.e. "typical" months. It takes a value of 1.2 for surveys conducted in January and February and the longer school holidays, where low demand the absence of contract work will bias the results in favour of the hackney trade, and a value of 0.8 for surveys conducted in December during the pre Christmas rush of activity. Generally, surveys in these atypical months, and in school holidays, should be avoided.

LDF = Latent Demand Factor. This is derived from the public attitude survey results an provides a measure of the proportion of the public who have given up trying to obtain a hackney carriage at either a rank or by flagdown during the previous three months. It is measured as 1+ proportion giving up waiting. The inclusion of this factor is a tactical response to the latest DfT guidance.

3.4.6 The product of these six measures provides an index value. The index is exponential and values above the 80 mark have been found to indicate significant unmet demand. This benchmark was defined by applying the factor to the 25 or so studies that had been conducted at the point it was developed. These earlier studies had used the same principles but in a less structured manner. The highest ISUD value for a study where a conclusion of no significant unmet demand had been found was 72. The threshold was therefore set at 80. The ISUD factor has been applied to over 80 studies by Halcrow and has been adopted by others working in the field. It has proved to be a robust, intuitively appealing and reliable measure.

3.4.7 Suppressed/latent demand is explicitly included in the above analysis by the inclusion of the LDF factor and because any known illegal plying for hire by the private hire trade is included in the rank observation data. This covers both elements of suppressed/latent demand resulting from the Maude case referred to above and is intended to provide a 'belt and braces' approach. A consideration of latent demand is also included where there is a need to increase the number of hackney carriage licences following a finding of significant unmet demand. This is discussed in the next section.

3.5 Determining the Number of New Licences Required to Eliminate Significant Unmet Demand

3.5.1 To provide advice on the increase in licences required to eliminate significant unmet demand, Halcrow has developed a predictive model. SUDSIM is a product of 20 years experience of analysing hackney carriage demand. It is a mathematical model, which predicts the number of additional licences required to eliminate significant unmet demand as a function of key market characteristics.

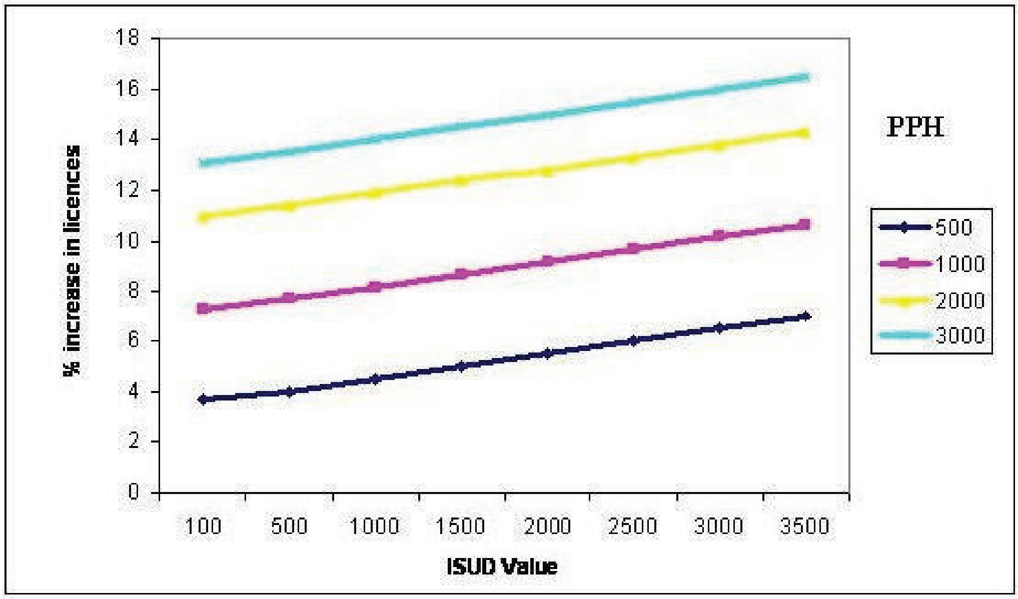
3.5.2 SUDSIM represents a synthesis of a queue simulation work that was previously used (1989 to 2002) to predict the alleviation of significant unmet demand and the ISUD factor described above (hence the term SUDSIM). The benefit of this approach is that it provides a direct relationship between the scale of the ISUD factor and the number of new hackney licences required.

3.5.3 SUDSIM was developed taking the recommendations from 14 studies that resulted in an increase in licences, and using these data to calibrate a simple econometric model. The model provides a relationship between the recommended increase in licences and three key market indicators:

- the population of the licensing Authority;
- the number of hackneys already licensed by the licensing Authority; and
- the size of the ISUD factor.

3.5.4 The main implications of the model are illustrated in Figure 3.1 below. The figure shows that the percentage increase in a hackney fleet required to eliminate significant unmet demand is positively related to the population per hackney (PPH) and the value of the ISUD factor over the expected range of these two variables.

Figure 3.1: Forecast Increase in Hackney Fleet Size as a Function of Population Per Hackney (PPH) and the ISUD Value



3.5.5 Where significant unmet demand is identified, the recommended increase in licences is therefore determined by the following formula:

New Licences = SUDSIM x Latent Demand Factor

Where:

- Latent Demand Factor = (1 + proportion giving up waiting for a hackney at either a rank or via flagdown).

3.6 Note on Scope of Assessing Significant Unmet Demand

3.6.1 It is useful to note the extent to which a licensing authority is required to consider peripheral matters when establishing the existence or otherwise of significant unmet demand. This issue is informed by R v Brighton Borough Council, exp p Bunch 1989[1]. This case set the precedent that it is only those services that are exclusive to hackney carriages that need concern a licensing authority when considering significant unmet demand. Telephone booked trips, trips booked in advance or indeed the provision of bus type services are not exclusive to hackney carriages and have therefore been excluded from consideration.

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[1] See Button JH 'Taxis – Licensing Law and Practice' 2nd edition Tottel 2006 P226-7

4 Evidence of Patent Unmet Demand – Rank Observation Results

4.1 Introduction

4.1.1 This section of the report highlights the results of the rank observation survey. The rank observation programme covered a period of 343 hours. During the hours observed some 52,542 passengers and 38,928 cab departures were recorded. The rank observations were carried out from Tuesday 21st April to Sunday 7th June. A summary of the rank observation programme is provided in Appendix 2.

4.1.2 The results presented in this Section summarise the information and draw out its implications. This is achieved by using five indicators:

- **The Balance of Supply and Demand** – this indicates the proportion of the time that the market exhibits excess demand, equilibrium and excess supply;
- **Average Delays and Total Demand** – this indicates the overall level of passengers and cab delays and provides estimates of total demand;
- **The Demand/Delay Profile** – this provides the key information required to determine the existence or otherwise of significant unmet demand;
- **The Proportions of Passengers Experiencing Given Levels of Delay** – this provides a guide to the generality of passenger delay; and
- **The Effective Supply of Vehicles** – this indicates the proportion of the fleet that was off the road during the survey.

4.2 The Balance of Supply and Demand

4.2.1 The results of the analysis are presented in Table 4.1 below. The predominant market state is one of equilibrium. Excess supply (queues of cabs) was experienced during 25% of the hours observed while excess demand (queues of passengers) was experienced in 12% of hours. Conditions were least favourable to customers on weekend night periods. When compared with the findings from previous studies it is clear that conditions are becoming more favourable to passengers. Excess demand has fallen from 19% of hours in 2003 to 12% of hours in 2009.

Table 4.1: The Balance of Supply and Demand in the Brighton and Hove Rank-Based Hackney Carriage Market (Percentages – Rows Sum to 100)

Period		Excess Demand	Equilibrium	Excess Supply
Weekday	Day	7	66	28
	Night	8	52	41
Weekend	Day	10	78	12
	Night	25	45	30
Sunday	Day	11	77	11
Total 2009		**12**	**63**	**25**
Total 2006		**16**	**73**	**11**
Total 2003		**19**	**57**	**24**

NB – Excess Demand = Maximum Passenger Queue ≥3. Excess Supply = Minimum Cab Queue ≥3 – values derived over 12 time periods within an hour.

4.3 Average Delays and Total Demand

4.3.1 The following estimates of average delays and throughput were produced for each of the main ranks in Brighton & Hove (Table 4.2).

4.3.2 The survey suggests some 52,542 passenger departures occur per week from ranks in Brighton & Hove involving some 38,928 cab departures.

4.3.3 The hackney carriage trade is somewhat concentrated at Brighton Rail Station, accounting for 32% of the total, whilst the rank on East Street accounts for 21% of the total passengers. On average, passengers wait 0.72 minutes for a cab. Passengers experience the greatest delay at the Elm Grove Rank, where an average delay of over 7.14 minutes is experienced.

4.3.4 The data show that over time passengers are waiting for less time for a hackney with the gains in identified in the previous study being maintained. This is at the expense of a small rise in the amount of time hackneys are queuing at the ranks.

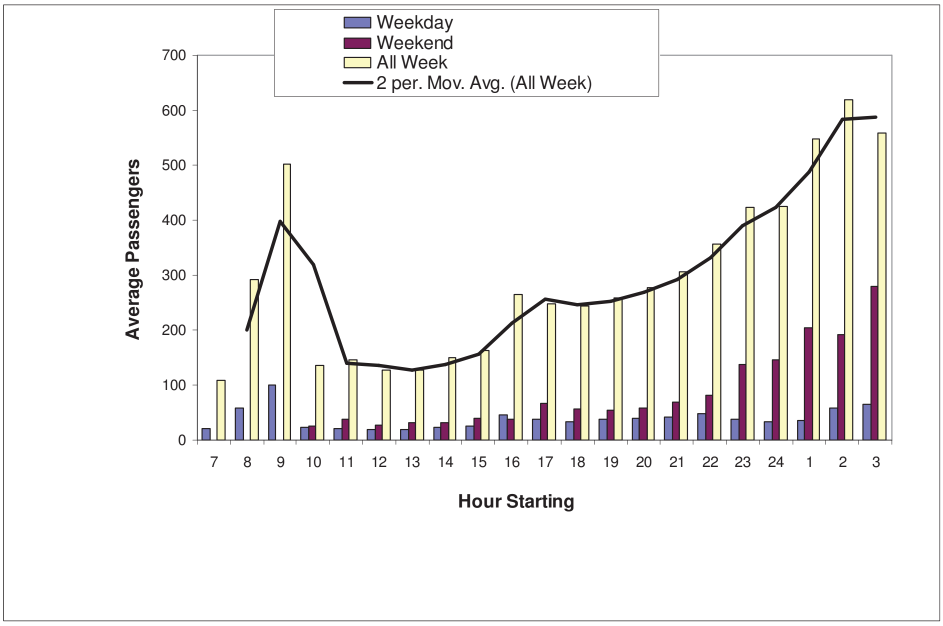
Table 4.2: Average Delays and Total Demand (Delays in Minutes)

Rank	Passenger Departures	Cab Departures	Average Passenger Delay	Average Cab Delay
Brighton Railway	16,634	12,365	0.39	7.41
East Street	11,225	6,582	0.00	9.52
St Peter's Place	2,518	2,124	0.41	8.51
Queen's Square	3,418	2,279	0.99	15.31
Norton Road	1,494	2,419	0.02	11.09
Hove Railway	2,527	2,341	0.11	7.79
Brunswick Place	1,216	1,402	0.71	9.25
Church Road	488	580	0.33	7.49
West Street	6,628	3,330	3.68	7.61
Goldstone Villas	314	671	0.05	9.09
Paston Place	1,268	2,211	0.05	12.10
Elm Grove	39	272	7.14	12.81
Old Ship Hotel	4,773	2,352	0.18	6.65
Total 2009	**52,542**	**38,928**	**0.72**	**8.91**
Total 2006	**46,308**	**32,332**	**0.73**	**7.64**
Total 2003	**37,500**	**28,850**	**1.11**	**8.31**

4.4 The Delay/Demand Profile

4.4.1 Figure 4.1 provides a graphical illustration of passenger demand for the Monday to Saturday period between the hours of 09:00 and 03:00. There is a peak in demand on the weekend night period between the hours of 2400 and beyond 0300. There is also a peak in demand on weekdays between 0800 and 1000.

Figure 4.1 **Passenger Demand by Time of Day in 2009 (Monday to Saturday)**



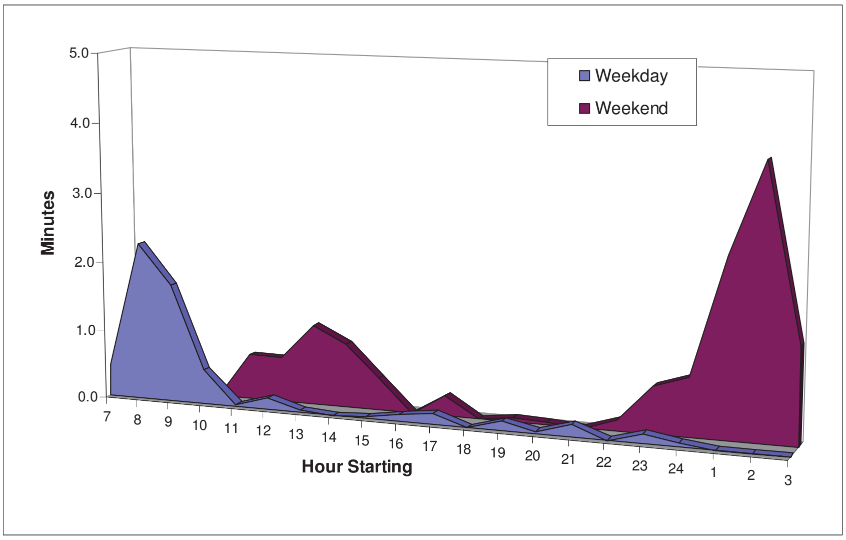
4.4.2 The level of peaking late at night and in the AM peak period relative other times is high; we therefore conclude that this is a 'highly peaked' demand profile. This has implications for the interpretation of the results (see Section 4.6 below).

4.4.3 Recent best practice guidance, issued by the DfT, states that delays associated with peaks in demand (such as morning and evening rush hours, or pub closing times) should be treated as 'significant' as they are often the most popular times for consumers to use taxis. However, in R v Great Yarmouth Borough Council ex p Sawyer (1987) Lord Justice Woolf ruled that an Authority is entitled to consider the situation from a temporal point of view as a whole. It does not have to condescend into a detailed consideration as to what may be the position in every limited area of the Authority in relation to the particular time of day.

4.4.4 It should also be noted that these 'peaks' may not be the direct result of the authority's limitation policy as they can also occur in de-restricted authorities. For example, we observed high passenger delays at ranks during weekend late night peak periods in Leicester in 2000 despite the fact that there had been no numerical limit in place in the hackney carriage market for over 10 years. Similar results were obtained in Bristol, an authority that had been de-restricted for 4 years at the time of the study. Halcrow believes that the DfT is mistaken in its assertion that passenger delay late at night associated with short term peaks in demand is evidence of the detrimental impact of quantity control regulations. Rather, it is an inevitable consequence of the concentration of demand i.e. it is caused by the same fundamental principles that cause queues in banks, post offices and supermarkets.

4.4.5 Figure 4.2 provides an illustration of passenger delay by the time of day for the weekday and weekend periods. It indicates incidences of passenger delay peak on weekdays between 0700 and 0900 and on weekend evenings between 0100 and 0300. The level of passenger delay is greatest at 0200 on weekends where passenger delay can peak to 3.85 minutes.

Figure 4.2 Passenger Delay by Time of Day in 2009 (Monday to Saturday)



4.5 The generality of passenger delay

4.5.1 The rank observation data can be used to provide a simple assessment of the likelihood of passengers encountering delay at ranks. The results are presented below in Table 4.3.

Table 4.3 Percentage Passenger Delay

Delay	Passengers Delay
Delay > 0	10.84%
Delay > 1 minute	**5.67%**
Delay > 5 Minutes	1.19%

4.5.2 The results indicate that almost 11% of the passengers observed using a rank travelled in an hour where some delay occurred. The proportion likely to experience more than a minute of delay is estimated at 5.67%. It is this proportion that is used within the ISUD as the 'Generality of Passenger Delay.'

4.6 The Effective Supply of Vehicles

4.6.1 Observers were required to record the hackney carriage license plate number of vehicles departing from ranks. In this way we are able to ascertain the proportion of the fleet that was operating during the survey.

4.6.2 During the daytime period (0700 to 1800) some 440 (84%) of the hackney fleet were observed at least once during the period of the study. During the evening/night-time period (1800 to 0700) some 470 (90%) of the hackney fleet were also observed at least once during the period of the study.

5 Evidence of Suppressed Demand - Public Attitude Pedestrian Survey Results

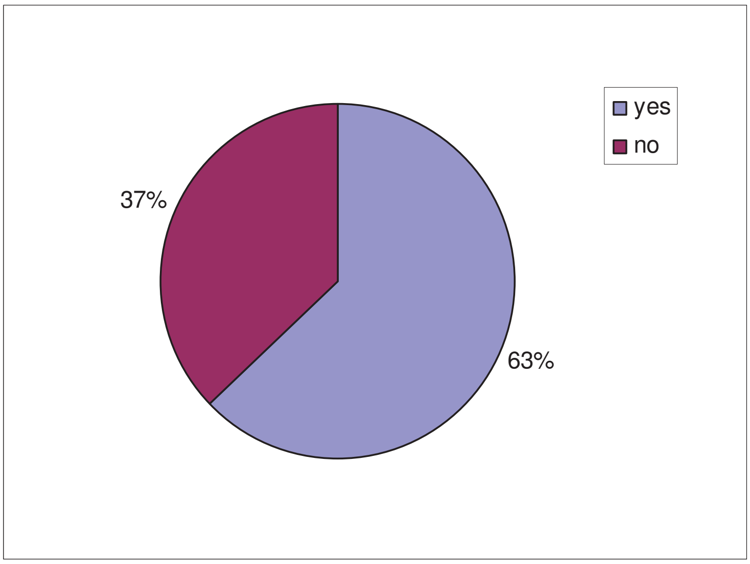
5.1 Introduction

5.1.1 Some 493 on-street public interview surveys were carried out in June 2009. A quota was followed so that the survey reflected the age and gender characteristics of the local community. This, in turn, ensured that broadly representative results were obtained. For the purpose of the survey the generic word 'taxi' was used which incorporated both hackney carriages and private hire vehicles.

5.1.2 A full breakdown and analysis of the results and the survey form is provided in Appendix 3.

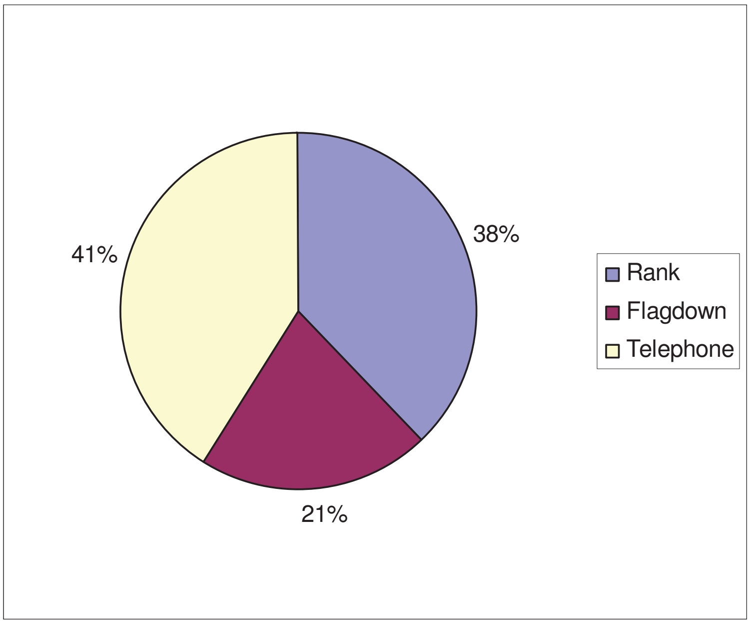
5.1.3 The survey found that 63% of respondents had used a taxi in Brighton & Hove within the last three months. The results are displayed in Figure 5.1 below.

Figure 5.1: Made a trip by taxi in the last 3 months?



5.1.4 Tripmakers were asked how they obtained their taxi. Some 38% of tripmakers stated that they hired their taxi at a rank. Some 41% of hirings were achieved by telephone with 21% of tripmakers obtaining a taxi by on-street flagdowns. Figure 5.2 reveals the pattern of taxi hire.

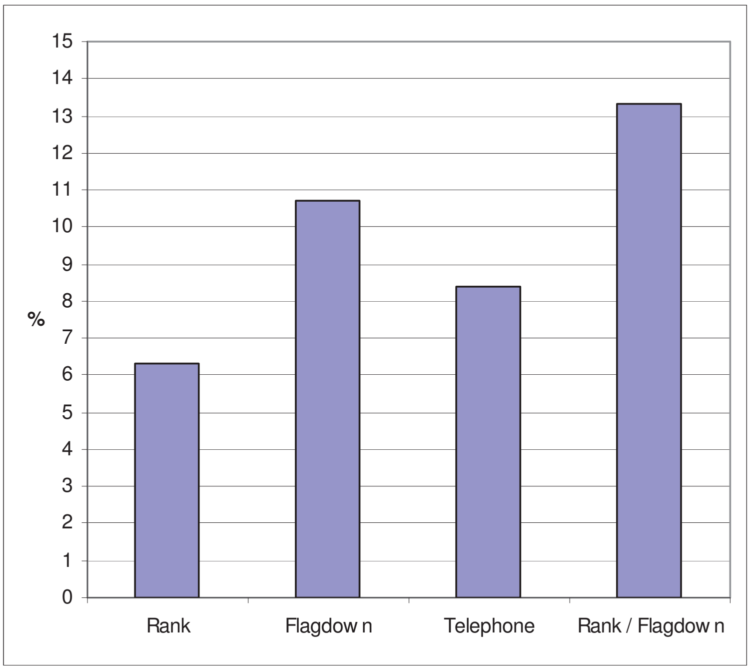
Figure 5.2: Method of Hire for Last Trip



5.1.5 Respondents were asked if they were satisfied with the time taken and the promptness of the taxis arrival. The majority of people were satisfied with the delay on their last taxi journey (92%). The average waiting time was six minutes; however some respondents stated they waited as long as 45 minutes for a taxi.

5.1.6 To provide evidence relating to suppressed/patent demand respondents were asked to identify whether or not they had given up waiting for a taxi at a rank, on the street, or by telephone in Brighton & Hove in the last three months. The results are documented in Figure 5.3.

Figure 5.3: Latent demand by method of hire – % who had given up trying to make a hiring in the last 3 months?



5.1.7 Figure 5.3 highlights that over 6% had given up waiting for a taxi at a rank; almost 11% had given up via flagdown and over 8% via telephone. Some 13.3% had given up waiting for a taxi at a rank or by flagdown in the last three months. This figure is figure used to represent the level of latent (suppressed) demand in Brighton and Hove.

5.1.8 Those who had given up waiting for a vehicle in Brighton and Hove were asked for this location. The locations stated most frequently were:

- Brighton Centre;
- Lewes Road; and
- London Road

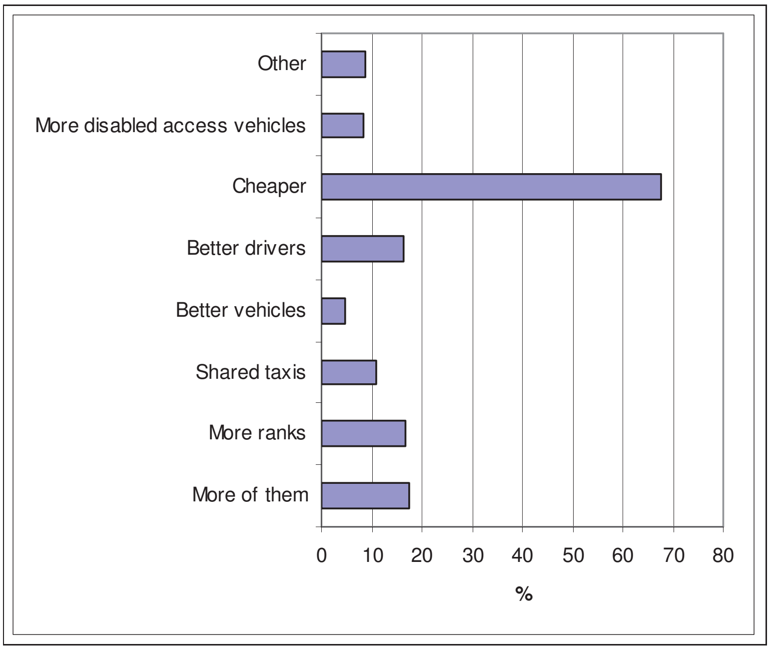
5.1.9 Respondents were asked what type of vehicle they required the last time they gave up waiting. Some 84% of those who answered stated that it did not matter; any vehicle would have been acceptable. Some 7% stated that they required a vehicle that could fit more than four passengers, and 6% stated that they required a wheelchair accessible vehicle.

5.2 Service Improvements

5.2.1 Respondents were asked if they thought the taxi services in the Brighton and Hove area could be improved. The responses indicate that the majority of respondents (55%) thought that taxi services in Brighton and Hove could be improved.

5.2.2 Those who considered that taxi services needed improvement were asked how they could be improved. The results are documented in Figure 5.4.

Figure 5.4 How should taxi services be improved?

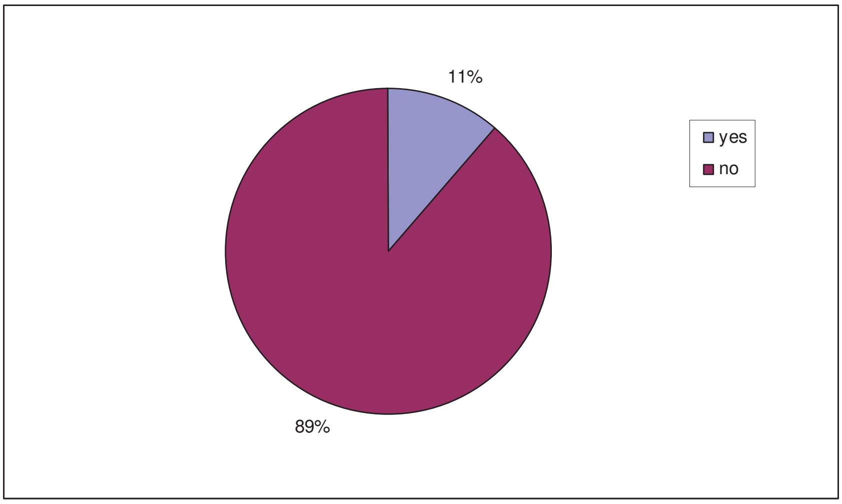


5.2.3 Of those stating that the service could be improved some that 68% of respondents stated that taxis in Brighton and Hove could be improved if they were made cheaper. Some 17% of respondents would like to see more ranks and 17% would like to see more vehicles. For those that stated other, the most common improvement suggested was to provide more vehicles that can carry four or more passengers.

5.3 Public Awareness

5.3.1 Respondents were asked whether they were aware that Brighton and Hove Council limit the number of Hackney Carriages at 523. Only 11% of those who answered were aware of this limit. There results are shown in Figure 5.5.

Figure 5.5 Where you aware of the numerical limit on taxi studies?

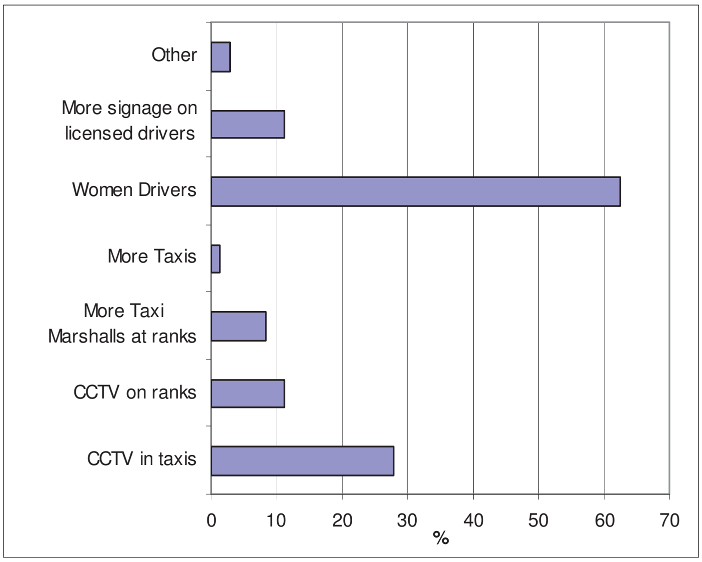


5.4 Safety & Security

5.4.1 Respondents were asked whether they felt safe when using taxis in Brighton and Hove. The majority of respondents felt safe using taxis during the day (98%), however some 15% stated that they felt unsafe using taxis at night in Brighton and Hove.

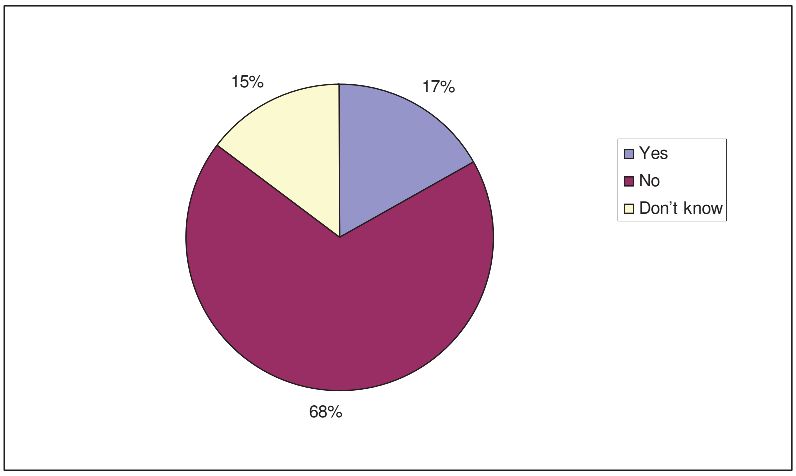
5.4.2 Respondents who did not feel safe during the day or at night were asked what needed to be done to improve safety and security when using taxis in Brighton and Hove. Some 63% of respondents stated that they would feel safer with women drivers whilst 28% of respondents stated that CCTV in taxis would improve safety when using taxis in Brighton and Hove. The results are shown in Figure 5.6.

Figure 5.6 Improvements to safety and security



5.4.3 Respondents were asked whether they would be willing for a small surcharge to be added to their fares in order to fund taxi marshals. Some 68% of respondents said that they would not be willing to pay a surcharge for this reason, while 17% of respondents replied that they wouldn't mind. The remaining 15% stated that they were unsure.

Figure 5.6 Pay a surcharge to fund marshals



5.5 Pedicabs

5.5.1 The public were asked whether they would use rickshaws (pedicabs) if they were present in Brighton and Hove. The results are detailed in Table 16. Some 44% of respondents stated that they would use pedicabs with 35% stating they would not. Those who stated that they would not use pedicabs were asked why. The most common answers were that they were too slow, too expensive and too dangerous.

5.5.2 Those who stated they would use pedicabs were asked how often they think they would use them. Almost 50% of respondents stated that they would only use pedicabs once or twice a year.

5.5.3 Those who stated that they would not use pedicabs were asked why. The most common answers were that they were too slow, too expensive and too dangerous. Others said that they do not use taxis often anyway, or that they just wouldn't want to use pedicabs.

Summary

Key results from the Public Attitude Survey can be summarised as:

- Some 63% of respondents had used a taxi in Brighton & Hove within the last three months;
- High levels of satisfaction with delay on last trip;
- Some 13% of respondents had given up trying to obtain a vehicle by rank or flagdown;
- Some 55% of respondents feel that taxi services in Brighton & Hove could be improved (need to be cheaper);
- Majority of respondents felt safe using taxis during the day and night;
- Some 68% of respondents said that they would not be willing to pay a surcharge to fund marshals; and
- Some 44% of respondents stated that they would use pedicabs.

6 Deriving the Significant Unmet Demand Index value

6.1 *Introduction*

6.1.1 The data above can be summarised using Halcrow's ISUD factor described in Section 3. The component parts of the index, their source and their values are given below:

- Average Passenger Delay (Table 4.2) 0.72
- Peak Factor (Figure 4.1) 0.5
- General Incidence of Delay (Table 4.3) 5.67
- Steady State Performance (Table 4.1) 7
- Seasonality Factor (paragraph 3.4.5) 1
- Latent Demand Factor (paragraph 5.1.7) 1.133

ISUD (0.72*0.5*5.67*7*1*1.133) 16.2

6.1.2 The cut off level for significant unmet demand is 80. It is clear that Brighton & Hove is well below this cut off point, indicating that there is NO significant unmet demand. This conclusion covers both patent and latent/suppressed demand.

6.2 *Brighton & Hove Compared to Other Districts*

6.2.1 Comparable statistics are available from 48 local authorities and these are listed in Table 4.4. The table highlights a number of key results including:

- population per hackney carriage at the time of the study (column one);
- the proportion of rank users travelling in hours in which delays of greater than zero, greater than one minute and greater than five minutes occurred (columns two to four);

- average passenger and cab delay calculated from the rank observations (columns five to six);
- the proportion of Monday to Thursday daytime hours in which excess demand was observed (column seven);
- the judgement on whether rank demand is highly peaked (column eleven); and
- a numerical indicator of significant unmet demand.

6.3 Results of the Comparison with Previous Studies

6.3.1 The following points (obtained from the rank observations) may be made about the results in Brighton & Hove compared to other areas studied:

- population per hackney carriage is lower than the average overall value i.e. Brighton & Hove has a higher than average provision;
- the proportion of passengers, who travel in hours where some delay occurs, is 10.84%, which is lower than the average (27%) for the districts analysed. The proportion of passengers travelling in hours where the delay equals or exceeds one minute (5.67%) is also below the average of 14% for all the authorities;
- overall average passenger delay at 0.72 minutes is lower than the average value;
- overall average cab delay is lower than the average for all the districts shown;
- the proportion of weekday daytime hours is which excess demand conditions are observed is 7% which is slightly less than the average of 8% for all authorities shown; and
- demand in Brighton & Hove is considered to exhibit a high degree of peaking late at night compared to the rest of the day..

Table 4.4 A Comparison of Brighton & Hove with Other Authorities Studied (values in italics make up ISUD)									
District and Year of Survey	**Population per Hackney**	**Proportion Waiting at Ranks**	***Proportion Waiting >= 1 Min***	**Proportion Waiting >= 5 Mins**	***Average Passenger Delay***	**Average Cab Delay**	**% Excess Demand**	**Demand Peaked, Yes=0.5 No=1**	**ISUD Indicator Value**
Brighton & Hove 09	**474**	**10.84**	**5.67**	**1.19**	**0.72**	**8.91**	**7**	**0.5**	**16.2**
Brighton & Hove 06	508	52	23	6	0.73	7.64	6	0.5	50
Brighton & Hove 03	540	60	35	12	1.11	8.31	5	0.5	97
Hull 09	1,465	12.15	*8.54*	0.99	*1.72*	9.34	2	0.5	18
Rochdale 09	1,937	3.1	*1.18*	0	*0.14*	12.92	5	1	1
North Tyneside 2008	971	15.68	1.18	0.03	0.38	10.72	8	0.5	2
Rotherham 2008	5,192	0.09	0.09	0	0.01	27.29	0	1	0
Preston 08	677	11.85	5.28	0	0.61	11.13	7	1.0	21
Scarborough 08	1,111	11.75	5	1.06	0.49	7.74	7	0.5	0
Barrow 2008	474	13.97	12.52	0	0.5	6.85	0	0.5	0
York 08	1,146	31	11.5	6.74	3.21	5.42	31	0.5	645
Stirling 08	1,265	25	18	0.3	0.7	10.94	2	0.5	38
Torridge 08	1,202	7	0.94	0	0.12	14.99	0	1	0
Richmondshire 08	723	5	1	0.07	0.22	34.32	1	0.5	0.4
Exeter 2007/08	1,883	7	4	0.6	0.33	15.27	6	1	9
Manchester 07	394	21	6	2.28	1.59	10.24	14	1	174
Bradford 07	1,630	18	2	0.03	0.23	17.64	5	1	2
Barnsley 07	3,254	5	8	0.22	1.32	11.93	5	1	58
Broadstairs 06	1,000	13	13	10	3.25	23.97	4	1	177
Margate 06	1,622	4	1	0	0.05	33.14	0	1	0
Ramsgate 06	1,026	2	2	2	0.49	19.57	13	1	13
Plymouth 06	669	7	3	1	0.52	11.58	1	1	2
Thurrock 06	1,590	32	13	1	0.22	15.27	0	1	0
Trafford 06	2,039	55	38	6	1.09	13.15	5	1	249
Hull 06	1,433	45	23	4	0.68	12.52	5	0.5	38
Leicester 05	880	20.8	11	1.15	0.35	19.36	3	1	12
Bournemouth 05	656	20	11	2	0.37	12.25	1	0.5	2
Bradford 03	2,171	19	6	0.77	0.25	14.89	6	1.0	9
Oldham 03	2,558	30	12	0.79	0.48	14.8	7	1.0	40
Blackpool 03	556	21	4	0.3	0.13	12.4	6	1.0	3
Thurrock 03	1,607	43	14	1.01	0.50	12.5	2	1.0	14
Wolverhampton 03	3,113	50	31	7.39	1.49	11.18	14	1.0	647
Bournemouth 02	702	25	15	2	0.67	9.97	1	0.5	5
Exeter 02	2,353	47	18	3	0.71	10.12	20	1.0	256
Wigan 02	2,279	28	10	0	1.17	11.98	6	1.0	70
Cardiff 01	656	51	29	6	0.83	8.77	14	0.5	168
Edinburgh 01	373	47	29	9	1.27	8.77	13	1.0	479
Torridge 01	1,298	25	21	0	0.51	9.32	8	0.5	43
Worcester 01*	941	40	4	1	0.46	12.3	8	0.5	7
Ellesmere Port 01	2,527	80	48	17	2.49	4.23	49	0.5	2,928
Southend 00	895	46	29	8	1.92	8.08	4	1.0	223
South Ribble 00 *	485	12	0.25	0.25	0.07	11.27	0	1.0	0
Leicester 00 *	956	10	7	3	1.17	20.19	1	1.0	8
Leeds 00	1,693	83	61	33	5.03	7.92	36	1.0	11,046
Sefton 00	1,069	18	8	0.6	0.28	12.95	6	1.0	13
Castle Point 00	2,286	28	12	3	0.74	8.6	2	0.5	9
Bedford 00	2,931	25	15	10	0.86	6.86	4	1.0	52
Thurrock 00	1,406	28	14	2	0.63	10.66	6	1.0	53
Manchester 00	569	59	40	13	1.78	6.79	23	1.0	1,638
AVERAGE	**1,412**	**27**	**14**	**4**	**0.91**	**13**	**8**		

7 Consultation

7.1 Introduction

7.1.1 Guidelines issued by the Department for Transport state that consultation should be undertaken with the following;

- all those working in the market;
- consumer and passenger (including disabled) groups;
- groups which represent those passengers with special needs;
- the Police;
- local interest groups such as hospitals or visitor attractions; and
- a wide range of transport stakeholders such as rail/bus/coach operators and transport managers.

7.2 Direct Consultation

7.2.1 A series of focus groups were held in July 2009 with a range of stakeholders to glean their views regarding the taxi and private hire service across Brighton & Hove. Separate meetings were organised with the following:

- Hackney Carriage trade representatives;
- Private hire trade representatives;
- Taxi operators;
- Disability representatives and Social Services; and
- Police and Community Safety Partnership.

7.2.2 The comments received are detailed below.

Hackney Carriage Trade

7.2.3 The hackney carriage representatives felt that Brighton and Hove is well supplied with taxis, even at night and the current limit seems to be working well. The Hackney Carriage trade feel that there are queues of hackneys late at night and there are no passenger queues. They feel that the Licensing Act has flattened the peak.

7.2.4 It is felt that there are enough wheelchair accessible vehicles in Brighton & Hove however availability can be limited at school contract time as this restricts the number of wheelchair accessible vehicles for general hire.

7.2.5 According to the Hackney trade, vehicles tend to concentrate on central ranks. The Hackney Carriage trade stated that they are not consulted when ranks are taken away. It is accepted that there are some locations where ranks are not being used but some are being removed for other reasons and not being replaced. Ranks on New Road, North Street and St James Street have been taken away and not replaced and the rank by the Old Ship Hotel and the rank on the seafront are also under threat of being removed. The rank on New Road and the rank by the Old Ship Hotel were cited as being particularly busy and the hackney trade are strongly against the removal of the rank on the seafront.

7.2.6 The trade stated that there was a need for new ranks by the Thistle Hotel and the Queen's Hotel, and another rank near the rail station, because there is no rank between the Station and Queen's Square. It is felt that lengthening ranks would not be feasible, as it would cause accidents due to the road layout. There are some locations where ranks are not regularly used because of their location, for example the back of the station is not used often because passengers tend to come from the South.

7.2.7 It was also noted that one of the taxi firms has just signed a new contract with the station, paying £410 to use the station rank.

7.2.8 At night drivers generally avoid West Street as there is often trouble with passengers under the influence of alcohol queue jumping, spilling food and drink in taxis, anti-social behaviour and fare-dodging. Crimes on taxi drivers often go unreported due to the time taken to report incidents meaning the loss of fares.

7.2.9 The Hackney trade feel that having marshals on ranks is a good idea. There was a pilot funded by the Sudanese Taxi Forum and the police. This found that passengers do listen to the marshals. Ranks that have been cited as needing marshals on a Friday and Saturday night are West Street, East Street, Queen's Square, and at the Station and Old Ship Hotel. It is felt that marshals are needed for driver safety as marshals would help prevent driver abuse and queue jumping and driver 'cherry picking' would stop. It was suggested that Community Support Officers could be used as marshals.

7.2.10 It is felt that the image of Hackneys has improved over the years as the standards have improved. However, it is felt that the age limits on both Hackney Carriages and Private Hire vehicles should be reviewed. It was suggested that the age limit should be changed to seven years for Hackney Carriages and 10 years for Private Hire vehicles and wheelchair accessible Hackney vehicles. It is felt that there should also be exceptions for purpose built cabs.

7.2.11 With regards to training, the representative felt that retrospective training is unnecessary because experience is more important; however it should be a requirement for new drivers. They felt that first aid training should be offered, and a customer services course which was funded in the past for drivers should be reinstated.

7.2.12 The level of Hackney Carriage fares are regarded as about right. The trade approach the council annually to set the process for an increase in fares. It was highlighted that the normal three tariffs can confuse passengers and it could work better if there were only two tariffs. The Hackney representative stated that the premium is currently around £35,000 depending on the vehicle.

Private Hire Trade

7.2.13 In contrast to the views of the Hackney trade representatives the private hire representatives felt that the limit on plates should be removed. Instead, the private hire trade feel that there should be quality restrictions rather than quantity restrictions. The representatives do feel that the waiting list criteria in Brighton & Hove are acceptable.

7.2.14 The representatives stated that the trade wanted to add a taxi marshal cost to fares, but the councillors rejected the idea. They cited ranks on West Street, East Street and Ship Street as being ones that would require marshals, and especially during Friday and Saturday nights, from 10pm to 5am the next morning. Perhaps there could be 2 marshals on each of the cited ranks, using a licensed security firm. Adding a surcharge onto customers' fares should help fund the marshals and it would only cost 1-2p per mile they travel.

7.2.15 It is felt that there are not enough Hackney Carriages; however demand is currently being met due to the recent economic climate. The daytime trade has not suffered, but the night time trade has and vehicles now double shift regularly. However, it is also felt that the taxi trade in Brighton and Hove will not suffer from the recession as much as elsewhere due to tourism during the summer months and the large student population.

7.2.16 It is felt that there are not enough wheelchair accessible vehicles. The availability problems are made worse as some drivers have been known to refuse to take wheelchair passengers, especially at the station.

7.2.17 The private hire trade felt that vehicle standards are acceptable however it would be good to improve them, by having two tests per year. They feel that the type of vehicle that is allowed is acceptable.

7.2.18 The representatives felt that there is a big problem with driver quality and standards have dropped since the last study in 2006. It was also felt that overcharging fares has increased in both Hackney Carriage and Private Hire drivers, while customer service and the knowledge of the area has worsened. It was felt that a BTEC should be aimed at new drivers only. It was felt that the knowledge test should be harder for new drivers as they can rely too much on their Satellite Navigation system. It was felt that if there is a complaint made against a driver, they should be subjected to additional tests.

7.2.19 The private hire trade feel that customers do not know the procedure if they want to complain about the service as they will generally ring the operator and not the council. There should be more information available on the complaint procedure. It was highlighted that if complaints are made, the council do investigate.

7.2.20 The private hire trade feel that ranks that are regularly used need to be longer, in contrast to the feelings of the Hackney trade. They feel that the Licensing Team at the council are good, but the Highways Team often take away ranks or replace ranks without consultation with the trade. They feel there should be a joint rank review with the Licensing team and the Highways team. The private hire trade feel that a rank at the Marina could be beneficial, however the land owner would object to it.

7.2.21 The representatives stated that the trade would not take up any taxibus options as the bus services in Brighton and Hove are good.

Taxi Operators

7.2.22 Taxi operators do not want the limit on plates to be removed. It was stated the five plates that were issued this year had been taken up and they all joined operators. They feel that the managed growth policy should be paused during the recession. They also feel there is a lack of rank space so no plates should be issued until this is resolved.

7.2.23 The operators feel that there are more than enough vehicles at the moment, as all areas and all times of the day are covered. There are traffic management problems meaning cabs find it difficult to gain access to some ranks at certain times of day rather than there being insufficient vehicles. Reasons for this are said to include; congestion at certain times of day, major road works and bus stops and drop offs blocking access to the station.

7.2.24 The taxi operators would like to see a rank on Terminus Road if the road was made one-way as buses frequently use the road. Taxi operators and the rail station are in favour of a £3 charge for access to the back of the station however, the Highways team have not responded to the proposal as of yet.

7.2.25 The last study stated that there was no unmet demand in Brighton and Hove, yet the council issued more plates. The last report was used to justify extra wheelchair accessible licences although there was no unmet demand. Operators use both private hire vehicles and Hackney Carriages and most of the time customers do not care which type of vehicle they receive, but if an accessible vehicle is requested the operator can send either an accessible hackney carriage or private hire vehicle depending on what is available. The operators stated that drivers from a particular taxi firm get credited an extra £5 if they have to go out of an area that they are in to cover a wheelchair fare.

7.2.26 Operators feel that there are enough wheelchair accessible vehicles as the 5 plates that are issued every year are required to be wheelchair accessible. Private hire vehicles that can carry over four passengers are also required to be wheelchair accessible.

7.2.27 Operators feel that drivers are quite safe, as they are streetwise and there is not much trouble in Brighton and Hove.

7.2.28 It is felt that vehicle quality has increased during recent years. Operators would like to see a verbal test detailing routes, similar to the training for London taxi drivers. Operators also felt that the council's dress code is beneficial to the trade, and they would like to see a formal one put in place.

7.2.29 With regards to ranks, operators feel that there is a lack of rank space, especially at the Ship Street rank and the fact that ranks have been removed such as the rank on North Street rank adds to the overall lack of rank space in Brighton & Hove. It is felt that ranks are not always in the most appropriate location.

7.2.30 Operators have identified three main ranks that are reputable for anti social behaviour. These are the ranks on West Street, East Street and at the Old Ship Hotel. It is felt that the marshal trial was successful, and operators would like to see it in operation again on a Thursday, Friday and Saturday night. However, they feel that the trade should not have to meet the whole cost and clubs should contribute too along with the police.

Disability Representatives and Social Services

7.2.31 Two focus groups were held to consult with disability representatives and social services. The findings from both meetings are summarised here.

7.2.32 The representative for disability groups states that there is an issue trying to book wheelchair accessible vehicles. It is considered wheelchair accessible vehicles tend to be independent and don't always use a circuit. They tend to work from the rank and 'cherry pick' jobs. During term time between 08:10 – 09:30 and 14:30 – 15:45 it was felt that it was incredibly hard, and sometimes impossible, to secure a booking as the vehicles were being used for school runs. Other times that are difficult to get a taxi were Saturday and Sunday mornings as many drivers will have worked late the night before. Later on in the evening when larger taxis are requested by those travelling in groups for nights out was also cited as a difficult period to secure a booking over the phone. Companies tend to pay drivers £5 per job to take on wheelchair jobs, which is not enough as wheelchair accessible vehicles are expensive to run. Wheelchair users will stop using taxi services if it is too difficult to book and will make other arrangements instead.

7.2.33 The problems with availability were most common when travelling from home and having to book over the phone. At present when trying to pre-book customers are generally told to ring back 15 minutes before they need to leave as the taxi companies are never sure which vehicles will be in their area at the time. This can then result in them being told close to when they need to leave that there are no vehicles in the area. It may be the case that there are accessible vehicles working that day but the company's only radio within a certain radius. As most drivers work for taxi companies it is not permitted to take an individual driver's number in order to call them to book them directly.

7.2.34 Some representatives felt that overall there are enough vehicles and there is no need for more vehicles. The ranks in the city centre tend to have plenty of wheelchair accessible hackney carriages. It was suggested that the existing ones just need to be on radio circuits so they can be booked more easily. There is also a need to ensure some work at night and also operate outside of the city centre.

7.2.35 It was felt that there was a general lack of adequate information on taxi services. Two representatives which had their own vehicles commented that they did not feel they were well informed and would find it hard to book a taxi. For those that use taxis regularly they felt that there was no way of knowing whether or not when you ring there will be a taxi in operation which will accommodate you. There is no information on which taxi companies have what types of vehicles working for them at any one time and this raises uncertainty about whether or not you will be able to undertake a particular journey at a particular time. It would also be important for any information provided to not be solely web-based as there were many people who did not have access to information presented in this way. Some of the disability representatives felt uninformed and were interested to know the following:

- What training do drivers have to undertake in order to qualify for their licence?
- Whether taxi drivers as part of their licence agreement are contracted to do school runs?

7.2.36 With regards to vehicle quality, representatives felt that the Hackney Carriages in Brighton and Hove look one of the best in the country. There were no problems raised with regards to the cleanliness or upkeep of vehicles. The only issues raised with regards to vehicles were the physical specifications of some of them:

- Headroom – those taller members with larger chairs were simply not able to fit in a standard hackney carriage
- Clamps – If a chair has non-uniform wheels/frames etc, it is not able to be attached to the vehicle with straps or other mechanisms and in this case the drivers would not be keen to take wheelchair passengers as their insurance is not valid.
- Ramps – Problems were found when ramps were not one single plate e.g. two tracks are not appropriate if a chair's wheels are not inline at the front and back.

7.2.37 It is felt that drivers' awareness of disabilities is not great; for example mobility impaired people are not helped with luggage. Driver attitude was felt to be a deterrent to using taxis as a number of those attending had had bad experiences in the past mainly due to driver ignorance. The main frustration was that there are lots of highly capable and helpful drivers with good vehicles but it is not possible to book particular drivers with the way the system works at present. Several occasions were cited when the vehicle which turned up after booking was not appropriate or the driver was not equipped to take them because of his/her own capabilities. Other occasions where individuals have had problems regarding taxi drivers were cited as:

- Drivers starting meter before wheelchair user has been loaded in or out of the taxi
- Drivers arriving in vehicle they share or have borrowed and thus do not know how to use the ramp, clips etc
- Drivers not understanding the need to get out of the taxi for blind or visually impaired individuals to let them know they have arrived
- Drivers generally being unwilling to help you, trying to charge you extra or not displaying good manners
- Drivers driving off when they see the user has a guide dog
- Drivers not being able to take a guide dog because of asthma (this should be established at the booking stage)
- Drivers not knowing the specifications of their own fleet vehicles when asked at the time of booking
- Drivers not being able to help a wheelchair user up the ramp due to a bad back.

7.2.38 In terms of social services contracts feedback on driver performance is generally positive. It is felt that driver continuity is good and the only odd problems are with new drivers.

7.2.39 With regard to training, representatives feel that it should be updated and refresher training is needed after obtaining driving experience. Laws are changing and so training standards should be updated to fit in with new standards as necessary. It is felt that drivers for the educational transport fleet should have the NVQ driver qualification. Training should be given on how to use wheelchair accessible vehicles when they are bought new and when they are resold. Free training could be offered with 'Train to Gain'. As Brighton is a tourist town, the representatives felt having a good wheelchair accessible service would be beneficial to the town and the economy, as it will attract more people.

7.2.40 Representatives state that the council give £65 worth of taxi vouchers if a bus pass is not taken up. However, this does not go very far in comparison to other areas. It is not uncommon for a journey in to Brighton to cost between £15 and £30, depending on where the individual lived, so the £65 a year voucher is seen as little compensation. As not all buses in Brighton and Hove are accessible by wheelchair, but some are, it was not seen as fair that some individuals had to sacrifice their bus passes in order to get the taxi vouchers and that these two concessions should not be mutually exclusive.

7.2.41 It was also mentioned that there was inconsistency between fares charged and that it was nearly always cheaper to use a local company and the return journey from a rank in Brighton/Hove would always be more expensive.

7.2.42 Possible solutions put forward by the representatives to address the issues highlighted included:

- Driver refresher training to instil in them how to deal with people with mobility impairments and communicate any updates
- Changes to the booking system
- Allowing pre-booking of accessible vehicles
- Thorough standardised questioning at the time of booking to avoid confusion
- More vouchers should be given as compensation for not taking up a bus pass, or fares should be made cheaper.

Police

7.2.43 A representative from the police took part in the consultation. The police representative said that Brighton & Hove is served by very good public transport and there is a good supply of taxis. It was identified that there can be an issue of congestion at the rail station rank when the rank is full. It was also noted that there are too many taxi permits in Brighton & Hove.

7.2.44 Since the Old Ship rank was removed taxis have been parking on the carriageway causing congestion and safety issues. The representative felt that the rank should be reinstated.

7.2.45 There have also been discussions of a new rank on Queens Road opposite the old casino. This would be used as a feeder rank to the rail station and help address the congestion and safety issues which effect this area.

7.3 Indirect Consultation

7.3.1 In addition to the face to face consultation undertaken a number of stakeholders were contacted by letter. This in turn assured the DfT guidelines were fulfilled and all relevant organisations and bodies were provided with an opportunity to comment. Copies of all the replies are included in Appendix 4.

7.3.2 In accordance with guidance issued by the DfT the following stakeholders were contacted:

- Brighton and Hove City Council;
- Police;
- Schools and Colleges;
- Charitable organisations;
- Disability organisations;
- Business Representatives;
- Licensed Premises; and
- Hotels.

7.3.3 The comments received are outlined below.

Sussex Deaf Association

7.3.4 A representative from the Sussex Deaf Association responded to the letter of written consultation. It was felt that the adequacy of both hackney carriages and private hire vehicles is adequate across all times of the day and across all areas in Brighton and Hove.

7.3.5 With regard to the image of the trade the representative felt that the quality and type of the vehicles are 'ok'. It was commented upon that drivers are often asking for payment from loan females before they get into the cab or refusing to take them. Drivers can also be unclear of destinations and are taking longer routes; it was felt that additional training would be beneficial with regard to area knowledge.

7.3.6 The representative did not feel that any additional ranks are required in Brighton and Hove and no improvements are needed at existing ranks.

7.3.7 It was felt that additional wheelchair accessible vehicles are needed in Brighton and Hove as users at the Deaf Association find it very difficult to access one; when pre booking wheelchair accessible vehicles users have to wait approximately 45 minutes. The representative would also like to see an improvement to taxis to make them more accessible to deaf people as they are often unable to communicate with the driver.

7.3.8 The fare structure in Brighton and Hove was considered high at all times and it was felt that there is sufficient advertising of both private hire and hackney carriage services.

7.3.9 A comment was made about some drivers driving too fast and going through red lights, making the representative feel unsafe. They would also like to see marshals at ranks to make them feel safer whilst waiting at ranks.

7.3.10 Finally, the representative felt that taxis complement other types of public transport in Brighton and Hove and that they are often better than buses.

Children and Young People's Trust Transport

7.3.11 A representative from the CYPT Transport responded to the written consultation. It was felt that the supply of vehicles is generally adequate, however when the weather is bad taxis are often late, even though they have been pre booked. It was thought that drivers try and fit in extra jobs before the school journeys.

7.3.12 With regard to the image of the trade, the representative commented that overall the hackney carriage trade in Brighton and Hove is reasonably well regarded. The cars are easily recognisable as taxis. The majority of drivers are friendly and polite; some have good relationships with the children and assist them far beyond their duty, which on occasion has become a problem if they become too close.

7.3.13 The representative did not feel that additional wheelchair accessible vehicles are needed. On the education contract wheelchair taxis are booked in September and cars are allocated for the school year. However if an additional wheelchair accessible vehicle is needed the CYPT is required to ring up one hour before the vehicle is needed to determine how many vehicles will be available. This system has lead to people being late for appointments but generally there are enough taxis.

7.3.14 There are many different types of wheelchair and with regard to the type of taxi vehicle, it would be virtually impossible to cover all disabilities, even people without a noticeable disability cannot access some of the vehicles. There is a particular problem with powered wheelchairs as they are often heavy and some vehicles may not be able to take them.

7.3.15 It was considered that the level and structure of the fares is quite expensive in comparison to other areas. Contracts for both education and social care are run on a pre-negotiated contract; however the hackney fare rate does have an effect on contract prices.

7.3.16 With regard to publicity, there appears to be plenty of advertising for various companies however it is not really relevant to social care and transport business.

7.3.17 The representative commented that they would like to see taxi marshals at ranks and also thought it would be of benefit for them to carry out spot checks on drivers on behalf of the public as, on occasion, it has been suggested that unqualified drivers have been driving hackney cabs although the representative has seen no evidence of this. A PIN system could help prevent this, although it could easily be abused.

7.3.18 It was felt that taxis complement other types of public transport in Brighton and Hove reasonably well. Both taxis and buses have moved towards increased numbers of accessible vehicles. Not everyone lives on a direct bus route and given the good taxi services to and from the railway stations, the overall transport coverage and access is reasonable

Sussex Police

7.3.19 A representative from the Sussex Police responded to the letter of written consultation. It was stated that the taxi rank outside the Old Ship Hotel has been lost due to the widening of the pavement. It is now very dangerous as taxis are queuing up on the inside lane of the dual carriage way. The situation is exacerbated by taxis then doing u-turns in the road.

7.3.20 The representative commented that the best way to over come this problem would be to have Security Industry Authority (SIA) trained taxi marshals at the ranks. However, it was acknowledged that financing this would be an issue.

Community Base

7.3.21 A representative from Community Base provided comments on the provision on taxi ranks in Brighton and Hove.

7.3.22 It was felt that the lights on taxis in Brighton are confusing as they are lit when the taxi is not currently charging a customer, this is regardless of whether they are on the way to pick up a passenger or not. In other areas, the light is on if the vehicle is available for hire which is what many people assume in Brighton.

7.3.23 The representative stated that this is becoming an issue as she has witnessed many people run for taxis which they are then turned away from. The light should tell the public something about the taxi, they want to know whether or not it is available for hire, not if it is making money. The representative would like to see the meaning of the lights changed in Brighton to the same as other places to avoid confusion.

Culture and Economy Department, Brighton and Hove City Council

7.3.24 A representative from the Culture and Economy Department at Brighton and Hove City Council responded to the consultation. It was felt that the supply of hackney carriages is adequate across the city at all times, although more effort could be made to signpost directions to the nearest taxi rank.

7.3.25 The representative was unaware that there are private hire vehicles in Brighton and Hove.

7.3.26 It was felt that the majority of vehicles are in good condition, although with regard to a minority of vehicles it is questionable how they passed their MOT. The representative commented that driver attitudes can vary but generally avoids conversation with them as they only want to discuss how rubbish the council is. The representative has also witnessed drivers going through red lights, smoking in their vehicles and talking on their mobile phones.

7.3.27 The representative commented that many drivers rely on satellite navigation systems and often take a longer route or be unaware of the trend of traffic in the City. It is clear to see which drivers have been in the trade longer.

7.3.28 With regard to ranks, it was felt that there could be more in Kemptown and better signposting to ranks is needed.

7.3.29 The representative stated that fares are definitely too high, the representative has complained on several occasions that drivers start the meter before they pick you up. They also add a fee for calling a taxi as they class this as 'pre booked' although you are unable to flag them down.

7.3.30 It was felt that there is sufficient publicity about taxi contact numbers but not about the rank locations.

7.3.31 The representative has never felt unsafe whilst using taxis in Brighton and Hove but generally would not wait at a rank late at night, especially in the town centre areas.

8 Trade Survey

8.1 Introduction

8.1.1 A trade survey was designed with the aim of collecting information and views from both trades. In particular the survey allowed an assessment of operational issues and views of the hackney carriage market to supplement the rank observations, as well as covering enforcement and disability issues. The following Section summarises the results of the trade survey and full results are presented in Appendix 5.

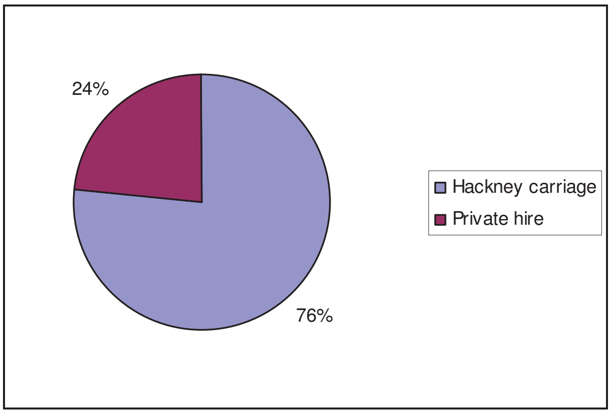
8.2 Survey Administration

8.2.1 The survey was conducted through a self completion questionnaire. These were sent to 2,800 licensed public and private hire drivers in Brighton and Hove. A total of 506 questionnaire forms were completed and returned, giving a response rate of 18%. It should be noted that not all totals sum to the total number of respondents per trade group as some respondents failed to answer all questions.

8.3 General Operational Issues

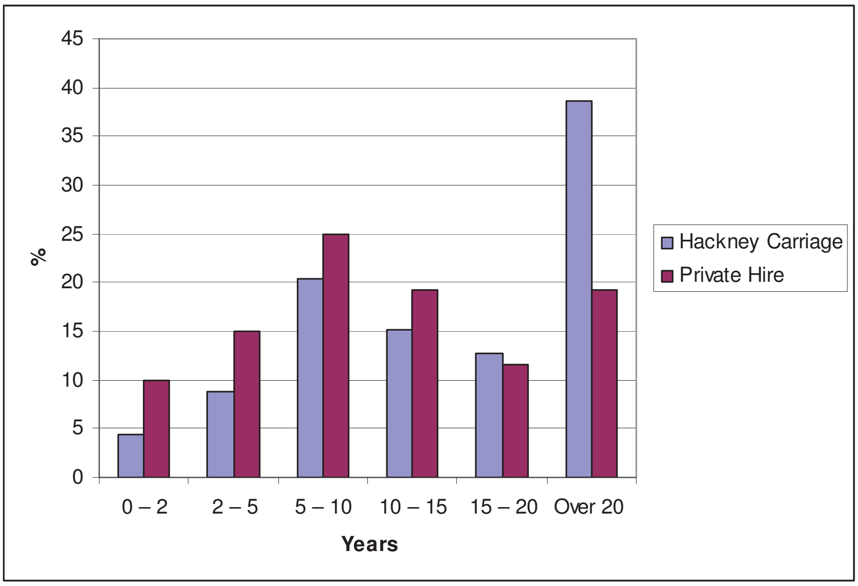
8.3.1 The responses provided have been disaggregated to show the variations in hackney carriage and private hire trade responses. Over three quarters of responses were from those in the hackney carriage trade as shown in Figure 8.1 below.

Figure 8.1: Breakdown of Responses between Trades



8.3.2 Figure 8.2 indicates that 39% of the hackney carriage trade have been involved in the Brighton and Hove taxi trade for more than 20 years as have 19% of the private hire trade.

Figure 8.2: Duration of the respondents' involvement in the hackney carriage trade/private hire trade.



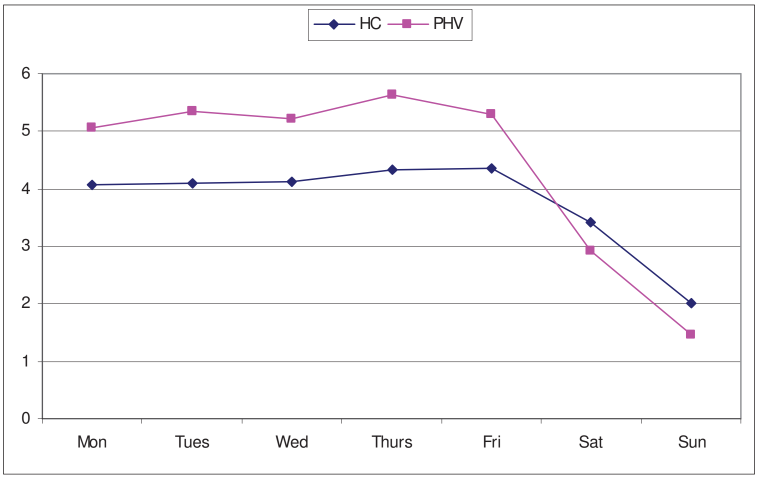
8.4 Driving

8.4.1 Respondents were asked what type of vehicle they drive most frequently. The majority of hackney carriage drivers (74%) and private hire drivers (85%) drive a saloon car.

8.4.2 Respondents were asked on average the number of hours they worked in a typical week. The hackney carriage trade cited an average of 46.2 hours per week compared with an average of 48.4hours per week for the private hire trade.

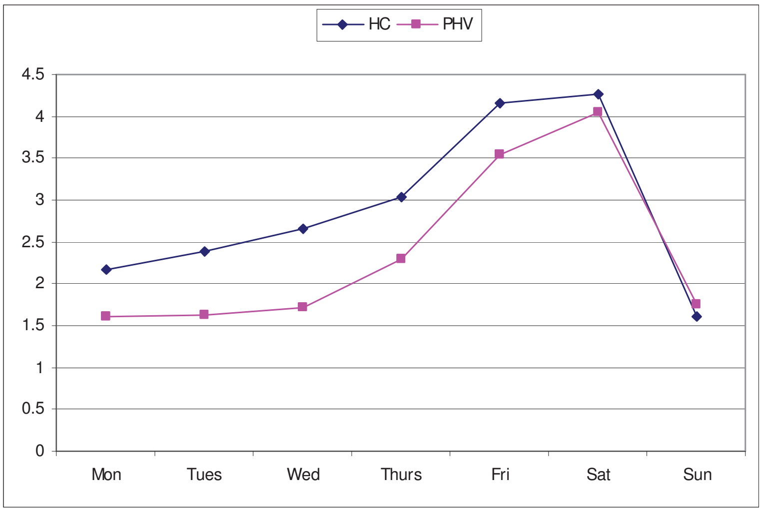
8.4.3 Respondents were asked to state how many hours they worked at different times of day during a typical week. Figure 8.3 documents the average hours worked during the daytime period (06:00-18:00) for each day of the week. On average, hackney carriage trade work a similar amount of hours to the private hire trade. It shows that the hackney carriage trade work less hours during the weekday daytime, whilst the private hire trade work less hours on a weekend daytime. Additionally, both trades work more during the week daytimes than the weekends.

Figure 8.3: Average daytime hours worked



8.4.4 Figure 8.4 shows the average number of hours worked during the evening/night period (18:00-06:00). The hackney carriage trade work, on average, longer hours on every night except Sunday, both trades work longer on Monday and Friday evenings.

Figure 8.4: Average night time hours worked



8.4.5 The trade were asked whether the Licensing Act 2003 had had an effect on their typical working week. Half of hackney carriage respondents stated that it had had an effect on them compared with 31% of private hire respondents.

8.4.6 Those who replied that it had had an effect on their typical working week were then asked in what way it had affected them. The results are shown below in Table 8.1.

Table 8.1: Effects of the 2003 Licensing Act (Multiple responses)

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	Percent	Frequency	Percent
Work later in the evening	117	64.3	18	51.4
Work for longer hours	112	61.5	21	60.0
Other	22	12.1	6	17.1

8.4.7 Some 64% of hackney carriage respondents and 51% of private hire drivers stated that they work later in the evening.

8.4.8 Respondents were asked to state the number of times they carry disabled passengers on a weekly basis. Table 8.2 provides the results. Some 60% of hackney respondents and 57% of Private Hire respondents stated that they carry disabled passengers 1 to 5 times a week.

Table 8.2: Frequency of Transport of Disabled Persons

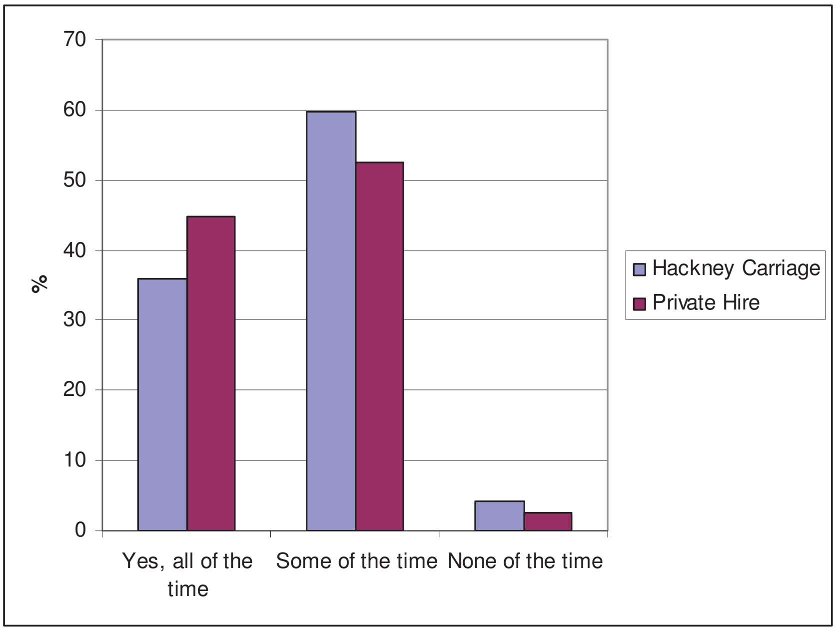
	Hackney Carriage Trade		Private Hire Trade	
	Frequency	Percent	Frequency	Percent
Never	84	22.5	23	20.0
1 to 5	222	59.5	66	57.4
5 to 10	44	11.8	20	17.4
10 to 20	19	5.1	5	4.3
More than 20	4	1.1	1	0.9
Total	**373**	**100.0**	**115**	**100.0**

8.5 Safety & Security

8.5.1 The questionnaire asked if drivers had been attacked by a passenger within the last year. Some 10% of hackney carriage drivers and 7% of private hire drivers stated that they had been physically attacked in the last year. Whilst 42% of hackney carriage respondents and 22% of private hire respondents had been verbally attacked.

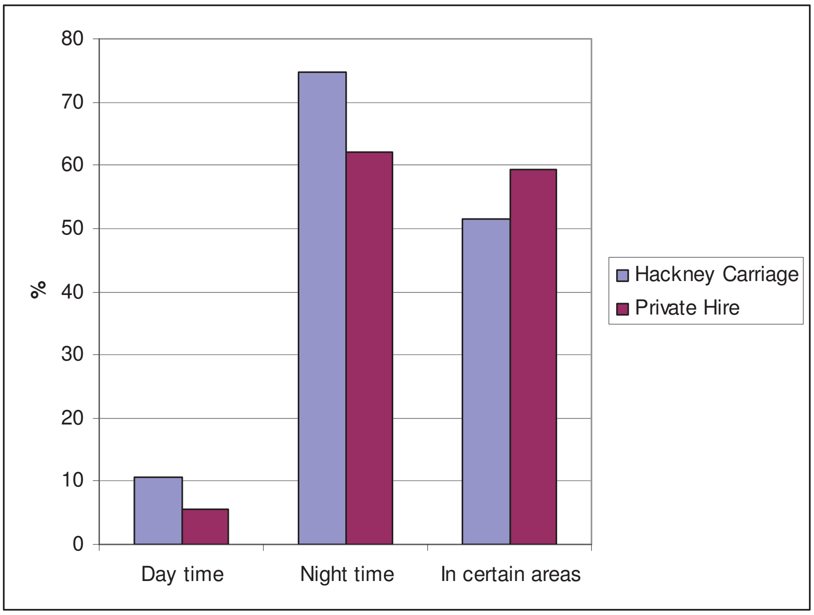
8.5.2 Respondents were then asked if they felt safe whilst working as a taxi driver in Brighton and Hove, the results of which are shown below in Figure 8.5. The majority of all hackney carriage respondents stated that they felt safe some of the time (60%), as did the majority of the private hire respondents (53%).

Figure 8.5: Do you feel safe whilst working as a Taxi Driver in Brighton and Hove?



8.5.3 Of those stating that they felt unsafe, 75% of hackney carriage and 62% of private hire respondents stated that they felt unsafe whilst working at night in Brighton and Hove.

Figure 8.6: When do you feel unsafe as a taxi driver in Brighton and Hove?



8.5.4 Some 52% of the hackney carriage trade stated that they feel unsafe in certain areas of Brighton and Hove, as did 59% of the private hire trade. The areas most commonly reported as being unsafe were;

- Whitehawk; and
- Moulsecoomb

8.6 Ranks

8.6.1 Members of both trades were asked whether they believe there is sufficient rank space in Brighton and Hove. Some 89% of hackney carriage respondents stated that there was not sufficient rank space in Brighton and Hove, as did 64% of the private hire trade.

8.6.2 Respondents were then asked if there were any areas in Brighton and Hove where new ranks should be introduced. Some 60% of private hire respondents said there were no areas where new ranks were required, whilst 76% of hackney carriage respondents said there were areas where new ranks were needed.

8.6.3 Respondents were then asked in what locations the new ranks were required. The most popular locations suggested were;

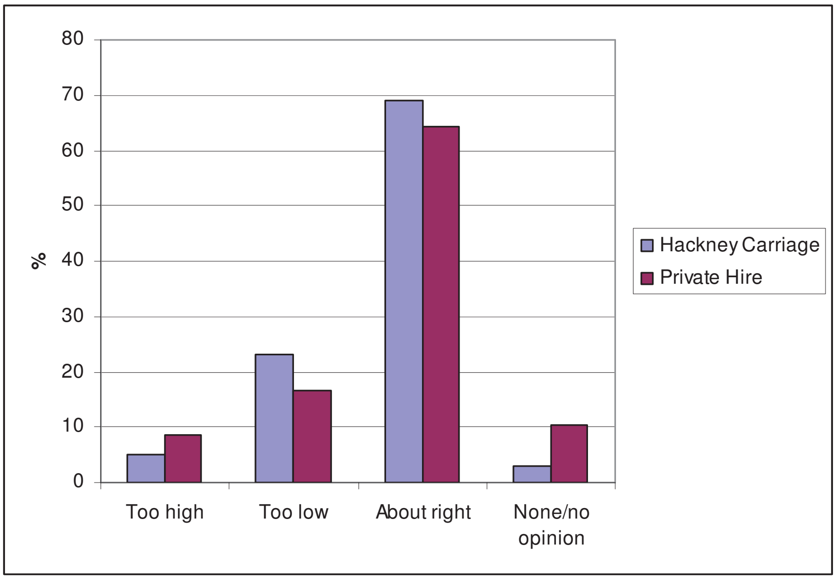
- Brighton Station, Queens Road; and
- Old Ship Hotel, Kings Road

8.7 Fares

8.7.1 Members of both trades were asked for their opinions regarding the current level of hackney carriage fares, the results are documented in Figure 8.7.

8.7.2 Some 69% of hackney carriage respondents considered hackney carriage fares to be ‘about right’.

Figure 8.7: View of Hackney Carriage Fares



8.8 Training

8.8.1 Both trades were asked if they felt that taxi drivers receive enough training before being granted a licence. Two thirds of the hackney carriage trade (66%) and 73% of the private hire trade were of the opinion that training was insufficient. Those respondents who stated that they didn't think they received sufficient training were then asked what training they would like to see offered to drivers. The results are shown in Table 8.3 below.

Table 8.3 What additional training is necessary? (Multiple Responses)

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
BTEC/NVQ	40	11.2	16	18.0
English Language	224	62.6	82	92.1
Disability Awareness	100	27.9	32	36.0
Knowledge Test	179	50.0	62	69.7
Customer Care	161	45.0	68	76.4
Driving Ability Test	168	46.9	54	60.7
Other	34	9.5	6	6.7

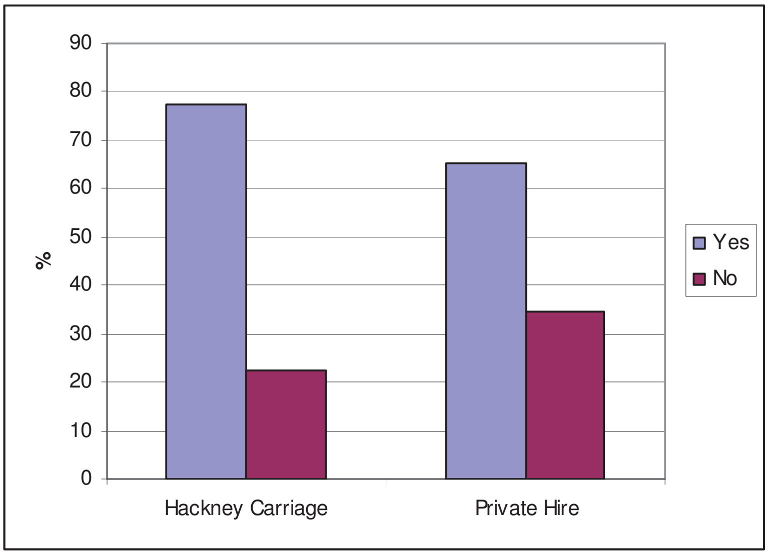
8.8.2 The majority of the hackney carriage trade (92%) felt that English language is the most important training they would like to see offered to drivers as did 63% of private hire respondents. The next most popular training requests were a knowledge test, customer care and a driving ability test.

8.8.3 Respondents were then asked whether this training should be compulsory or voluntary. Of those who answered this question, some 99% of the private hire trade said that the training should be compulsory as did 97% of the hackney carriage respondents.

8.9 Taxi Market in Brighton and Hove

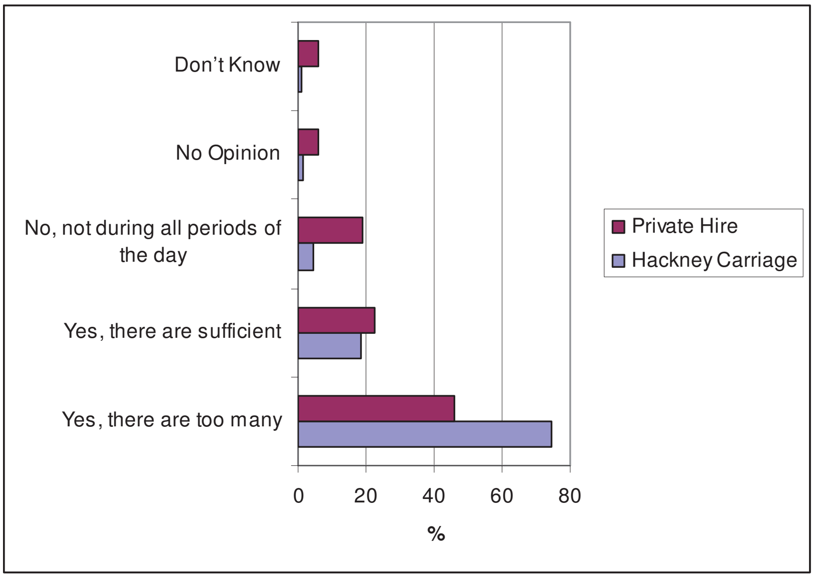
8.9.1 Members of both trades were asked if they were aware that Brighton and Hove City Council enforces a numerical limit of 523 on the number of hackney carriage vehicle licences in the city. The results are outlined in Figure 8.8.

Figure 8.8: Were you aware that there is a numerical limit on the number of hackney carriage vehicle licences in Brighton and Hove?



8.9.2 The majority of the hackney carriage respondents were aware about the numerical limit (78%), 65% of private hire respondents were aware of the restrictions. Members of both trades were asked whether they consider there to be sufficient hackney carriages to meet the current level of demand in Brighton and Hove. Figure 8.9 indicates that the majority of respondents from the hackney carriage trade (75%) consider there to be too many hackney carriages, compared to 46% of private hire drivers. Some 19% of hackney carriage respondents and 23% of private hire respondents felt that there were sufficient hackney carriages in Brighton and Hove.

Figure 8.9: Do you consider there to be sufficient hackney carriages to meet the current level of demand in Brighton and Hove?



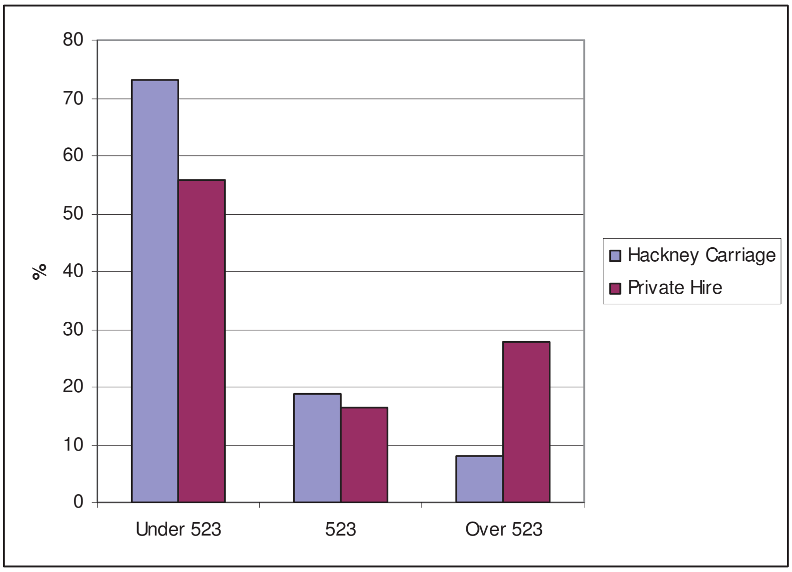
8.9.3 Those respondents stating that there were insufficient hackney carriages operating in Brighton and Hove were asked what times of day additional carriages are required. The results are summarised in Table 8.4. Of those respondents that felt there was an insufficient supply of hackney carriages operating in Brighton and Hove, 69% of the hackney carriage and 62% of private hire respondents stated that more hackney carriages were required in Brighton and Hove during the evening and night.

Table 8.4: If insufficient, when are more hackneys carriages required?

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	Percent	Frequency	Percent
During the daytime	0	0.0	1	4.8
During the evening/night	11	68.8	13	61.9
All day and night	5	31.2	7	33.3
Total	**16**	**100.0**	**21**	**100.0**

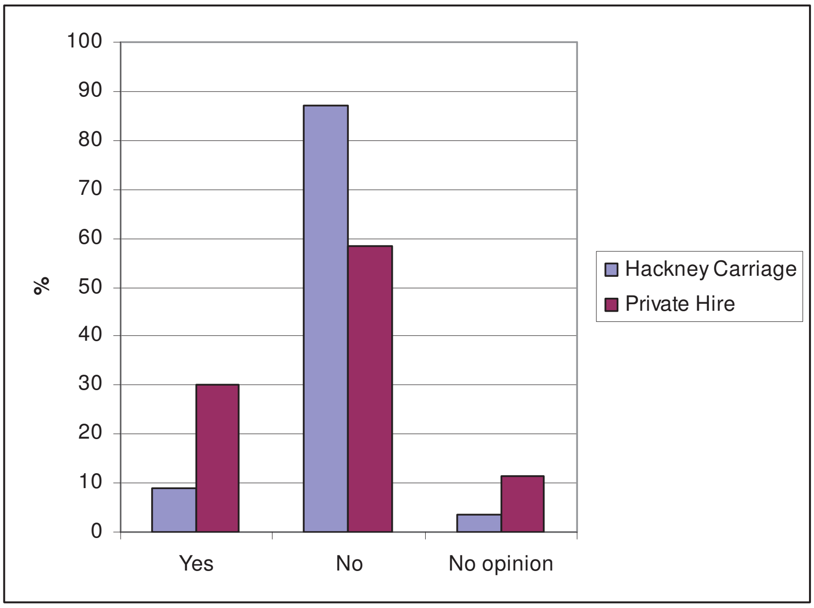
8.9.4 All respondents were asked to state the ideal fleet size for hackney carriages in Brighton and Hove. The results are detailed in Figure 8.10. Of those drivers who responded, 19% of the hackney carriage trade felt that the fleet size should stay at the current number, as did 16% of the private hire trade. The majority of the private hire trade (73%) felt that the fleet should be lower than 523 as did 56% of hackney carriage respondents.

Figure 8.10: Opinion of the Ideal Hackney Carriage Fleet Size.



8.9.5 All respondents were asked to state if they thought that Brighton and Hove City Council should remove the numerical limit on the number of hackney carriage vehicle licences. The responses are detailed in Figure 8.11.

Figure 8.11: Should Brighton and Hove City Council remove the numerical limit?



8.9.6 The majority of respondents from the hackney carriage trade (87%) felt that the numerical limit should not be removed compared with 58% of the private hire respondents. Some 30% of the private hire respondents thought the limit should be removed.

8.9.7 Views were sought regarding the likely impact on a series of factors if Brighton and Hove City Council were to remove the existing limit on hackney carriage licences. The findings are summarised below and are presented in Table 8.5. .

<u>Congestion</u>

8.9.8 Some 83% of respondents from the hackney carriage trade felt congestion would increase, compared with 46% of the private hire trade who that felt this would be the case.

<u>Fares</u>

8.9.9 Some 24% of hackney carriage respondents considered that there would be an increase in fares following de-restriction, compared with 19% of the private hire trade.

Passenger Waiting Times

8.9.10 The majority of respondents from both trades believed that passenger waiting times at ranks, when flagged or when booked by telephone, would decrease or not be affected.

Vehicle Quality

8.9.11 The majority of hackney carriage respondents believe that hackney carriage and private hire vehicle quality would decrease, whereas the majority of private hire respondents believe that there would be no effect on vehicle quality.

Effectiveness of Enforcement

8.9.12 With regard to effectiveness of enforcement, 67% of the hackney carriage trade were of the opinion that removing existing licence restrictions would result in a decrease, with 41% of the private hire trade being of the same opinion.

Illegal Plying for Hire

8.9.13 In terms of illegal plying for hire by private hire vehicles, 55% of the hackney carriage trade were of the opinion that a change in licence restriction conditions would increase this activity, compared to 31% of private hire drivers. Some 55% of the hackney carriage trade felt that illegal plying for hire by unlicensed vehicles would increase compared with 38% of the private hire trade.

Over Ranking

8.9.14 Both the hackney carriage and private hire trade felt over ranking would increase, with a response rate of 89% and 70% respectively.

Customer Satisfaction

8.9.15 Some 10% of hackney carriage drivers were of the opinion that customer satisfaction would increase as a result of the removal of the licence limit, compared to 35% of the private hire trade.

Table 8.5: What would happen should Brighton and Hove City Council remove the limit?

	Hackney Carriage Trade (%)			Private Hire Trade (%)		
	Increase	No Effect	Decrease	Increase	No Effect	Decrease
Traffic Congestion	82.7	15.6	1.6	46.2	43.4	10.4
Fares	23.8	51.3	24.9	18.9	64.2	17.0
Passenger waiting times at ranks	6.0	74.8	19.2	3.8	41.5	54.7
Passenger waiting time when flagdown	5.2	71.1	23.6	4.6	39.4	56.0
Passenger waiting time by telephone	13.7	69.2	17.2	9.5	55.2	35.2
Hackney carriage vehicle quality	6.1	27.8	66.1	4.7	57.0	38.3
Private hire vehicle quality	5.8	30.1	64.0	8.3	58.7	33.0
Effectiveness of enforcement	9.1	23.5	67.4	8.5	50.9	40.6
Illegal plying for hire – private hire	54.7	26.1	19.2	30.9	38.2	30.9
Illegal plying for hire – unlicensed	55.1	31.5	13.4	37.7	39.6	22.6
Over ranking	89.2	6.8	4.1	69.7	22.0	8.3
Customer satisfaction	10.0	40.2	49.9	34.9	41.3	23.9

8.9.16 Respondents were then asked their opinion on a series of statements. The first statement was ***'There is not enough work to support the current number of hackney carriages'***. The results are shown in Table 8.6.

Table 8.6 'There is not enough work to support the current number of hackney carriages'

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	Percent	Frequency	Percent
Strongly disagree	19	5.2	14	13.3
Disagree	12	3.3	11	10.5
Neither agree nor disagree	24	6.6	20	19.0
Agree	88	24.0	24	22.9
Strongly agree	223	60.9	36	34.3
Total	**366**	**100.0**	**105**	**100.0**

8.9.17 Over half of hackney carriage respondents (61%) strongly agree with the statement that there is not enough work to support the current number of hackney carriages. Some 34% of private hire strongly agree that there is not enough work.

8.9.18 The following comments were recorded:

- 'Hackney carriage drivers wait up to one hour for a job'
- 'Too many taxis at present' and
- Ranks are full of taxis all the time.

8.9.19 The second statement was 'Removing the limit on the number of hackney carriages in Brighton and Hove would benefit the public by reducing the waiting time at ranks'. The results are outlined in Table 8.7.

Table 8.7: 'Removing the limit on the number of hackney carriages in Brighton and Hove would benefit the public by reducing the waiting time at ranks'

	Hackney Carriage Trade		**Private Hire Trade**	
	Frequency	**Percent**	**Frequency**	**Percent**
Strongly disagree	193	54.8	30	28.6
Disagree	69	19.6	21	20.0
Neither agree nor disagree	27	7.7	11	10.5
Agree	29	8.2	20	19.0
Strongly agree	34	9.7	23	21.9
Total	**352**	**100.0**	**105**	**100.0**

8.9.20 Some 74% of hackney carriage drivers strongly disagreed or disagreed that removing the limit on the number of hackney carriages in Brighton and Hove would benefit the public by reducing waiting times at ranks, compared to 49% of Private Hire respondents.

8.9.21 The following comments were recorded:

- 'Ranks are always full of taxis' and
- 'Customers do not have to wait at ranks'

8.9.22 The third statement was ***'There are special circumstances in Brighton and Hove that make the retention of the numerical limit essential'***. The results are shown in Table 8.8 below.

Table 8.8: 'There are special circumstances in Brighton and Hove that make the retention of the numerical limit essential'

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Strongly disagree	36	10.9	29	28.7
Disagree	16	4.8	11	10.9
Neither agree nor disagree	28	8.5	17	16.8
Agree	61	18.4	16	15.8
Strongly agree	190	57.4	28	27.7
Total	**331**	**100.0**	**101**	**100.0**

8.9.23 Some 76% of hackney carriage trade agree or strongly agree that there are special circumstances in Brighton and Hove that make the retention of the numerical limit essential, compared to 44% of the private hire trade.

8.9.24 The following comments were recorded:

- 'Seasonal Trade'
- 'To maintain a good quality of service' and
- 'Too many taxis already'

8.9.25 All respondents were asked what the effect on themselves would be if the numerical limit was removed. The results are outlined below in Table 8.9.

8.9.26 Finally the trade were asked what effect they thought it would have on them if the authority removed the numerical limit. The results show that 70% of hackney carriage respondents cited they would work more hours if the numerical limit on hackney carriages was removed in comparison to 49% of private hire respondents. Some 33% of private hire drivers said they would not change if the limit was removed. Some 41% of hackney carriage respondents would leave the trade, as would 15% of private hire respondents. However some 42% of private hire respondents would switch from private hire to hackney carriage.

Table 8.9: Effects of removing limit (Multiple Responses)

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	Percent	Frequency	Percent
I would continue as normal	47	12.3	38	33.3
I would expect to work more hours	267	70.1	56	49.1
I would expect to work fewer hours	6	1.6	0	0.0
I would acquire a hackney carriage licence	24	6.3	36	31.6
I would acquire multiple hackney carriage licences	14	3.7	6	5.3
I would switch from hackney to private hire	12	3.1	1	0.9
I would switch from private hire to hackney	7	1.8	48	42.1
I would leave the trade	155	40.7	17	14.9
Other	34	8.9	4	3.5

8.9.27 Key results from the Trade Survey can be summarised as;

Summary

Key findings from the survey can be summarised as follows:

- The majority of the hackney carriage trade and private hire trade thought training was not sufficient and English language training in particular was required.
- Majority of drivers feel safe some of the time whilst working in Brighton and Hove
- Some 88.7 of hackney carriage respondents stated that there was not sufficient rank space in Brighton and Hove
- Some 40.7% of hackney respondents stated that they would leave the trade should the authority de-restrict.

9 Disabled Access

9.1 Introduction

9.1.1 In line with a request from Brighton & Hove City Council an assessment of the level of supply across the hackney and private hire car fleets in Brighton & Hove was undertaken.

9.2 Current Provision

9.2.1 Brighton and Hove Council currently license 126 wheelchair accessible taxis. This equates to 24% of the fleet. There are also 21 wheelchair accessible private hire vehicles licensed equating to less than 5% of the fleet.

9.3 Observed demand

9.3.1 During the rank observation programme ten wheelchair users were observed hiring a taxi. Four were observed at Brighton Station rank, three at the East Street rank, two at St Peters Place rank and one at the Paston Place rank. In total there were 52,542 observed passenger departures indicating there is not a significant demand for wheelchair accessible vehicles from ranks in Brighton.

9.3.2 Some 493 on-street public interview surveys were carried out in June 2009. Of these respondents 25 (5%) stated that they considered themselves to have a mobility impairment. Of those using a taxi in the last three months (14), seven people obtained their vehicle at a rank and one obtained a vehicle by flagdown. The remaining six users booked their vehicle by telephone.

9.3.3 To provide evidence relating to suppressed demand in the event of a finding of significant patent unmet demand, respondents were asked to identify whether or not they had given up waiting for a taxi at a rank, on the street, or by telephone in Brighton and Hove in the last three months. Of those citing mobility impairment three respondents had given up waiting for a taxi by either rank or flag down (12%). This is lower than cited by people without a mobility impairment, (13%). Just two respondents (8%) had given up by telephone – the same proportion cited by people without a mobility impairment.

9.4 *Mystery Shopper Survey*

9.4.1 A telephone based mystery shopper survey was carried out to assess the level of supply of hackney and private hire vehicles in Brighton & Hove. The survey determined the average waiting times for a standard vehicle of any type and the waiting times for a wheelchair accessible vehicle to allow an assessment of waiting times for vehicles.

9.4.2 Some forty enquires were undertaken with a range of hackney carriage and private hire taxi operators within Brighton & Hove, half of which asked for an estimate of waiting times for any type of vehicle, and the other half asking for an estimate of waiting times for an accessible vehicle. Table 9.1 summarises the results.

Table 9.1 Waiting Times for Accessible and Standard Vehicles (minutes)

	Minimum Wait Time	Maximum Wait Time	Average Wait Time
Standard Vehicle	5	60	11
Accessible Vehicle	5	60	43

9.4.3 The results indicate that when booking a taxi via the telephone, passengers experience a difference in waiting time for an accessible vehicle than they do for a standard vehicle. The average waiting time for a standard vehicle is low in comparison to the waiting time for wheelchair accessible vehicles.

9.5 *Customer Service*

9.5.1 The customer service was assessed when attempting to book a taxi in Brighton & Hove. The majority of phone operators were polite and helpful. If they did not have a wheelchair accessible vehicle available they would often give the number of another taxi firm who were likely to have one available. There was just one instance where the phone operator was not helpful and was quite rude to the customer.

9.6 *Gauging the need for wheelchair accessible cabs*

9.6.1 From the point of view of significant unmet demand, demand from disabled customers is not relevant. This is because the demand is almost exclusively via telephone bookings and therefore falls beyond the remit of hackney carriages (Brighton ruling).

9.6.2 Given that, at the time of the surveys, the number of accessible vehicles within the entire hackney and private hire car fleet was 147 the following formula provides an estimate of the number of accessible vehicles required to eliminate this discrepancy in waiting times:

$$Q_2 = \frac{D_1}{D_2} \, x \, Q_1$$

9.6.3 Where:

- **D_1** is the average delay for accessible vehicles = 43 minutes;
- **D_2** is the delay for any type of vehicle = 11 minutes;
- **Q_1** is the current number of accessible vehicles in the entire fleet (hackneys plus private hire cars) =147; and
- **Q_2** is the total required number of accessible vehicles required to eliminate this discrepancy in waiting times.

$$Q_2 = \frac{43}{11} \, x \, 147 \; = 574$$

9.6.4 The formula indicates that an **additional 428 accessible vehicles linked to a radio circuit** are required to eliminate the discrepancy in telephone booking waiting times between accessible and non accessible vehicles. It should be noted that this demand for additional vehicles is **private hire demand** and therefore not relevant to the issue of significant unmet demand. This value is also high due to there being only 21 wheelchair accessible vehicles in the private hire fleet. It is also the case that the requirement for additional accessible vehicles is not necessarily a requirement for more licensed vehicles. The discrepancy in waiting times could be alleviated by replacing standard vehicles with accessible vehicles or connecting current accessible vehicles to radio circuits. Nevertheless, it remains the case that it is possible to improve the level of service to disabled people via increasing the number of accessible vehicles available significantly.

10 Summary and Conclusions

10.1 Introduction

10.1.1 Halcrow has conducted a study of the hackney carriage market on behalf of Brighton & Hove City Council.

10.1.2 The present study has been conducted in pursuit of the following objectives:

- to identify whether or not there exists a significant unmet demand for hackney carriage services in Brighton and Hove;
- to recommend the increase in licences required to eliminate any significant unmet demand; and
- to assess any significant unmet demand for disabled access hackney carriage vehicles at ranks and telephone booked demand.

10.1.3 This section provides a brief description of the work undertaken and summarises the conclusions and implications for regulatory policy.

10.2 Significant Unmet Demand

10.2.1 The 2009 study has identified that there is NO evidence of significant unmet demand for hackney carriages in Brighton & Hove. This conclusion is based on an assessment of the implications of case law that has emerged since 2000, and the results of Halcrow's analysis.

10.2.2 On this basis the authority has discretion in its hackney licensing policy and may either:

- continue to limit the number of vehicles at 528 with additional wheelchair accessible licences issued annually as the authority sees fit;
- issue any number of additional plates as it sees fit, either in one allocation or a series of allocations; or
- remove the limit on the number of vehicles and allow a free entry policy.

10.3 Summary of Consultation – Interested Parties

10.3.1 The Department for Transport had requested that licensing authorities consult widely to inform their policy making in respect of continued entry control to the hackney carriage market. In addition to the consultation that has routinely been included in previous market studies (correspondence with interested parties), Halcrow has followed the prescribed approach and sought the views of all those involved in the taxi trade.

10.3.2 Stakeholders were generally happy with the numbers of hackney carriages but highlighted more wheelchair accessible vehicles should be made available. Particular problems were highlighted with regard to the availability of accessible vehicles at school contract times. Reference was made to the need to improve driver training opportunities. Rank availability was the other key issue highlighted. It is clear stakeholders do not all consider ranks are sufficient or in the right location.

10.4 Summary of Consultation – General Public

10.4.1 Some 493 interviews were carried in June 2009. The key results are as follows:

- Some 63% of respondents had used a taxi in Brighton & Hove within the last three months;
- High levels of satisfaction with delay on last trip
- Some 13% of respondents had given up trying to obtain a vehicle by rank or flagdown;
- Some 55% of respondents feel that taxi services in Brighton & Hove could be improved (need to be cheaper); and
- Majority of respondents felt safe using taxis during the day and night;
- Some 68% of respondents said that they would not be willing to pay a surcharge to fund marshals; and
- Some 44% of respondents stated that they would use pedicabs.

10.5 Summary of Consultation – Trade

10.5.1 Some 506 members of the trade responded to a trade survey. The key results are as follows:

- The majority of the hackney carriage trade and private hire trade thought training was not sufficient and English language training in particular was required;
- Majority of drivers feel safe some of the time whilst working in Brighton and Hove;
- Some 89% of hackney carriage respondents stated that there was not sufficient rank space in Brighton and Hove; and
- Some 41% of hackney respondents stated that they would leave the trade should the authority de-restrict.

10.6 Conclusions

10.6.1 The 2009 study has identified that there is NO evidence of significant unmet demand for hackney carriages in Brighton & Hove. This conclusion is based on an assessment of the implications of case law that has emerged since 2000, and the results of Halcrow's analysis.

10.6.2 On this basis the authority has discretion in its hackney licensing policy and may either:

- continue to limit the number of vehicles at 528 with additional wheelchair accessible licences issued annually as the authority sees fit;
- issue any number of additional plates as it sees fit, either in one allocation or a series of allocations; or
- remove the limit on the number of vehicles and allow a free entry policy.

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Appendix 1

Brighton and Hove– Hackney Carriage Rank Locations

Rank Location	Spaces
Queens Park Terrace	2
St James' Street	2
Marine Parade	3
Paston Place	8
Brunswick Place	8
Church Road	3
Eaton Road	3
Goldstone Villas	17
Kingsway	4
Norton Road	7
Rutland Gardens	5
Portland Road	2
Gloucester Place	2
London Road	2
Montpellier Crescent	6
New England Street	2
St Peter's Place	8
East Street	15
Norfolk Road	3
Pool Valley	5
Preston Street	3
Queen Square	9
West Street	14
Western Street	3
Carden Hill	2
Elm Grove	5
Henley Road	3
Hollingbury Terrace	3
Lewes Road	7

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Appendix 1

Rank Location	Spaces
Marine Parade	3
Shaftsbury Place	1
Stanford Avenue	5
Warmdean	2
West Way	2
Marine Parade	6
Castle Square	6
Western Road	3
Queens Road	21

Brighton Railway

Wednesday **17/12/2008** **0700-1300**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
07-08	40	38	4	42	0.50	5.53	2	0	0	1	0
08-09	107	79	50	23	2.34	1.46	11	0	1	0	0
09-10	168	132	80	47	2.38	1.78	13	0	1	0	0
10-11	146	114	38	114	1.30	5.00	12	0	1	0	0
11-12	127	98	30	139	1.18	7.09	13	1	1	0	0
12-13	108	91	15	141	0.69	7.75	6	0	1	0	0
Total	**696**	**552**	**217**	**506**	**1.56**	**4.58**			**5**	**1**	**0**

Thursday **07/05/2009** **1300-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
13-14	85	65	0	263	0.00	20.23	0	18	0	0	1
14-15	90	59	0	265	0.00	22.46	0	16	0	0	1
15-16	93	68	0	273	0.00	20.07	0	20	0	0	1
16-17	109	77	0	246	0.00	15.97	0	18	0	0	1
17-18	172	115	0	154	0.00	6.70	0	8	0	0	1
Total	**549**	**384**	**0**	**1201**	**0.00**	**15.64**			**0**	**0**	**5**

Tuesday **28/04/2009** **1800-2300**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
18-19	117	102	0	143	0.00	7.01	0	7	0	0	1
19-20	184	155	6	135	0.16	4.35	6	0	1	0	0
20-21	169	137	0	203	0.00	7.41	0	8	0	0	1
21-22	151	127	8	150	0.26	5.91	7	0	1	0	0
22-23	125	111	0	205	0.00	9.23	0	9	0	0	1
Total	**746**	**632**	**14**	**836**	**0.09**	**6.61**			**2**	**0**	**3**

Saturday **30/05/2009** **1000-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	80	41	0	137	0.00	16.71	0	8	0	0	1
11-12	145	64	30	101	1.03	7.89	21	0	1	0	0
12-13	127	74	29	70	2.24	0.31	15	0	1	0	0
13-14	161	96	72	6	2.50	3.75	19	0	1	0	0
14-15	112	64	56	48	0.92	3.59	12	0	1	0	0
15-16	152	85	28	61	0.00	15.56	12	0	1	0	0
16-17	96	54	0	168	0.63	3.97	0	11	0	0	1
17-18	183	97	23	77	1.13	5.81	14	0	1	0	0
Total	**1056**	**575**	**238**	**668**	**1.13**	**5.81**			**6**	**0**	**2**

Friday **24/04/2009** **1800-0000**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
18-19	210	148	0	186	0.00	6.28	0	12	0	0	1
19-20	282	194	0	245	0.00	6.31	0	14	0	0	1
20-21	220	134	0	290	0.00	10.82	0	20	0	0	1
21-22	218	146	0	219	0.00	7.50	0	11	0	0	1
22-23	187	122	10	207	0.27	8.48	10	0	1	0	0
23-00	257	174	46	122	0.89	3.51	18	0	1	0	0
Total	**1374**	**918**	**56**	**1269**	**0.20**	**6.91**			**2**	**0**	**4**

Sunday **10/05/2009** **1200-1600**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
12-13	72	50	17	149	1.18	14.90	11	0	1	0	0
13-14	86	61	38	99	2.21	8.11	11	0	1	0	0
14-15	109	70	0	105	0.00	7.50	0	3	0	0	1
15-16	115	79	11	82	0.48	5.19	8	0	1	0	0
Total	**382**	**260**	**66**	**435**	**0.86**	**8.37**			**3**	**0**	**1**

East Street

Tuesday 21/04/2009 1000-1800

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	13	11	0	86	0.00	39.09	0	6	0	0	1
11-12	23	21	0	71	0.00	16.90	0	0	0	1	0
12-13	30	23	0	53	0.00	11.52	0	0	0	1	0
13-14	34	26	0	118	0.00	22.69	0	5	0	0	1
14-15	39	32	0	71	0.00	11.09	0	3	0	0	1
15-16	49	35	0	91	0.00	13.00	0	3	0	0	1
16-17	78	52	0	56	0.00	5.38	0	2	0	1	0
17-18	42	34	0	109	0.00	16.03	0	6	0	0	1
Total	**308**	**234**	**0**	**655**	**0.00**	**14.00**			**0**	**3**	**5**

Wednesday 29/04/2009 2000-0400

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
20-21	75	50	0	108	0.00	10.80	0	3	0	0	1
21-22	97	63	0	118	0.00	9.37	0	7	0	0	1
22-23	169	111	0	143	0.00	6.44	0	7	0	0	1
23-00	106	62	0	170	0.00	13.71	0	13	0	0	1
00-01	48	28	0	137	0.00	24.46	0	10	0	0	1
01-02	22	16	0	112	0.00	35.00	0	9	0	0	1
02-03	9	12	0	80	0.00	33.33	0	6	0	0	1
03-04	4	9	0	63	0.00	35.00	0	4	0	0	1
Total	**530**	**351**	**0**	**931**	**0.00**	**13.26**			**0**	**0**	**8**

Saturday 30/05/2009 1000-1800

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	30	30	0	46	0.00	7.67	0	1	0	1	0
11-12	39	32	0	67	0.00	10.47	0	3	0	0	1
12-13	42	31	0	79	0.00	12.74	0	3	0	0	1
13-14	55	36	0	71	0.00	9.86	0	0	0	1	0
14-15	97	60	0	63	0.00	5.25	0	1	0	1	0
15-16	148	66	0	81	0.00	6.14	0	2	0	1	0
16-17	108	56	0	160	0.00	14.29	0	8	0	0	1
17-18	245	104	0	105	0.00	5.05	0	2	0	1	0
Total	**764**	**415**	**0**	**672**	**0.00**	**8.10**			**0**	**5**	**3**

Friday 15/05/2009 2000-0400

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
20-21	149	76	0	121	0.00	7.96	0	5	0	0	1
21-22	179	110	0	156	0.00	7.09	0	11	0	0	1
22-23	311	156	0	177	0.00	5.67	0	7	0	0	1
23-00	384	194	0	171	0.00	4.41	0	8	0	0	1
00-01	425	221	0	168	0.00	3.80	0	12	0	0	1
01-02	388	201	0	184	0.00	4.58	0	13	0	0	1
02-03	294	147	0	166	0.00	5.65	0	7	0	0	1
03-04	267	138	0	166	0.00	6.01	0	5	0	0	1
Total	**2397**	**1243**	**0**	**1309**	**0.00**	**5.27**			**0**	**0**	**8**

Saturday 16/05/2009 0000-0400

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
00-01	425	221	0	168	0.00	3.80	0	12	0	0	1
01-02	388	201	0	184	0.00	4.58	0	13	0	0	1
02-03	294	147	0	166	0.00	5.65	0	7	0	0	1
03-04	267	138	0	166	0.00	6.01	0	5	0	0	1
Total	**1374**	**707**	**0**	**684**	**0.00**	**4.84**			**0**	**0**	**4**

Sunday 26/10/2008 1400-1800

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
14-15	58	32	0	94	0.00	14.69	0	4	0	0	1
15-16	67	39	0	116	0.00	14.87	0	6	0	0	1
16-17	134	55	0	108	0.00	9.82	0	2	0	1	0
17-18	121	62	0	105	0.00	8.47	0	3	0	0	1
Total	**380**	**188**	**0**	**423**	**0.00**	**0.00**			**0**	**1**	**3**

St Peter's Place

Wednesday 22/04/2009 1000-1800

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	12	14	0	52	0.00	18.57	0	3	0	0	1
11-12	10	17	0	52	0.00	15.29	0	2	0	1	0
12-13	16	20	0	44	0.00	11.00	0	1	0	1	0
13-14	17	18	0	42	0.00	11.67	0	2	0	1	0
14-15	15	14	0	23	0.00	8.21	0	0	0	1	0
15-16	19	15	1	8	0.26	2.67	1	0	0	1	0
16-17	20	16	0	34	0.00	10.63	0	2	0	1	0
17-18	21	20	6	14	1.43	3.50	3	0	1	0	0
Total	**130**	**134**	**7**	**269**	**0.27**	**10.04**			**1**	**6**	**1**

Wednesday 06/05/2009 1900-0100

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
19-20	9	11	0	40	0.00	18.18	0	2	0	1	0
20-21	14	20	0	37	0.00	9.25	0	1	0	1	0
21-22	21	21	0	39	0.00	9.29	0	2	0	1	0
22-23	20	18	0	42	0.00	11.67	0	1	0	1	0
23-00	34	32	0	28	0.00	4.38	0	0	0	1	0
00-01	13	13	0	44	0.00	16.92	0	3	0	0	1
01-02	2	8	0	42	0.00	26.25	0	3	0	0	1
02-03	4	6	0	33	0.00	27.50	0	2	0	1	0
Total	**117**	**129**	**0**	**305**	**0.00**	**11.82**			**0**	**6**	**2**

Saturday 09/05/2009 1000-1800

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	14	10	0	23	0.00	11.50	0	0	0	1	0
11-12	15	11	4	11	1.33	5.00	3	0	0	0	0
12-13	8	8	0	20	0.00	12.50	0	0	0	1	0
13-14	8	6	0	26	0.00	21.67	0	2	0	1	0
14-15	9	8	0	25	0.00	15.63	0	1	0	1	0
15-16	8	10	0	21	0.00	10.50	0	1	0	1	0
16-17	11	13	0	22	0.00	8.46	0	1	0	1	0
17-18	15	16	0	27	0.00	8.44	0	2	0	1	0
Total	**88**	**82**	**4**	**175**	**0.23**	**10.67**			**0**	**7**	**0**

Saturday 25/04/2009 1900-0300

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
19-20	26	20	3	21	0.58	5.25	3	0	1	0	0
20-21	23	22	0	32	0.00	7.27	0	1	0	1	0
21-22	31	23	0	43	0.00	9.35	0	1	0	1	0
22-23	51	29	10	38	0.98	6.55	10	0	1	0	0
23-00	76	40	0	20	0.00	2.50	0	1	0	1	0
00-01	82	43	13	17	0.79	1.98	5	0	1	0	0
01-02	92	52	22	10	1.20	0.96	6	0	1	0	0
02-03	88	50	20	12	1.14	1.20	8	0	1	0	0
Total	**469**	**279**	**68**	**193**	**0.72**	**3.46**			**5**	**3**	**0**

Sunday 17/05/2009 1200-1600

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
12-13	9	6	0	9	0.00	7.50	0	0	0	1	0
13-14	3	2	2	14	3.33	35.00	1	0	0	1	0
14-15	19	13	2	10	0.53	3.85	2	0	0	1	0
15-16	16	10	0	10	0.00	5.00	0	0	0	1	0
Total	**47**	**31**	**4**	**43**	**0.43**	**6.94**			**0**	**4**	**0**

Queen's Square

Wednesday 22/04/2009 1000-1800

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	6	11	0	94	0.00	42.73	0	5	0	0	1
11-12	19	20	0	77	0.00	19.25	0	3	0	0	1
12-13	23	20	0	64	0.00	16.00	0	2	0	1	0
13-14	26	24	0	50	0.00	10.42	0	1	0	1	0
14-15	24	26	0	103	0.00	19.81	0	3	0	0	1
15-16	37	21	0	93	0.00	22.14	0	2	0	1	0
16-17	30	22	0	146	0.00	33.18	0	11	0	0	1
17-18	40	30	0	119	0.00	19.83	0	8	0	0	1
Total	**205**	**174**	**0**	**746**	**0.00**	**21.44**			**0**	**3**	**5**

Monday 27/04/2009 2100-0300

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
21-22	11	8	0	47	0.00	29.38	0	0	0	1	0
22-23	22	14	0	29	0.00	10.36	0	1	0	1	0
23-00	11	9	0	38	0.00	21.11	0	1	0	1	0
00-01	0	2	0	34	0.00	85.00	0	2	0	1	0
01-02	5	3	0	7	0.00	11.67	0	0	0	1	0
02-03	3	5	0	8	0.00	8.00	0	0	0	1	0
Total	**52**	**41**	**0**	**163**	**0.00**	**19.88**			**0**	**6**	**0**

Saturday 20/12/2008 1000-1800

Rank Throughput	Queue 'Snap-Shot' Totals	Service Quality	Queue Extremes	Market Conditions

Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	15	14	0	43	0.00	15.36	0	1	0	1	0
11-12	34	20	0	37	0.00	9.25	0	1	0	1	0
12-13	22	12	0	92	0.00	38.33	0	6	0	0	1
13-14	33	20	0	40	0.00	10.00	0	0	0	1	0
14-15	42	21	0	91	0.00	21.67	0	3	0	0	1
15-16	25	13	0	72	0.00	27.69	0	9	0	0	1
16-17	84	49	0	103	0.00	10.51	0	5	0	0	1
17-18	103	52	10	45	0.49	4.33	7	0	1	0	0
Total	**358**	**201**	**10**	**523**	**0.14**	**13.01**			**1**	**3**	**4**

SATURDAY **25/04/2009** **1900-0000**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
19-20	29	19	0	61	0.00	16.05	0	2	0	1	0
20-21	24	18	0	42	0.00	11.67	0	0	0	1	0
21-22	16	10	0	66	0.00	33.00	0	2	0	1	0
22-23	34	19	0	65	0.00	17.11	0	2	0	1	0
23-00	50	26	1	32	0.10	6.15	1	0	0	1	0
00-01	100	48	60	0	3.00	0.00	8	0	1	0	0
01-02	115	55	95	0	4.13	0.00	16	0	1	0	0
02-03	120	55	112	3	4.67	0.27	20	0	1	0	0
Total	**488**	**250**	**268**	**269**	**2.75**	**5.38**			**3**	**5**	**0**

Sunday **07/06/2009** **1400-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
14-15	29	18	0	77	0.00	21.39	0	1	0	1	0
15-16	58	27	0	107	0.00	19.81	0	7	0	0	1
16-17	67	38	5	57	0.37	7.50	2	0	0	1	0
17-18	47	35	24	31	2.55	4.43	8	0	1	0	0
Total	**201**	**118**	**29**	**272**	**0.72**	**11.53**			**1**	**2**	**1**

Norton Road

Tuesday **21/04/2009** **1000-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	**Passengers**	**Cabs**	**Passenger Queue**	**Cab Queue**	**Average Passenger Delay**	**Average Cab Delay**	**Maximum Passenger Queue**	**Minimum Cab Queue**	**Excess Demand**	**Equilibrium**	**Excess Supply**
10-11	4	18	0	63	0.00	17.50	0	3	0	0	1
11-12	9	19	0	57	0.00	15.00	0	3	0	0	1
12-13	3	19	0	49	0.00	12.89	0	2	0	1	0
13-14	4	8	0	62	0.00	38.75	0	1	0	1	0
14-15	2	18	0	65	0.00	18.06	0	2	0	1	0
15-16	15	23	0	40	0.00	8.70	0	1	0	1	0
Total	**37**	**105**	**0**	**336**	**0.00**	**16.00**			**0**	**4**	**2**

Thursday **30/04/2009** **1800-2200**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	**Passengers**	**Cabs**	**Passenger Queue**	**Cab Queue**	**Average Passenger Delay**	**Average Cab Delay**	**Maximum Passenger Queue**	**Minimum Cab Queue**	**Excess Demand**	**Equilibrium**	**Excess Supply**
18-19	10	25	0	34	0.00	6.80	0	1	0	1	0
19-20	18	20	0	37	0.00	9.25	0	1	0	1	0
20-21	6	16	0	70	0.00	21.88	0	4	0	0	1
21-22	8	11	0	57	0.00	25.91	0	3	0	0	1
Total	**42**	**72**	**0**	**198**	**0.00**	**13.75**			**0**	**2**	**2**

Friday **24/04/2009** **1600-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	**Passengers**	**Cabs**	**Passenger Queue**	**Cab Queue**	**Average Passenger Delay**	**Average Cab Delay**	**Maximum Passenger Queue**	**Minimum Cab Queue**	**Excess Demand**	**Equilibrium**	**Excess Supply**
16-17	26	38	0	31	0.00	4.08	0	1	0	1	0
17-18	8	17	0	33	0.00	9.71	0	1	0	1	0
Total	**34**	**55**	**0**	**64**	**0.00**	**5.82**			**0**	**2**	**0**

Saturday **30/05/2009** **1000-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	**Passengers**	**Cabs**	**Passenger Queue**	**Cab Queue**	**Average Passenger Delay**	**Average Cab Delay**	**Maximum Passenger Queue**	**Minimum Cab Queue**	**Excess Demand**	**Equilibrium**	**Excess Supply**
10-11	3	18	0	43	0.00	11.94	0	1	0	1	0
11-12	13	23	0	32	0.00	6.96	0	0	0	1	0
12-13	14	20	1	8	0.36	2.00	1	0	0	1	0
13-14	20	17	0	20	0.00	5.88	0	0	0	1	0
14-15	18	14	0	21	0.00	7.50	0	1	0	1	0
15-16	12	19	0	27	0.00	7.11	0	0	0	1	0
16-17	5	11	0	44	0.00	20.00	0	2	0	1	0
17-18	14	14	0	20	0.00	7.14	0	0	0	1	0
Total	**99**	**136**	**1**	**215**	**0.05**	**7.90**			**0**	**8**	**0**

Friday **24/04/2009** **1800-2200**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	**Passengers**	**Cabs**	**Passenger Queue**	**Cab Queue**	**Average Passenger Delay**	**Average Cab Delay**	**Maximum Passenger Queue**	**Minimum Cab Queue**	**Excess Demand**	**Equilibrium**	**Excess Supply**
18-19	9	30	0	43	0.00	7.17	0	1	0	1	0
19-20	26	34	0	32	0.00	4.71	0	2	0	1	0
20-21	36	33	0	45	0.00	6.82	0	1	0	1	0
21-22	46	28	0	60	0.00	10.71	0	1	0	1	0
Total	**117**	**125**	**0**	**180**	**0.00**	**7.20**			**0**	**4**	**0**

Sunday **10/05/2009** **1400-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	**Passengers**	**Cabs**	**Passenger Queue**	**Cab Queue**	**Average Passenger Delay**	**Average Cab Delay**	**Maximum Passenger Queue**	**Minimum Cab Queue**	**Excess Demand**	**Equilibrium**	**Excess Supply**
14-15	4	19	0	37	0.00	9.74	0	1	0	1	0
15-16	8	15	1	41	0.63	13.67	1	0	0	1	0
16-17	5	14	1	31	1.00	11.07	1	0	0	1	0
17-18	18	21	0	16	0.00	3.81	0	0	0	1	0
Total	**35**	**69**	**2**	**125**	**0.29**	**9.06**			**0**	**4**	**0**

Hove Railway

Tuesday **28/04/2009** **1500-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
15-16	8	14	0	49	0.00	17.50	0	3	0	0	1
16-17	19	22	0	33	0.00	7.50	0	0	0	1	0
17-18	25	23	0	27	0.00	5.87	0	2	0	1	0
Total	**52**	**59**	**0**	**109**	**0.00**	**9.24**			**0**	**2**	**1**

Monday **27/04/2009** **0700-1500**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
07-08	3	12	0	19	0.00	7.92	0	1	0	1	0
08-09	10	13	3	9	1.50	3.46	3	0	1	0	0
09-10	33	28	1	12	0.15	2.14	1	0	0	1	0
10-11	26	20	0	24	0.00	6.00	0	1	0	1	0
11-12	20	20	0	37	0.00	9.25	0	2	0	1	0
12-13	14	13	0	46	0.00	17.69	0	2	0	1	0
13-14	18	16	0	44	0.00	13.75	0	3	0	0	1
14-15	16	15	0	34	0.00	11.33	0	2	0	1	0
Total	**140**	**137**	**4**	**225**	**0.14**	**8.21**			**1**	**6**	**1**

Tuesday **28/04/2009** **1800-2300**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
18-19	24	16	0	16	0.00	5.00	0	0	0	1	0
19-20	27	21	0	19	0.00	4.52	0	0	0	1	0
20-21	28	21	0	25	0.00	5.95	0	1	0	1	0
21-22	33	21	4	32	0.61	7.62	4	0	1	0	0
22-23	21	14	0	25	0.00	8.93	0	0	0	1	0
Total	**133**	**93**	**4**	**117**	**0.15**	**6.29**			**1**	**4**	**0**

Saturday **16/05/2009** **1000-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	0	9	0	21	0.00	11.67	0	1	0	1	0
11-12	13	15	0	14	0.00	4.67	0	0	0	1	0
12-13	12	8	0	12	0.00	7.50	0	0	0	1	0
13-14	8	12	0	16	0.00	6.67	0	0	0	1	0
14-15	11	14	0	9	0.00	3.21	0	0	0	1	0
15-16	22	10	4	10	0.91	5.00	2	0	0	1	0
16-17	22	16	0	33	0.00	10.31	0	0	0	1	0
17-18	9	18	0	36	0.00	10.00	0	1	0	1	0
Total	**97**	**102**	**4**	**151**	**0.21**	**7.40**			**0**	**8**	**0**

Friday **24/04/2009** **1800-0000**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
18-19	46	37	0	80	0.00	10.81	0	1	0	1	0
19-20	32	43	0	40	0.00	4.65	0	0	0	1	0
20-21	40	41	2	29	0.25	3.54	2	0	0	1	0
21-22	28	32	0	61	0.00	9.53	0	3	0	0	1
22-23	19	33	0	83	0.00	12.58	0	1	0	1	0
Total	**165**	**186**	**2**	**293**	**0.06**	**7.88**			**0**	**4**	**1**

Sunday **10/05/2009** **1400-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
14-15	10	10	0	25	0.00	12.50	0	1	0	1	0
15-16	8	10	0	25	0.00	12.50	0	1	0	1	0
16-17	8	8	0	21	0.00	13.13	0	1	0	1	0
17-18	10	10	0	25	0.00	12.50	0	1	0	1	0
Total	**36**	**38**	**0**	**96**	**0.00**	**12.63**			**0**	**4**	**0**

Brunswick Place

Tuesday **05/05/2009** **1000-1600**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	8	13	0	16	0.00	6.15	0	1	0	1	0
11-12	4	15	0	27	0.00	9.00	0	0	0	1	0
12-13	6	13	0	27	0.00	10.38	0	0	0	1	0
13-14	5	13	1	27	1.00	10.38	1	0	0	1	0
14-15	1	7	0	17	0.00	12.14	0	1	0	1	0
15-16	1	5	0	8	0.00	8.00	0	0	0	1	0
Total	**25**	**66**	**1**	**122**	**0.20**	**9.24**			**0**	**6**	**0**

Wednesday **29/04/2009** **1900-0100**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
19-20	15	14	0	10	0.00	3.57	0	0	0	1	0
20-21	17	12	0	21	0.00	8.75	0	1	0	1	0
21-22	16	10	0	21	0.00	10.50	0	1	0	1	0
22-23	20	16	0	8	0.00	2.50	0	0	0	1	0
23-00	23	15	3	14	0.65	4.67	3	0	1	0	0
00-01	15	12	2	10	0.67	4.17	2	0	0	1	0
Total	**106**	**79**	**5**	**84**	**0.24**	**5.32**			**1**	**5**	**0**

Saturday **09/05/2009** **1200-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
12-13	8	18	0	23	0.00	6.39	0	0	0	1	0
13-14	10	12	0	10	0.00	4.17	0	0	0	1	0
14-15	7	11	1	2	0.71	0.91	1	0	0	1	0
15-16	15	13	3	22	1.00	8.46	2	0	0	1	0
16-17	7	12	0	16	0.00	6.67	0	0	0	1	0
17-18	7	9	0	4	0.00	2.22	0	0	0	1	0
Total	**54**	**75**	**4**	**77**	**0.37**	**5.13**			**0**	**6**	**0**

Saturday **25/04/2009** **1900-0100**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
19-20	10	10	0	54	0.00	27.00	0	4	0	0	1
20-21	13	13	0	55	0.00	21.15	0	4	0	0	1
21-22	12	12	0	57	0.00	23.75	0	4	0	0	1
22-23	13	16	0	51	0.00	15.94	0	4	0	0	1
23-00	9	9	0	52	0.00	28.89	0	4	0	0	1
00-01	7	7	0	41	0.00	29.29	0	3	0	0	1
Total	**64**	**67**	**0**	**310**	**0.00**	**23.13**			**0**	**0**	**6**

Sunday **26/04/2009** **1400-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
14-15	14	12	3	10	1.07	4.17	3	0	1	0	0
15-16	14	16	1	12	0.36	3.75	1	0	0	1	0
16-17	10	13	0	21	0.00	8.08	0	0	0	1	0
17-18	15	12	0	14	0.00	5.83	0	0	0	1	0
Total	**53**	**53**	**4**	**57**	**5.38**	**5.38**			**1**	**3**	**0**

Church Road

Friday **01/05/2009** **1800-2300**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
18-19	11	13	0	17	0.00	6.54	0	0	0	1	0
19-20	13	11	0	17	0.00	7.73	0	1	0	1	0
20-21	20	17	0	19	0.00	5.59	0	1	0	1	0
21-22	13	11	0	20	0.00	9.09	0	1	0	1	0
22-23	11	12	0	16	0.00	6.67	0	1	0	1	0
Total	**68**	**64**	**0**	**89**	**0.00**	**6.95**			**0**	**5**	**0**

Tuesday **05/05/2009** **1000-1600**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	3	6	0	22	0.00	18.33	0	1	0	1	0
11-12	2	6	0	19	0.00	15.83	0	0	0	1	0
12-13	2	7	1	13	2.50	9.29	1	0	0	1	0
13-14	2	2	0	4	0.00	10.00	0	0	0	1	0
14-15	0	5	0	10	0.00	10.00	0	0	0	1	0
15-16	2	5	0	10	0.00	10.00	0	0	0	1	0
Total	**11**	**31**	**1**	**78**	**0.45**	**12.58**			**0**	**6**	**0**

Wednesday **06/05/2009** **1800-2300**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
18-19	2	6	0	7	0.00	5.83	0	0	0	1	0
19-20	5	7	1	5	1.00	3.57	1	0	0	1	0
20-21	2	4	2	5	5.00	6.25	2	0	0	1	0
21-22	2	2	0	8	0.00	20.00	0	0	0	1	0
22-23	6	6	0	6	0.00	5.00	0	0	0	1	0
Total	**17**	**25**	**3**	**31**	**0.88**	**6.20**			**0**	**5**	**0**

Saturday **25/04/2009** **1200-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
12-13	4	7	0	1	0.00	0.71	0	0	0	1	0
13-14	5	6	0	16	0.00	13.33	0	0	0	1	0
14-15	1	6	0	7	0.00	5.83	0	0	0	1	0
15-16	5	8	2	12	2.00	7.50	2	0	0	1	0
16-17	0	4	0	4	0.00	5.00	0	0	0	1	0
17-18	0	3	0	7	0.00	11.67	0	0	0	1	0
Total	**15**	**34**	**2**	**47**	**0.67**	**6.91**			**0**	**6**	**0**

Sunday **17/05/2009** **1200-1600**

Rank Throughput	Queue 'Snap-Shot' Totals	Service Quality	Queue Extremes	Market Conditions

Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
12-13	1	1	0	2	0.00	10.00	0	0	0	1	0
13-14	5	5	0	1	0.00	1.00	0	0	0	1	0
14-15	1	5	0	12	0.00	12.00	0	0	0	1	0
15-16	0	5	0	6	0.00	6.00	0	0	0	1	0
Total	**7**	**16**	**0**	**21**	**0.00**	**6.56**			**0**	**4**	**0**

West Street

Thursday **18/12/2008** **2300-0300**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
23-00	24	20	0	105	0.00	26.25	0	5	0	0	1
00-01	52	39	0	126	0.00	16.15	0	8	0	0	1
01-02	89	53	0	152	0.00	14.34	0	9	0	0	1
02-03	85	51	0	177	0.00	17.35	0	10	0	0	1
03-04	42	26	0	97	0.00	18.65	0	7	0	0	1
Total	**292**	**189**	**0**	**657**	**0.00**	**17.38**			**0**	**0**	**5**

Saturday **16/05/2009** **2300-0400**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
23-00	147	65	84	15	2.86	1.15	31	0	1	0	0
00-01	201	97	72	27	1.79	1.39	17	0	1	0	0
01-02	307	131	403	5	6.56	0.19	55	0	1	0	0
02-03	316	134	585	0	9.26	0.00	73	0	1	0	0
03-04	286	120	211	46	3.69	1.92	76	0	1	0	0
Total	**1257**	**547**	**1355**	**93**	**5.39**	**0.85**			**5**	**0**	**0**

Goldstone Villas

Monday **27/04/2009** **1000-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	4	15	0	41	0.00	13.67	0	2	0	1	0
11-12	8	18	0	28	0.00	7.78	0	0	0	1	0
12-13	5	13	0	28	0.00	10.77	0	1	0	1	0
13-14	4	9	0	36	0.00	20.00	0	1	0	1	0
14-15	16	22	0	26	0.00	5.91	0	1	0	1	0
15-16	2	11	0	17	0.00	7.73	0	0	0	1	0
16-17	0	6	0	8	0.00	6.67	0	0	0	1	0
17-18	1	4	0	1	0.00	1.25	0	0	0	1	0
Total	**40**	**98**	**0**	**185**	**0.00**	**9.44**			**0**	**8**	**0**

Saturday **25/04/2009** **1000-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	6	12	0	17	0.00	7.08	0	0	0	1	0
11-12	10	13	1	23	0.50	8.85	0	0	0	1	0
12-13	12	17	2	15	0.83	4.41	2	0	0	1	0
13-14	10	16	0	26	0.00	8.13	0	2	0	1	0
14-15	11	13	0	25	0.00	9.62	0	1	0	1	0
15-16	9	12	0	20	0.00	8.33	0	1	0	1	0
16-17	8	10	0	18	0.00	9.00	0	1	0	1	0
17-18	13	13	0	15	0.00	5.77	0	0	0	1	0
Total	**79**	**106**	**3**	**159**	**0.19**	**7.50**			**0**	**8**	**0**

Sunday **17/05/2009** **1400-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
14-15	8	14	0	14	0.00	5.00	0	0	0	1	0
15-16	1	6	0	11	0.00	9.17	0	0	0	1	0
16-17	0	2	0	2	0.00	5.00	0	0	0	1	0
17-18	0	5	0	3	0.00	3.00	0	0	0	1	0
Total	**9**	**27**	**0**	**30**	**0.00**	**5.56**			**0**	**4**	**0**

Paston Place

Tuesday **28/04/2009** **1000-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	20	23	0	83	0.00	18.04	0	5	0	0	1
11-12	11	21	0	81	0.00	19.29	0	5	0	0	1
12-13	9	21	0	74	0.00	17.62	0	5	0	0	1
13-14	14	19	0	73	0.00	19.21	0	5	0	0	1
14-15	12	16	0	72	0.00	22.50	0	5	0	0	1
15-16	16	22	0	49	0.00	11.14	0	1	0	1	0
Total	**82**	**122**	**0**	**432**	**0.00**	**17.70**			**0**	**1**	**5**

Thursday **30/04/2009** **1600-1800**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
16-17	36	34	0	34	0.00	5.00	0	0	0	1	0
17-18	18	22	0	30	0.00	6.82	0	1	0	1	0
Total	**54**	**56**	**0**	**64**	**0.00**	**5.71**			**0**	**2**	**0**

Thursday **30/04/2009** **1800-2000**

Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		

Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
18-19	11	23	0	55	0.00	11.96	0	4	0	0	1
19-20	5	18	0	51	0.00	14.17	0	3	0	0	1
20-21	10	15	0	50	0.00	16.67	0	3	0	0	1
Total	**26**	**56**	**0**	**156**	**0.00**	**13.93**			**0**	**0**	**3**

Saturday 16/05/2009 1300-1800

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
13-14	2	6	0	7	0.00	5.83	0	0	0	1	0
14-15	1	16	0	43	0.00	13.44	0	2	0	1	0
15-16	9	10	1	22	0.56	11.00	1	0	0	1	0
16-17	3	12	0	21	0.00	8.75	0	0	0	1	0
17-18	5	12	2	18	2.00	7.50	2	0	0	1	0
Total	**20**	**56**	**3**	**111**	**0.75**	**9.91**			**0**	**5**	**0**

Saturday 16/05/2009 1800-2100

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
18-19	6	18	0	0	0.00	0.00	0	0	0	1	0
19-20	14	18	1	23	0.36	6.39	1	0	0	1	0
20-21	4	23	0	36	0.00	7.83	0	0	0	1	0
Total	**24**	**59**	**1**	**59**	**0.21**	**5.00**			**0**	**3**	**0**

Sunday 26/04/2009 1400-1800

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
14-15	0	10	0	10	0.00	5.00	0	0	0	1	0
15-16	2	8	0	16	0.00	10.00	0	0	0	1	0
16-17	3	10	1	23	1.67	11.50	1	0	0	1	0
17-18	0	9	0	12	0.00	6.67	0	0	0	1	0
Total	**5**	**37**	**1**	**61**	**1.00**	**8.24**			**0**	**4**	**0**

Elm Grove

Wednesday 06/05/2009 1000-1800

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
10-11	2	5	0	23	0.00	23.00	0	1	0	1	0
11-12	1	5	1	15	5.00	15.00	0	0	0	1	0
12-13	1	3	0	16	0.00	26.67	0	0	0	1	0
13-14	1	4	0	5	0.00	6.25	0	0	0	1	0
14-15	0	4	1	6	0.00	7.50	0	0	0	1	0
15-16	0	2	0	3	0.00	7.50	0	0	0	1	0
16-17	0	1	6	0	0.00	0.00	2	0	0	1	0
17-18	2	2	4	8	10.00	20.00	2	0	0	1	0
Total	**7**	**26**	**12**	**76**	**8.57**	**14.62**			**0**	**8**	**0**

Thursday 30/04/2009 1800-2100

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
18-19	0	2	0	4	0.00	10.00	0	0	0	1	0
19-20	0	1	0	7	0.00	35.00	0	0	0	1	0
20-21	0	4	0	4	0.00	5.00	0	0	0	1	0
Total	**0**	**7**	**0**	**15**	**0.00**	**10.71**			**0**	**3**	**0**

Saturday 06/06/2009 1300-1800

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
13-14	0	0	0	0	0.00	0.00	0	0	0	1	0
14-15	0	0	0	0	0.00	0.00	0	0	0	1	0
15-16	0	0	0	4	0.00	0.00	0	0	0	1	0
16-17	0	0	0	0	0.00	0.00	0	0	0	1	0
17-18	0	1	0	3	0.00	15.00	0	0	0	1	0
Total	**0**	**1**	**0**	**7**	**0.00**	**35.00**			**0**	**5**	**0**

Saturday 06/06/2009 1800-2100

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
18-19	0	0	0	0	0.00	0.00	0	0	0	1	0
19-20	0	2	0	2	0.00	5.00	0	0	0	1	0
20-21	0	2	0	7	0.00	17.50	0	0	0	1	0
Total	**0**	**4**	**0**	**9**	**0.00**	**11.25**			**0**	**3**	**0**

Sunday 26/04/2009 1400-1800

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
14-15	0	0	0	0	0.00	0.00	0	0	0	1	0
15-16	0	5	0	6	0.00	6.00	0	0	0	1	0
16-17	0	2	0	2	0.00	5.00	0	0	0	1	0
17-18	0	0	0	2	0.00	0.00	0	0	0	1	0
Total	**0**	**7**	**0**	**10**	**0.00**	**7.14**			**0**	**4**	**0**

Thursday **23/04/2009** **2200-0400**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
22-23	4	9	0	14	0.00	7.78	0	0	0	1	0
23-00	25	15	3	11	0.60	3.67	3	0	1	0	0
00-01	37	27	0	54	0.00	10.00	0	1	0	1	0
01-02	56	31	0	106	0.00	17.10	0	7	0	0	1
02-03	190	84	0	102	0.00	6.07	0	5	0	0	1
03-04	147	74	0	150	0.00	10.14	0	6	0	0	1
Total	**459**	**240**	**3**	**437**	**0.03**	**9.10**			**1**	**2**	**3**

Friday **29/05/2009** **2100-0300**

	Rank Throughput		Queue 'Snap-Shot' Totals		Service Quality		Queue Extremes		Market Conditions		
Hour	Passengers	Cabs	Passenger Queue	Cab Queue	Average Passenger Delay	Average Cab Delay	Maximum Passenger Queue	Minimum Cab Queue	Excess Demand	Equilibrium	Excess Supply
22-23	21	13	0	5	0.00	1.92	0	0	0	1	0
23-00	34	16	0	11	0.00	3.44	0	0	0	1	0
00-01	66	33	4	14	0.30	2.12	2	0	0	1	0
01-02	122	63	0	55	0.00	4.37	0	3	0	0	1
02-03	145	66	25	11	0.86	0.83	10	0	1	0	0
03-04	285	113	22	72	0.39	3.19	22	0	1	0	0
Total	**673**	**304**	**51**	**168**	**0.38**	**2.76**			**2**	**3**	**1**

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Technical note

Project	Brighton and Hove Hackney Carriage Unmet Demand Study	**Date**	3rd August 2009
Note	Public Attitude Survey Results	**Ref**	CTLCWH000
Author	Laura Hoang		

1 Introduction

1.1 The purpose of this Technical Note is to present the results of a public attitude survey undertaken by Halcrow on behalf of Brighton and Hove City Council.

1.2 A public attitude interview survey was designed with the aim of collecting information regarding opinions on the taxi market in Brighton and Hove. In particular, the survey allowed an assessment of flagdown, telephone and rank delays, the satisfaction with delays, and general use information.

1.3 It should be noted that in the tables that follow the totals do not always add up to the same amount. This is due to one of two reasons. First, not all respondents were required to answer all questions; and second, some respondents failed to answer some questions that were asked.

2 Survey Administration and Sample Selection

2.1 Some 493 interviews were carried out in June and July 2009. The age and gender samples are given in Table 1 below. The sample of 493 interviews provides a robust basis for assessment.

2.2 The age and gender samples are shown in Table 1 along with the actual turn-out figures.

Table 1 - Target and Actual Samples for Interview Surveys by Age and Gender

Category	Target Quota		Actual Quota	
	Frequency	Percent	Frequency	Percent
16–34	189	37.8	198	40.2
35-64	214	42.8	205	41.6
65+	97	19.4	90	18.3
Total	**500**	**100.0**	**493**	**100.0**
Male	240	48.0	233	47.3
Female	260	52.0	260	52.7
Total	**500**	**100.0**	**493**	**100.0**

2.3 As can be seen in Table 1, the survey provides a slight under representation of 16-34 year olds and 65+ year olds and a slight overrepresentation of 35-64 year olds.

2.4 The respondents were asked to give their economic status. The results are displayed in Table 2 below.

Table 2 - Economic Status

	Frequency	Percent
Full-time Employed	177	36.0
Part-time Employed	63	12.8
Unemployed	31	6.3
Student/Pupil	89	18.1
Retired	86	17.5
Housewife/Husband	18	3.7
Other	28	5.7
Total	**492**	**100.0**

2.5 Respondents were asked to specify their residency. The results are shown in Table 3.

Table 3 - Residency

	Frequency	Percent
Permanent Resident	308	63.1
Visitor	80	16.4
Tourist	27	5.5
University Student	73	15.0
Total	**488**	**100.0**

3 Characteristics of Last Trip by Taxi

3.1 Respondents were each asked if they had made a journey by taxi in Brighton and Hove within the last three months. The survey found that 62.9% had used a taxi within this period. The results are displayed in Table 4.

Table 4 - Have you made a trip by taxi in the past three months?

Trip Type	Frequency	Percent
Yes	310	62.9
No	183	37.1
Total	**493**	**100.0**

3.2 Respondents who had hired a taxi in the last three months were asked further questions about their experience. Some 37.7% of tripmakers stated that they hired their taxi at a rank. The majority hirings were achieved by telephone (41.0%) with 21.3% of tripmakers obtaining a taxi by on-street flagdowns. Table 5 reveals the pattern of taxi hire.

Table 5 - Method of Taxi Hire for Last Trip

Trip Type	Frequency	Percent
Rank	117	37.7
Flagdown	66	21.3
Telephone	127	41.0
Total	**310**	**100.0**

3.3 Respondents were asked what type of vehicle they hired. The most common type of vehicle used was a purpose built cab (54.9%) with 44.1% hiring a saloon car.

Table 6 - Vehicle type for last trip

Vehicle Type	Frequency	Percent
Purpose built cab	167	54.9
Saloon car	134	44.1
Other	3	1.0
Total	**304**	**100.0**

3.4 Respondents were asked if they were satisfied with the time taken and the promptness of the taxis arrival however they obtained it. The majority of people were satisfied with there last taxi journey (92.2%). Table 7 shows the majority of people were satisfied with the service in Brighton and Hove. The average waiting time is 6 minutes, with some waiting as long as 45 minutes for a taxi.

Table 7 - Satisfaction with delay on last trip

	Frequency	Percent
Yes	284	92.2
No	24	7.8
Total	**308**	**100.0**

Attempted Method of Hire

3.5 To provide evidence of suppressed demand in the event of a finding of significant patent unmet demand, respondents were asked to identify whether or not they had given up waiting for a taxi at a rank, on the street, or by telephone in Brighton and Hove in the last three months. The results are summarised in Table 9.

Table 9 - Given up attempting to hire a taxi by method of hire in the last three months

	Yes		No	
	Frequency	Percent	Frequency	Percent
Given up at a rank	31	6.3	459	93.7
Given up flagdown	52	10.7	436	89.3
Given up telephone	41	8.4	449	91.6
Given up rank / flagdown	65	13.3	425	86.7

3.6 Some 6.3% had given up waiting for a taxi at a rank, with 10.7% having given up via flagdown and 8.4% via telephone. Some 13.3% had given up waiting for a taxi at a rank or by flagdown in the last three months. This is the significant patent unmet demand figure used to calculate whether there is significant unmet demand in Brighton & Hove.

3.7 Respondents were asked which area of Brighton and Hove they were in the last time they gave up waiting for a taxi. The most common areas were;

- Brighton Centre
- Lewes Road
- London Road

3.8 Respondents were asked what type of vehicle they required the last time they gave up waiting. Some 84.3% of those who answered stated that it did not matter; any vehicle would have been accessible, whilst 7.1% stated that they required a vehicle that could fit more than 4 passengers, and 5.7% stated that they required a wheelchair accessible vehicle.

4 *Service Improvements*

4.1 Respondents were asked if they thought the taxi services in the Brighton and Hove area could be improved. The responses indicate that the majority of respondents (54.5%) thought that taxi services in Brighton and Hove could be improved. The results are shown in Table 10.

Table 10 - Could taxi services be improved

	Frequency	Percent
Yes	266	54.5
No	222	45.5
Total	**488**	**100.0**

4.2 Those who considered that taxi services needed improvement were asked how they could be improved. Table 11 documents that 67.7% of respondents stated that taxis in Brighton and Hove could be improved if they were made cheaper. Some 16.9% of respondents would like to see more ranks and 17.3% would like to see more vehicles. For those that stated other, the most common way taxi services in Brighton and Hove could be improved is to provide more vehicles that can fit more than 4 passengers.

Table 11 - How could taxi services be improved (multiple responses)

	Frequency	Percent
More of them	46	17.3
More Ranks	45	16.9
Shared Taxis	29	10.9
Better Vehicles	13	4.9
Better Drivers	43	16.2
Cheaper	180	67.7
More Disabled Access Vehicles	22	8.3
Other	23	8.6

5 Safety & Security

5.1 Respondents were asked whether they felt safe when using taxis in Brighton and Hove. The majority of respondents felt safe using taxis during the day (97.6%), however some 14.5% stated that they felt unsafe using taxis at night in Brighton and Hove.

Table 12 - Perception of safety when using taxis in Brighton and Hove

	During the Day		At Night	
	Frequency	Percent	Frequency	Percent
Yes	478	97.6	418	85.5
No	12	2.4	71	14.5
Total	**490**	**100.0**	**489**	**100.0**

5.2 Respondents who did not feel safe during the day or at night were asked what needed to be done to improve safety and security when using taxis in Brighton and Hove. Some 62.5% of respondents stated that they would feel safer with women drivers whilst 27.8% of responses stated that CCTV in taxis would improve safety when using taxis in Brighton and Hove. The results are shown in table 13.

Table 13 - Improvements to safety and security when using taxis in Brighton and Hove (multiple responses)

	Frequency	Percent
CCTV in taxis	20	27.8
CCTV on ranks	8	11.1
More Taxi Marshalls at ranks	6	8.3
More Taxis	1	1.4
Women Drivers	45	62.5
More signage on licensed drivers	8	11.1
Other	2	2.8

6 Taxi Marshals

6.1 Respondents were asked whether they would be willing for a small surcharge to be added to their fares in order to fund taxi marshals. Some 68.4% of respondents said that they would not be willing to pay a surcharge to fund marshals; only 16.9% of respondents replied that they wouldn't mind and the remaining 14.7% stated that they do not know. The results are detailed in Table 14.

Table 14 – Pay a surcharge to fund marshals

	Frequency	Percent
Yes	82	16.9
No	331	68.4
Don't know	71	14.7
Total	**484**	**100.0**

7 ***Public Awareness***

7.1 Respondents were asked whether they were aware that Brighton and Hove Council limit the number of Hackney Carriages at 523. Only 11.4% of those who answered were aware of this limit.

Table 15 – Where you aware of the limit?

	Frequency	Percent
Yes	56	11.4
No	437	88.6
Total	**493**	**100.0**

8 ***Pedicabs***

8.1 The public were asked whether they would use rickshaws (pedicabs) if they were introduced in Brighton and Hove. The results are detailed in Table 16. Some 44.1% of respondents stated that they would use pedicabs.

Table 16 – Would you use pedicabs?

	Frequency	Percent
Yes	216	44.1
No	169	34.5
Don't know	105	21.4
Total	**490**	**100.0**

8.2 Those who stated they would use pedicabs were asked how often they think they would use them. The results are detailed in Table 16. Some 28.2% of respondents stated that they would use pedicabs twice a year.

Table 16 – How often would you use pedicabs?

	Frequency	Percent
Once a year	45	21.1
Twice a year	60	28.2
Three times a year	22	10.3
Up to five time a year	25	11.7
Up to ten times a year	23	10.8
More often	38	17.8
Total	**213**	**100.0**

8.3 Those who stated that they would not use pedicabs were asked why. The most common answers were that they were too slow, too expensive and too dangerous. Others said that they do not use taxis often anyway, or that they just would not want to use pedicabs.

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Technical note

Project	Brighton and Hove Hackney Carriage Unmet Demand Study	**Date**	3rd August 2009
Note	Consultation Technical Note	**Ref**	CTLCWH000
Author	Nikki Callaghan		

1.1 **Introduction**

Guidelines issued by the Department for Transport state that consultation should be undertaken with the following;

- all those working in the market;
- consumer and passenger (including disabled) groups;
- groups which represent those passengers with special needs;
- the Police;
- local interest groups such as hospitals or visitor attractions; and
- a wide range of transport stakeholders such as rail/bus/coach operators and transport managers.

1.2 **Direct Consultation**

A series of focus groups were held in July 2009 with a range of stakeholders to glean their views regarding the taxi and private hire service across Brighton & Hove. Separate meetings were organised with the following:

- Hackney Carriage trade representatives;
- Private hire trade representatives;
- Taxi operators;
- Disability representatives and Social Services; and
- Police and Community Safety Partnership.

The comments received are detailed below.

Hackney Carriage Trade

The hackney carriage representatives felt that Brighton and Hove is well supplied with taxis, even at night and the current limit seems to be working well. The Hackney Carriage trade feel that there are queues of hackneys late at night and there are no passenger queues. They feel that the Licensing Act has flattened the peak.

It is felt that there are enough wheelchair accessible vehicles in Brighton & Hove however availability can be limited at school contract time as this restricts the number of wheelchair accessible vehicles for general hire.

According to the Hackney trade, vehicles tend to concentrate on central ranks. The Hackney Carriage trade stated that they are not consulted when ranks are taken away. It is accepted that there are some locations where ranks are not being used but some are being removed for other reasons and not being replaced. Ranks on New Road, North Street and St James Street have been taken away and not replaced and the rank by the Old Ship Hotel and the rank on the seafront are also under threat of being removed. The rank on New Road and the rank by the Old Ship Hotel were cited as being particularly busy and the hackney trade are strongly against the removal of the rank on the seafront.

The trade stated that there was a need for new ranks by the Thistle Hotel and the Queen's Hotel, and another rank near the rail station, because there is no rank between the Station and Queen's Square. It is felt that lengthening ranks would not be feasible, as it would cause accidents due to the road layout. There are some locations where ranks are not regularly used because of their location, for example the back of the station is not used often because passengers tend to come from the South.

It was also noted that one of the taxi firms has just signed a new contract with the station, paying £410 to use the station rank.

At night drivers generally avoid West Street as there is often trouble with passengers under the influence of alcohol queue jumping, spilling food and drink in taxis, anti-social behaviour and fare-dodging. Crimes on taxi drivers often go unreported due to the time taken to report incidents meaning the loss of fares.

The Hackney trade feel that having marshals on ranks is a good idea. There was a pilot funded by the Sudanese Taxi Forum and the police. This found that passengers do listen to the marshals. Ranks that have been cited as needing marshals on a Friday and Saturday night are West Street, East Street, Queen's Square, and at the Station and Old Ship Hotel. It is felt that marshals are needed for driver safety as marshals would help prevent driver abuse and queue jumping and driver 'cherry picking' would stop. It was suggested that Community Support Officers could be used as marshals.

It is felt that the image of Hackneys has improved over the years as the standards have improved. However, it is felt that the age limits on both Hackney Carriages and Private Hire vehicles should be reviewed. It was suggested that the age limit should be changed to seven years for Hackney Carriages and 10 years for Private Hire vehicles and wheelchair accessible Hackney vehicles. It is felt that there should also be exceptions for purpose built cabs.

With regards to training, the representative felt that retrospective training is unnecessary because experience is more important; however it should be a requirement for new drivers. They felt that first aid training should be offered, and a customer services course which was funded in the past for drivers should be reinstated.

The level of Hackney Carriage fares are regarded as about right. The trade approach the council annually to set the process for an increase in fares. It was highlighted that the normal three tariffs can confuse passengers and it could work better if there were only two tariffs. The Hackney representative stated that the premium is currently around £35,000 depending on the vehicle.

Private Hire Trade

In contrast to the views of the Hackney trade representatives the private hire representatives felt that the limit on plates should be removed. Instead, the private hire trade feel that there should be quality restrictions rather than quantity restrictions. The representatives do feel that the waiting list criteria in Brighton & Hove are acceptable.

The representatives stated that the trade wanted to add a taxi marshal cost to fares, but the councillors rejected the idea. They cited ranks on West Street, East Street and Ship Street as being ones that would require marshals, and especially during Friday and Saturday nights, from 10pm to 5am the next morning. Perhaps there could be 2 marshals on each of the cited ranks, using a licensed security firm. Adding a surcharge onto customers' fares should help fund the marshals and it would only cost 1-2p per mile they travel.

It is felt that there are not enough Hackney Carriages; however demand is currently being met due to the recent economic climate. The daytime trade has not suffered, but the night time trade has and vehicles now double shift regularly. However, it is also felt that the taxi trade in Brighton and Hove will not suffer from the recession as much as elsewhere due to tourism during the summer months and the large student population.

It is felt that there are not enough wheelchair accessible vehicles. The availability problems are made worse as some drivers have been known to refuse to take wheelchair passengers, especially at the station.

The private hire trade felt that vehicle standards are acceptable however it would be good to improve them, by having two tests per year. They feel that the type of vehicle that is allowed is acceptable.

The representatives felt that there is a big problem with driver quality and standards have dropped since the last study in 2006. It was also felt that overcharging fares has increased in both Hackney Carriage and Private Hire drivers, while customer service and the knowledge of the area has worsened. It was felt that a BTEC should be aimed at new drivers only. It was felt that the knowledge test should be harder for new drivers as they can rely too much on their Satellite Navigation system. It was felt that if there is a complaint made against a driver, they should be subjected to additional tests.

The private hire trade feel that customers do not know the procedure if they want to complain about the service as they will generally ring the operator and not the council. There should be more information available on the complaint procedure. It was highlighted that if complaints are made, the council do investigate.

The private hire trade feel that ranks that are regularly used need to be longer, in contrast to the feelings of the Hackney trade. They feel that the Licensing Team at the council are good, but the Highways Team often take away ranks or replace ranks without consultation with the trade. They feel there should be a joint rank review with the Licensing team and the Highways team. The private hire trade feel that a rank at the Marina could be beneficial, however the land owner would object to it.

The representatives stated that the trade would not take up any taxibus options as the bus services in Brighton and Hove are good.

Taxi Operators

Taxi operators do not want the limit on plates to be removed. It was stated the five plates that were issued this year had been taken up and they all joined operators. They feel that the managed growth policy should be paused during the recession. They also feel there is a lack of rank space so no plates should be issued until this is resolved.

The operators feel that there are more than enough vehicles at the moment, as all areas and all times of the day are covered. There are traffic management problems meaning cabs find it difficult to gain access to some ranks at certain times of day rather than there being insufficient vehicles. Reasons for this are said to include; congestion at certain times of day, major road works and bus stops and drop offs blocking access to the station.

The taxi operators would like to see a rank on Terminus Road if the road was made one-way as buses frequently use the road. Taxi operators and the rail station are in favour of a £3 charge for access to the back of the station however, the Highways team have not responded to the proposal as of yet.

The last study stated that there was no unmet demand in Brighton and Hove, yet the council issued more plates. The last report was used to justify extra wheelchair accessible licences although there was no unmet demand. Operators use both private hire vehicles and Hackney Carriages and most of the time customers do not care which type of vehicle they receive, but if an accessible vehicle is requested the operator can send either an accessible hackney carriage or private hire vehicle depending on what is available. The operators stated that drivers from a particular taxi firm get credited an extra £5 if they have to go out of an area that they are in to cover a wheelchair fare.

Operators feel that there are enough wheelchair accessible vehicles as the 5 plates that are issued every year are required to be wheelchair accessible. Private hire vehicles that can carry over four passengers are also required to be wheelchair accessible.

Operators feel that drivers are quite safe, as they are streetwise and there is not much trouble in Brighton and Hove.

It is felt that vehicle quality has increased during recent years. Operators would like to see a verbal test detailing routes, similar to the training for London taxi drivers. Operators also felt that the council's dress code is beneficial to the trade, and they would like to see a formal one put in place.

With regards to ranks, operators feel that there is a lack of rank space, especially at the Ship Street rank and the fact that ranks have been removed such as the rank on North Street rank adds to the overall lack of rank space in Brighton & Hove. It is felt that ranks are not always in the most appropriate location.

Operators have identified three main ranks that are reputable for anti social behaviour. These are the ranks on West Street, East Street and at the Old Ship Hotel. It is felt that the marshal trial was successful, and operators would like to see it in operation again on a Thursday, Friday and Saturday night. However, they feel that the trade should not have to meet the whole cost and clubs should contribute too along with the police.

Disability Representatives and Social Services

Two focus groups were held to consult with disability representatives and social services. The findings from both meetings are summarised here.

The representative for disability groups states that there is an issue trying to book wheelchair accessible vehicles. It is considered wheelchair accessible vehicles tend to be independent and don't always use a circuit. They tend to work from the rank and 'cherry pick' jobs. During term time between 08:10 – 09:30 and 14:30 – 15:45 it was felt that it was incredibly hard, and sometimes impossible, to secure a booking as the vehicles were being used for school runs. Other times that are difficult to get a taxi were Saturday and Sunday mornings as many drivers will have worked late the night before. Later on in the evening when larger taxis are requested by those travelling in groups for nights out was also cited as a difficult period to secure a booking over the phone. Companies tend to pay drivers £5 per job to take on wheelchair jobs, which is not enough as wheelchair accessible vehicles are expensive to run. Wheelchair users will stop using taxi services if it is too difficult to book and will make other arrangements instead.

The problems with availability were most common when travelling from home and having to book over the phone. At present when trying to pre-book customers are generally told to ring back 15 minutes before they need to leave as the taxi companies are never sure which vehicles will be in their area at the time. This can then result in them being told close to when they need to leave that there are no vehicles in the area. It may be the case that there are accessible vehicles working that day but the company's only radio within a certain radius. As most drivers work for taxi companies it is not permitted to take an individual driver's number in order to call them to book them directly.

Some representatives felt that overall there are enough vehicles and there is no need for more vehicles. The ranks in the city centre tend to have plenty of wheelchair accessible hackney carriages. It was suggested that the existing ones just need to be on radio circuits so they can be booked more easily. There is also a need to ensure some work at night and also operate outside of the city centre.

It was felt that there was a general lack of adequate information on taxi services. Two representatives which had their own vehicles commented that they did not feel they were well informed and would find it hard to book a taxi. For those that use taxis regularly they felt that there was no way of knowing whether or not when you ring there will be a taxi in operation which will accommodate you. There is no information on which taxi companies have what types of vehicles working for them at any one time and this raises uncertainty about whether or not you will be able to undertake a particular journey at a particular time. It would also be important for any information provided to not be solely web-based as there were many people who did not have access to information presented in this way. Some of the disability representatives felt uninformed and were interested to know the following:

- What training do drivers have to undertake in order to qualify for their licence?
- Whether taxi drivers as part of their licence agreement are contracted to do school runs?

With regards to vehicle quality, representatives felt that the Hackney Carriages in Brighton and Hove look one of the best in the country. There were no problems raised with regards to the cleanliness or upkeep of vehicles. The only issues raised with regards to vehicles were the physical specifications of some of them:

- Headroom – those taller members with larger chairs were simply not able to fit in a standard hackney carriage
- Clamps – If a chair has non-uniform wheels/frames etc, it is not able to be attached to the vehicle with straps or other mechanisms and in this case the drivers would not be keen to take wheelchair passengers as their insurance is not valid.
- Ramps – Problems were found when ramps were not one single plate e.g. two tracks are not appropriate if a chair's wheels are not inline at the front and back.

It is felt that drivers' awareness of disabilities is not great; for example mobility impaired people are not helped with luggage. Driver attitude was felt to be a deterrent to using taxis as a number of those attending had had bad experiences in the past mainly due to driver ignorance. The main frustration was that there are lots of highly capable and helpful drivers with good vehicles but it is not possible to book particular drivers with the way the system works at present. Several occasions were cited when the vehicle which turned up after booking was not appropriate or the driver was not equipped to take them because of his/her own capabilities. Other occasions where individuals have had problems regarding taxi drivers were cited as:

- Drivers starting meter before wheelchair user has been loaded in or out of the taxi
- Drivers arriving in vehicle they share or have borrowed and thus do not know how to use the ramp, clips etc
- Drivers not understanding the need to get out of the taxi for blind or visually impaired individuals to let them know they have arrived
- Drivers generally being unwilling to help you, trying to charge you extra or not displaying good manners
- Drivers driving off when they see the user has a guide dog
- Drivers not being able to take a guide dog because of asthma (this should be established at the booking stage)
- Drivers not knowing the specifications of their own fleet vehicles when asked at the time of booking
- Drivers not being able to help a wheelchair user up the ramp due to a bad back.

In terms of social services contracts feedback on driver performance is generally positive. It is felt that driver continuity is good and the only odd problems are with new drivers.

With regard to training, representatives feel that it should be updated and refresher training is needed after obtaining driving experience. Laws are changing and so training standards should be updated to fit in with new standards as necessary. It is felt that drivers for the educational transport fleet should have the NVQ driver qualification. Training should be given on how to use wheelchair accessible vehicles when they are bought new and when they are resold. Free training could be offered with 'Train to Gain'. As Brighton is a tourist town, the representatives felt having a good wheelchair accessible service would be beneficial to the town and the economy, as it will attract more people.

Representatives state that the council give £65 worth of taxi vouchers if a bus pass is not taken up. However, this does not go very far in comparison to other areas. It is not uncommon for a journey in to Brighton to cost between £15 and £30, depending on where the individual lived, so the £65 a year voucher is seen as little compensation. As not all buses in Brighton and Hove are accessible by wheelchair, but some are, it was not seen as fair that some individuals had to sacrifice their bus passes in order to get the taxi vouchers and that these two concessions should not be mutually exclusive.

It was also mentioned that there was inconsistency between fares charged and that it was nearly always cheaper to use a local company and the return journey from a rank in Brighton/Hove would always be more expensive.

Possible solutions put forward by the representatives to address the issues highlighted included:

- Driver refresher training to instil in them how to deal with people with mobility impairments and communicate any updates
- Changes to the booking system
- Allowing pre-booking of accessible vehicles

- Thorough standardised questioning at the time of booking to avoid confusion
- More vouchers should be given as compensation for not taking up a bus pass, or fares should be made cheaper.

Police

A representative from the police took part in the consultation. The police representative said that Brighton & Hove is served by very good public transport and there is a good supply of taxis. It was identified that there can be an issue of congestion at the rail station rank when the rank is full. It was also noted that there are too many taxi permits in Brighton & Hove.

Since the Old Ship rank was removed taxis have been parking on the carriageway causing congestion and safety issues. The representative felt that the rank should be reinstated.

There have also been discussions of a new rank on Queens Road opposite the old casino. This would be used as a feeder rank to the rail station and help address the congestion and safety issues which effect this area.

1.3 Indirect Consultation

In addition to the face to face consultation undertaken a number of stakeholders were contacted by letter. This in turn assured the DfT guidelines were fulfilled and all relevant organisations and bodies were provided with an opportunity to comment. Copies of all the replies are included in Appendix 4.

In accordance with guidance issued by the DfT the following stakeholders were contacted:

- Brighton and Hove City Council;
- Police;
- Schools and Colleges;
- Charitable organisations;
- Disability organisations;
- Business Representatives;
- Licensed Premises; and
- Hotels.

The comments received are outlined below.

Sussex Deaf Association

A representative from the Sussex Deaf Association responded to the letter of written consultation. It was felt that the adequacy of both hackney carriages and private hire vehicles is adequate across all times of the day and across all areas in Brighton and Hove.

With regard to the image of the trade the representative felt that the quality and type of the vehicles are 'ok'. It was commented upon that drivers are often asking for payment from loan females before they get into the cab or refusing to take them. Drivers can also be unclear of destinations and are taking longer routes; it was felt that additional training would be beneficial with regard to area knowledge.

The representative did not feel that any additional ranks are required in Brighton and Hove and no improvements are needed at existing ranks.

It was felt that additional wheelchair accessible vehicles are needed in Brighton and Hove as users at the Deaf Association find it very difficult to access one; when pre booking wheelchair accessible vehicles users have to wait approximately 45 minutes. The representative would also like to see an improvement to taxis to make them more accessible to deaf people as they are often unable to communicate with the driver.

The fare structure in Brighton and Hove was considered high at all times and it was felt that there is sufficient advertising of both private hire and hackney carriage services.

A comment was made about some drivers driving too fast and going through red lights, making the representative feel unsafe. They would also like to see marshals at ranks to make them feel safer whilst waiting at ranks.

Finally, the representative felt that taxis complement other types of public transport in Brighton and Hove and that they are often better than buses.

Children and Young People's Trust Transport

A representative from the CYPT Transport responded to the written consultation. It was felt that the supply of vehicles is generally adequate, however when the weather is bad taxis are often late, even though they have been pre booked. It was thought that drivers try and fit in extra jobs before the school journeys.

With regard to the image of the trade, the representative commented that overall the hackney carriage trade in Brighton and Hove is reasonably well regarded. The cars are easily recognisable as taxis. The majority of drivers are friendly and polite; some have good relationships with the children and assist them far beyond their duty, which on occasion has become a problem if they become too close.

The representative did not feel that additional wheelchair accessible vehicles are needed. On the education contract wheelchair taxis are booked in September and cars are allocated for the school year. However if an additional wheelchair accessible vehicle is needed the CYPT is required to ring up one hour before the vehicle is needed to determine how many vehicles will be available. This system has lead to people being late for appointments but generally there are enough taxis.

There are many different types of wheelchair and with regard to the type of taxi vehicle, it would be virtually impossible to cover all disabilities, even people without a noticeable disability cannot access some of the vehicles. There is a particular problem with powered wheelchairs as they are often heavy and some vehicles may not be able to take them.

It was considered that the level and structure of the fares is quite expensive in comparison to other areas. Contracts for both education and social care are run on a pre-negotiated contract; however the hackney fare rate does have an effect on contract prices.

With regard to publicity, there appears to be plenty of advertising for various companies however it is not really relevant to social care and transport business.

The representative commented that they would like to see taxi marshals at ranks and also thought it would be of benefit for them to carry out spot checks on drivers on behalf of the public as, on occasion, it has been suggested that unqualified drivers have been driving hackney cabs although the representative has seen no evidence of this. A PIN system could help prevent this, although it could easily be abused.

It was felt that taxis complement other types of public transport in Brighton and Hove reasonably well. Both taxis and buses have moved towards increased numbers of accessible vehicles. Not everyone lives on a direct bus route and given the good taxi services to and from the railway stations, the overall transport coverage and access is reasonable

Sussex Police

A representative from the Sussex Police responded to the letter of written consultation. It was stated that the taxi rank outside the Old Ship Hotel has been lost due to the widening of the pavement. It is now very dangerous as taxis are queuing up on the inside lane of the dual carriage way. The situation is exacerbated by taxis then doing u-turns in the road.

The representative commented that the best way to over come this problem would be to have Security Industry Authority (SIA) trained taxi marshals at the ranks. However, it was acknowledged that financing this would be an issue.

Community Base

A representative from Community Base provided comments on the provision on taxi ranks in Brighton and Hove.

It was felt that the lights on taxis in Brighton are confusing as they are lit when the taxi is not currently charging a customer, this is regardless of whether they are on the way to pick up a passenger or not. In other areas, the light is on if the vehicle is available for hire which is what many people assume in Brighton.

The representative stated that this is becoming an issue as she has witnessed many people run for taxis which they are then turned away from. The light should tell the public something about the taxi, they want to know whether or not it is available for hire, not if it is making money. The representative would like to see the meaning of the lights changed in Brighton to the same as other places to avoid confusion.

Culture and Economy Department, Brighton and Hove City Council

A representative from the Culture and Economy Department at Brighton and Hove City Council responded to the consultation. It was felt that the supply of hackney carriages is adequate across the city at all times, although more effort could be made to signpost directions to the nearest taxi rank.

The representative was unaware that there are private hire vehicles in Brighton and Hove.

It was felt that the majority of vehicles are in good condition, although with regard to a minority of vehicles it is questionable how they passed their MOT. The representative commented that driver attitudes can vary but generally avoids conversation with them as they only want to discuss how rubbish the council is. The representative has also witnessed drivers going through red lights, smoking in their vehicles and talking on their mobile phones.

The representative commented that many drivers rely on satellite navigation systems and often take a longer route or be unaware of the trend of traffic in the City. It is clear to see which drivers have been in the trade longer.

With regard to ranks, it was felt that there could be more in Kemptown and better signposting to ranks is needed.

The representative stated that fares are definitely too high, the representative has complained on several occasions that drivers start the meter before they pick you up. They also add a fee for calling a taxi as they class this as ‘pre booked’ although you are unable to flag them down.

It was felt that there is sufficient publicity about taxi contact numbers but not about the rank locations.

The representative has never felt unsafe whilst using taxis in Brighton and Hove but generally would not wait at a rank late at night, especially in the town centre areas.

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Appendix 5

Project	Brighton & Hove Hackney Carriage Demand Survey 2009	**Date**	25th June 2009
Note	Trade Survey Technical Note	**Ref**	CTLCWH000
Author	Emma Rawlinson		

1 Introduction

1.1 A public and private hire trade survey was designed with the aim of collecting information and views from both trades. In particular the survey allowed an assessment of operational issues and views of the hackney carriage market to supplement the rank observations, as well as covering enforcement and disability issues.

2 Survey Administration

2.1 The survey was conducted through a self completion questionnaire. These were sent to 2,800 licensed hackney and private hire drivers and operators in Brighton & Hove. A total of 506 questionnaire forms were completed and returned, giving a response rate of around 18%, a typical value for this type of survey. It should be noted that not all totals sum to the total number of respondents per trade group as some respondents failed to answer all questions.

3 General Operational Issues

3.1 The responses provided have been disaggregated on a hackney carriage and private hire trade basis as shown in Table 3.1 below.

Table 3.1 Breakdown of Responses between Trades

	Frequency	Percent
Hackney Carriage Trade	386	76.3
Private Hire Trade	120	23.7
Total	**506**	**100.0**

3.2 The survey asked respondents how long they had been involved with either the hackney carriage or private hire trade in Brighton & Hove. Table 3.2 below shows the responses.

Table 3.2 **Duration of Respondents Involvement in the Hackney/Private Hire Trade**

Years	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
0 – 2	17	4.4	12	10.0
2 – 5	34	8.8	18	15.0
5 – 10	78	20.3	30	25.0
10 – 15	58	15.1	23	19.2
15 – 20	49	12.7	14	11.6
Over 20	149	38.7	23	19.2
Total	**385**	**100.0**	**120**	**100.0**

3.3 Table 3.2 indicates that 66.5% of hackney carriage respondents have been involved in the Brighton & Hove taxi trade for more than 10 years as have 50.0% of the private hire trade.

3.4 Table 3.3 indicates the proportion of the trade who subscribe to a radio circuit. The majority of private hire respondents (92.7%) subscribe to a radio circuit compared to 72.9% of the hackney carriage respondents.

Table 3.3 **Do you subscribe to a radio circuit?**

	Hackney Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Yes	258	72.9	101	92.7
No	96	27.1	8	7.3
Total	**354**	**100.0**	**109**	**100.0**

3.5 Respondents were asked to estimate the origin of their passenger fares for a week. The results are documented in Table 3.4.

Table 3.4 **Average Origin of Passenger Fares**

	Hackney Carriage			Private Hire		
	Mean %	**Min %**	**Max %**	**Mean %**	**Min %**	**Max %**
Rank	46.4	0	100	0	0	0
Flagdown	14.0	0	95	0	0	0
Radio Circuit	38.1	0	100	91.3	0	100
Other telephone booking	0.5	0	30	4.1	0	100
Contract Work	1.0	0	50	4.6	0	100

3.6 The average proportion of rank work for hackney carriages accounts for 46.4% per week. The average percentage of flagdown work for hackney carriages accounts for 14.0% of the typical weeks fares, with radio circuit work accounting for 38.1%.

3.7 Radio Circuit work accounts for a high proportion of private hire driver's working week at an average of 91.3% with telephone booking accounting for an average of 4.1% and contract work 4.6%.

4 *Driving*

4.1 Respondents were asked what type of vehicle they drove most frequently. The majority of hackney carriage drivers (74.0%) and the majority of private hire drivers (84.5%) drive a Saloon car. Only 18.8% of hackney carriage respondents drive a purpose built cab.

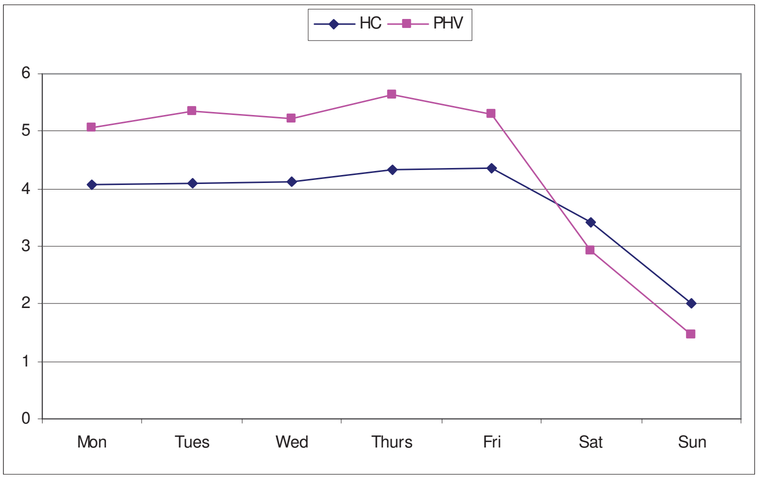
Table 4.1 Duration of Respondents Involvement in the Hackney/Private Hire Trade

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Saloon Car	279	74.0	98	84.5
Purpose Built Cab	71	18.8	2	1.7
Minibus/People Carrier (Wheelchair accessible)	26	6.9	7	6.0
Minibus/People Carrier (Non-Wheelchair accessible)	1	0.3	9	7.8
Total	**377**	**100.0**	**116**	**100.0**

4.2 Respondents were asked the average number of hours they worked in a typical week. Hackney Carriage drivers tended to work on average just over 2 hours less a week than Private Hire drivers. Hackney trade respondents worked on average for 46.2 hours per week compared to 48.4 hours per week for private hire drivers.

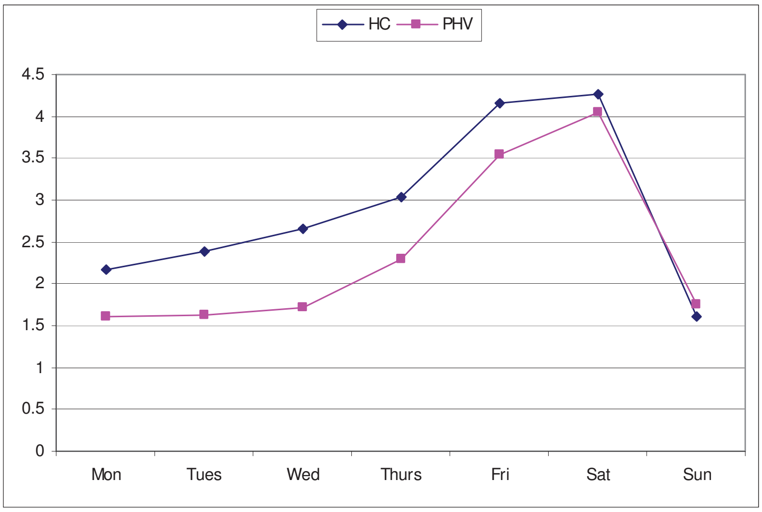
4.3 Respondents were asked to state how many hours they worked at different times of day during a typical week. Figure 4.1 documents the average hours worked during the daytime period (06:00-18:00) for each day of the week. On average, the hackney carriage trade work for a similar number of hours during the daytime to the private hire drivers. It shows that the hackney carriage trade work less hours during the weekday daytime, whilst the private hire trade work less hours on a weekend daytime. Additionally, both trades work more during the week daytimes than the weekends.

Figure 4.1 **Average daytime hours worked**



4.4 Figure 4.2 shows the average number of hours worked during the evening/night period (18:00-06:00). During the night time period the hackney carriage trade work, on average, more hours than the private hire drivers. It also shows that both trades work more hours on a Friday and Saturday night compared with other nights during the week.

Figure 4.2 **Average night time hours worked**



4.5 The trade were asked whether the Licensing Act 2003 had had an effect on them. The results are shown below in Table 4.2. Some 49.6% of hackney carriage respondents stated that it had had an effect on them compared with 30.7% of private hire respondents.

Table 4.2 **Has the Licensing Act affected you?**

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Yes	182	49.6	35	30.7
No	185	50.4	79	69.3
Total	**367**	**100.0**	**114**	**100.0**

4.6 Those who replied that it had had an effect on their typical working week were then asked in what way it had affected them.

Table 4.3 **Effects of the 2003 Licensing Act (Multiple responses)**

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Work later in the evening	117	64.3	18	51.4
Work for longer hours	112	61.5	21	60.0
Other	22	12.1	6	17.1

4.7 Some 64.3% of hackney carriage respondents stated that they work later in the evening compared with 51.4% of private hire respondents. Some 61.5% of the hackney carriage responses and 60.0% of the private hire trades responses stating that they now work for longer hours.

4.8 Those who stated 'other' explained that work is more spread out over the 24hr period and drivers are working earlier in the mornings.

4.9 Respondents were asked to state the number of times they carry disabled passengers on a weekly basis. Table 4.4 shows the results. Some 59.5% of hackney carriage respondents and 57.4% of private hire respondents were typically more likely to carry between one and five disabled persons per week.

Table 4.4 **Frequency of Transport of Disabled Persons**

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Never	84	22.5	23	20.0
1 to 5	222	59.5	66	57.4
5 to 10	44	11.8	20	17.4
10 to 20	19	5.1	5	4.3
More than 20	4	1.1	1	0.9
Total	**373**	**100.0**	**115**	**100.0**

5 *Safety and Security*

5.1 Respondents were asked whether they had been attacked by a passenger in the last year. Table 5.1 details the results.

Table 5.1 Frequency of attacks within the last year (multiple responses)

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Physically attacked	37	10.0	8	6.9
Verbally attacked	154	41.6	26	22.4
Not attacked	212	57.3	86	74.1

5.2 Some 10.0% of the hackney carriage trade and 6.9% of the private hire trade have been physically attacked within the last twelve months, with 41.6% and 22.4% being verbally attacked.

5.3 Those who had been attacked were asked to describe the incident. The majority of responses related to attacks by passengers under the influence of alcohol or drugs, with many disputes occurring over money whether in relation to fares or passengers not having enough money, and several respondents described incidents relating to racial abuse.

5.4 The trade were asked if they felt safe whilst working as a taxi driver in Brighton & Hove, the results of which are shown below in Table 5.2.

Table 5.2 Do you feel safe whilst working as a Taxi Driver in Brighton & Hove?

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Yes, all of the time	136	36.0	52	44.8
Some of the time	226	59.8	61	52.6
None of the time	16	4.2	3	2.6
Total	**378**	**100.0**	**116**	**100.0**

5.5 Some 59.8% of hackney carriage respondents and 52.6% of private hire respondents stated that they felt safe some of the time, with 4.2% and 2.6% stating that they felt safe none of the time.

5.6 Those respondents who didn't feel safe all of the time where asked to explain why. The majority of responses were in relation to being attacked by passengers whilst many respondents cited a lack of police support.

5.7 The trade were then asked when they felt unsafe working in Brighton & Hove. The results are outlined below in Table 5.3.

Table 5.3 When do you feel unsafe working in Brighton & Hove? (Multiple responses)

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	Percent	Frequency	Percent
Daytime	29	10.7	4	5.6
Night time	203	74.6	44	62.0
In certain areas	140	51.5	42	59.2

5.8 The majority of both the hackney carriage respondents (74.6%) and private hire respondents (62.0%) stated that they felt unsafe whilst working at night in Brighton & Hove. Some 59.2% of the private hire trade stated that they felt unsafe in certain areas of Brighton & Hove, as did 51.5% of the hackney carriage trade.

5.9 The areas that were most commonly suggested as being unsafe were Whitehawk and Moulescombe.

5.10 Respondents were then asked what could be done to improve safety when working as a taxi driver in Brighton & Hove. The results are shown in Table 5.4 below.

Table 5.4 What could be done to improve safety in Brighton & Hove? (Multiple responses)

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	Percent	Frequency	Percent
Taxi Marshalls at ranks	190	56.4	20	23.0
CCTV in cabs	203	60.2	66	75.9
CCTV at ranks	191	56.7	19	21.8
Other	32	9.5	15	17.2

5.11 The majority of the private hire trade (75.9%) felt that CCTV in cabs would improve safety in Brighton & Hove, as did 60.2% of the hackney carriage trade. Some 56.4% of hackney carriage respondents felt that taxi marshalls at ranks would improve safety, with 56.7% being of the opinion that CCTV at ranks would improve safety.

5.12 The majority of respondents who gave 'other' as their answer stated that more support from the police would improve safety and security.

6 *Ranks*

6.1 Members of both trades were asked whether they believe there is sufficient rank space in Brighton & Hove. As shown in Table 6.1, 88.7% of the hackney carriage respondents stated that there was insufficient rank space for hackneys, in comparison to 63.5% of private hire respondents.

Table 6.1 Sufficient rank space available for hackneys to use in Brighton & Hove?

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Yes	43	11.3	35	36.5
No	339	88.7	61	63.5
Total	**382**	**100.0**	**96**	**100.0**

6.2 The trade were asked whether there were any areas where a new rank should be located. Table 6.2 shows that 75.7% of the hackney carriage respondents state that there are areas in Brighton & Hove where there should be new hackney carriage ranks. In contrast the majority of private hire respondents (60.4%) said that there should be no new ranks.

Table 6.2 Are there any areas where there should be new hackney ranks?

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Yes	268	75.7	36	39.6
No	86	24.3	55	60.4
Total	**354**	**100.0**	**91**	**100.0**

6.3 Of those that stated that there should be new ranks, the most common areas requested were Queens Road/Brighton Station and Kings Road/Old Ship Hotel.

6.4 In response to the question asking whether there are any ranks in Brighton & Hove that should be longer or have more spaces, 81.3% of the hackney carriage trade felt this was necessary, compared with 57.3% of the private hire trade. East Street, Brighton Station/Queens Road and Kings Road/Old Ship Hotel were suggested by many respondents as needing to be lengthened or more spaces provided.

Table 6.3 Ranks in Brighton & Hove that should be longer or have more spaces

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Yes	295	81.3	51	57.3

No	68	18.7	38	42.7
Total	**363**	**100.0**	**89**	**100.0**

6.5 The trade were then asked whether any ranks should be removed. The majority of both Hackney carriage and private hire respondents (92.3% and 88.5% respectively) stated that no ranks in Brighton & Hove needed to be removed. Of those respondents that did state that ranks needed to be removed, the most common were Norfolk Road, Portland Road and Upper Drive.

Table 6.4 Do any ranks in Brighton & Hove need to be removed?

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Yes	27	7.7	10	11.5
No	325	92.3	77	88.5
Total	**352**	**100.0**	**87**	**100.0**

7 *Vehicle Conditions*

7.1 Members of both trades were asked about their satisfaction with the current vehicle age conditions in Brighton & Hove. Table 7.1 shows the results of the satisfaction with the private hire vehicle licence conditions and Table 7.2 documents the results in relation to the hackney carriage vehicle licence conditions relating to age.

Table 7.1 Are you satisfied with the current private hire vehicle age conditions?

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Satisfied	273	78.2	105	88.2
Unsatisfied	76	21.8	14	11.8
Total	**349**	**100.0**	**119**	**100.0**

Table 7.2 Are you satisfied with the current hackney carriage vehicle age conditions?

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Satisfied	313	81.9	95	93.1
Unsatisfied	69	18.1	7	6.9
Total	**382**	**100.0**	**102**	**100.0**

7.2 Table 7.1 highlights that the majority of both hackney carriage respondents (78.2%) and private hire respondents (88.2%) are satisfied with the current vehicle age conditions for private hire vehicles.

7.3 Those respondents who deemed the vehicle age conditions to be unsatisfactory provided the following reasons:

- *Conditions should be same for both trades;*
- *Vehicle age limit should be 7 years; and,*
- *Should be based on condition and not age.*

7.4 Table 7.2 highlights that the majority of hackney carriage respondents (81.9%) and 93.1% of private hire respondents are satisfied with the hackney carriage vehicle age conditions.

7.5 Those respondents who deemed the conditions to be unsatisfactory provided the following reasons:

- *Condition & Safety Standards should be the criteria;*
- *Should be the same for both trades; and,*
- *Purpose built cabs and saloons should be the same.*

8 Fares

8.1 Members of both trades were asked for their opinions regarding the current level of hackney carriage fares. Table 8.1 indicates the responses.

Table 8.1 Opinions Relating to Hackney Carriage Fares

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Too high	19	5.0	10	8.7
Too low	87	23.0	19	16.5
About right	262	69.1	74	64.4
None/no opinion	11	2.9	12	10.4
Total	**379**	**100.0**	**115**	**100.0**

8.2 The majority of hackney carriage respondents (69.1%) considered hackney carriage fares to be ‘about right’ compared with 64.4% of private hire respondents.

9 Training

9.1 Both trades were asked if they felt that taxi drivers receive enough training before being granted a taxi drivers licence. The majority of both the hackney carriage and private hire trades (66.1% and 72.9% respectively) were of the opinion that training was insufficient.

Table 9.1 Do you feel drivers receive sufficient training?

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Yes	125	33.9	32	27.1
No	244	66.1	86	72.9
Total	**369**	**100.0**	**118**	**100**

9.2 Those respondents who stated that they did not think they received sufficient training were then asked what training they would like to see offered to drivers. The results are shown in Table 9.2 below.

Table 9.2 Opinions related to training (Multiple Response)

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
BTEC/NVQ	40	11.2	16	18.0
English Language	224	62.6	82	92.1
Disability Awareness	100	27.9	32	36.0
Knowledge Test	179	50.0	62	69.7
Customer Care	161	45.0	68	76.4
Driving Ability Test	168	46.9	54	60.7
Other	34	9.5	6	6.7

9.3 The majority of the hackney carriage trade (92.1%) felt that English language is the most important training they would like to see offered to drivers as did 62.6% of private hire respondents. The next most popular training requests were a knowledge test, customer care and a driving ability test.

9.4 Of those that stated other training, the most common suggestions were rules of the trade, etiquette towards others and a more comprehensive knowledge test.

9.5 Respondents were then asked whether the training should be compulsory or voluntary. Of those who answered this question, some 98.8% of the private hire trade said that the training should be compulsory as did 96.6% of the hackney carriage trade. The results are shown in Table 9.3.

Table 9.3 **Should this training be compulsory or voluntary?**

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Compulsory	227	96.6	83	98.8
Voluntary	8	3.4	1	1.2
Total	**235**	**100.0**	**84**	**100.0**

10 Taxi Market in Brighton & Hove

10.1 Members of both trades were asked if they were aware that Brighton & Hove City Council enforces a numerical limit of 523 on the number of hackney carriage vehicle licences in the city. The results are outlined in Table 10.1.

Table 10.1 **Were you aware that there is a numerical limit on the number of hackney carriage vehicle licences in Brighton & Hove?**

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Yes	292	77.5	77	65.3
No	85	22.5	41	34.7
Total	**377**	**100.0**	**118**	**100.0**

10.2 The majority of the respondents were aware about the numerical limit, with 77.5% of the hackney respondents and 65.3% of the private hire respondents answering positively.

10.3 Members of both trades were asked whether they consider there are sufficient hackney carriages to meet the current level of demand in Brighton & Hove. Table 10.2 indicates the responses.

Table 10.2 **Do you consider there to be sufficient hackney carriages to meet the current level of demand in Brighton & Hove?**

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Yes, there are too many	283	74.5	53	46.1
Yes, there are sufficient	71	18.7	26	22.6
No, not during all periods of the day	18	4.7	22	19.1
No Opinion	5	1.3	7	6.1
Don’t Know	3	0.8	7	6.1
Total	**380**	**100.0**	**115**	**100.0**

10.4 Almost three quarters of respondents from the hackney carriage trade (74.5%) consider there to be too many hackney carriages to meet the demand, compared to 46.1% of private hire drivers. 18.7% of hackney carriage respondents and 22.6% of private hire respondents feel that there are sufficient taxis.

10.5 Those Respondents who stated that there were insufficient hackney carriages to meet demand were asked when more hackney carriages were required in Brighton & Hove, Table 10.3 shows the results.

Table 10.3 When are more hackney carriages required?

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
During the daytime	0	0.0	1	4.8
During the evening/night	11	68.8	13	61.9
All day and night	5	31.2	7	33.3
Total	**16**	**100.0**	**21**	**100.0**

10.6 The majority of private hire respondents (61.9%) and hackney carriage respondents (68.8%) stated that more were required during the evening/night.

10.7 All respondents were asked to state how many hackney carriages there should be in the fleet in Brighton & Hove. The results are detailed in Table 10.4.

Table 10.4 Opinion on Ideal Hackney Carriage Fleet Size

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Under 523	213	73.0	34	55.7
523	55	18.8	10	16.4
Over 523	24	8.2	17	27.9
Total	**292**	**100.0**	**61**	**100.0**

10.8 Of those drivers who responded, 73.0% of the hackney carriage trade and 55.7% of private hire respondents felt that the fleet size should be less than the present number, with 8.2% of the hackney carriage trade and 27.9% of the private hire trade believing that the fleet side should be larger than the present number.

10.9 The average size of Hackney Carriage fleet considered for Brighton & Hove was 484 for the hackney carriage trade compared with 515 cited by the private hire trade.

10.10 All respondents were asked to state if they thought that Brighton & Hove City Council should remove the numerical limit on the number of hackney carriage vehicle licences. The responses are detailed in Table 10.5.

Table 10.5 Opinion on Removing Current Limit on Number of Hackney Licences

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Yes	34	9.1	34	30.1
No	327	87.2	66	58.4
No opinion	14	3.7	13	11.5
Total	**375**	**100.0**	**113**	**100.0**

10.11 The majority of respondents from the hackney carriage trade (87.2%) felt that the numerical limit should not be removed, in comparison to 58.4% of private hire respondents. Some 9.1 of hackney carriage respondents wish for the limit to be removed, as do 30.1% of the private hire trade.

10.12 Views were sought regarding the likely impact on a series of factors if Brighton & Hove City Council were to remove the existing limit on hackney carriage licences. The findings are summarised below and presented in Table 10.6.

Congestion

10.13 Some 82.7% of respondents from the hackney carriage trade felt congestion would increase, compared with 46.2% of the private hire trade who felt this would be the case.

Fares

10.14 Some 23.8% of hackney carriage respondents considered that there would be an increase in fares following de-restriction, compared with 18.9% of the private hire trade.

Passenger Waiting Times

10.15 The majority of respondents from both trades believed that passenger waiting times at ranks, when flagged or when booked by telephone, would decrease or not be affected.

Vehicle Quality

10.16 The majority of hackney carriage respondents believe that hackney carriage and private hire vehicle quality would decrease, whereas the majority of private hire respondents believe that there would be no effect.

Effectiveness of Enforcement

10.17 With regard to effectiveness of enforcement, 67.4% of the hackney carriage trade were of the opinion that removing existing licence restrictions would result in a decrease, with 40.6% of the private hire trade being of the same opinion.

Illegal Plying for Hire

10.18 In terms of illegal plying for hire by private hire vehicles, 54.7% of the hackney carriage trade were of the opinion that a change in licence restriction conditions would increase this activity, compared to only 30.9% of private hire drivers. Some 55.1% of the hackney carriage trade felt that illegal plying for hire by unlicensed vehicles would increase compared with 37.7% of the private hire trade.

Over Ranking

10.19 Both the hackney carriage and private hire trade felt over ranking would increase, with a response rate of 89.2% and 69.7% respectively.

Customer Satisfaction

10.20 10% of hackney carriage drivers were of the opinion that customer satisfaction would increase as a result of the removal of the licence limit, compared to 34.9% of the private hire trade.

Table 10.6 Opinions Relating to the Impact of De-Restriction

	Hackney Carriage Trade			**Private Hire Trade**		
	Increase	No Effect	Decrease	Increase	No Effect	Decrease
Traffic Congestion	82.7	15.6	1.6	46.2	43.4	10.4
Fares	23.8	51.3	24.9	18.9	64.2	17.0
Passenger waiting times at ranks	6.0	74.8	19.2	3.8	41.5	54.7
Passenger waiting time when	5.2	71.1	23.6	4.6	39.4	56.0
Passenger waiting time by telephone	13.7	69.2	17.2	9.5	55.2	35.2
Hackney carriage vehicle quality	6.1	27.8	66.1	4.7	57.0	38.3
Private hire vehicle quality	5.8	30.1	64.0	8.3	58.7	33.0
Effectiveness of enforcement	9.1	23.5	67.4	8.5	50.9	40.6
Illegal plying for hire – private hire	54.7	26.1	19.2	30.9	38.2	30.9
Illegal plying for hire – unlicensed	55.1	31.5	13.4	37.7	39.6	22.6
Over ranking	89.2	6.8	4.1	69.7	22.0	8.3
Customer satisfaction	10.0	40.2	49.9	34.9	41.3	23.9

10.21 All respondents were asked their response to ***"There is not enough work to support the current number of hackney carriages"***. The results in Table 10.7 show that 84.9% of hackney carriage respondents strongly agree or agree with the statement that there is not enough work to support the current number of hackney carriages as do 57.2% of private hire trade.

Table 10.7 Opinion of: "There is not enough work to support the current number of hackney carriages"

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Strongly disagree	19	5.2	14	13.3
Disagree	12	3.3	11	10.5
Neither agree nor disagree	24	6.6	20	19.0
Agree	88	24.0	24	22.9
Strongly agree	223	60.9	36	34.3
Total	**366**	**100.0**	**105**	**100.0**

10.22 Some of the most common responses to the statement were:

- *Hackney Carriage drivers wait up to 1 hour for a job;*
- *Too many taxis at present; and,*
- *Ranks are full of taxis all of the time.*

10.23 The survey then asked opinions of the following statement; ***"Removing the limit on the number of hackney carriages in Brighton & Hove would benefit the public by reducing waiting times at ranks".*** The results in Table 10.8 shows that 74.4% of hackney carriage drivers strongly disagreed or disagreed that removing the limit on the number of hackney carriages in Brighton & Hove would benefit the public by reducing waiting times at ranks compared to 48.6% of Private Hire respondents.

Table 10.8 Opinion of: "Removing the limit on the number of hackney carriages in Brighton & Hove would benefit the public by reducing waiting times at ranks"

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Strongly disagree	193	54.8	30	28.6
Disagree	69	19.6	21	20.0
Neither agree nor disagree	27	7.7	11	10.5

Agree	29	8.2	20	19.0
Strongly agree	34	9.7	23	21.9
Total	**352**	**100.0**	**105**	**100.0**

10.24 Some of the most common responses to the statement were:

- *Ranks are always full of taxis; and*
- *Customers do not have to wait at ranks.*

10.25 The survey then asked opinions of the following statement; ***"There are special circumstances in Brighton & Hove that make the retention of the numerical limit essential".*** The results in Table 10.9 show that 75.8% of hackney carriage trade agree or strongly agree that there are special circumstances in Brighton & Hove that make the retention of the numerical limit essential compared to 43.5% of private hire respondents.

Table 10.9 **Opinion of: "There are special circumstances in Brighton & Hove that make the retention of the numerical limit essential"**

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
Strongly disagree	36	10.9	29	28.7
Disagree	16	4.8	11	10.9
Neither agree nor disagree	28	8.5	17	16.8
Agree	61	18.4	16	15.8
Strongly agree	190	57.4	28	27.7
Total	**331**	**100.0**	**101**	**100.0**

10.26 Some of the most common responses to the statement were:

- *Seasonal trade;*
- *To maintain a good quality of service; and,*
- *Too many taxis already.*

10.27 Finally the trade were asked what effect they thought it would have on them if the authority removed the numerical limit. The results show in table 10.10 that 70.1% of hackney carriage responses cited they would work more hours if the numerical limit of hackney carriages was removed. In contrast 33.3% of private hire drivers said they would not change if the limit was removed, and 49.1% said they would work more hours. Some 40.7% of hackney carriage respondents would leave the trade, as would 14.9% of private hire respondents. Some 42.1% of private hire respondents would switch from private hire to hackney carriage.

10.28 Of those respondents who stated another effect de-restriction would have, the main concern for hackney carriage drivers was financial.

Table 10.10 Effect on the trade if the numerical limit was removed (Multiple responses)

	Hackney Carriage Trade		Private Hire Trade	
	Frequency	**Percent**	**Frequency**	**Percent**
I would continue as normal	47	12.3	38	33.3
I would expect to work more hours	267	70.1	56	49.1
I would expect to work fewer hours	6	1.6	0	0.0
I would acquire a hackney carriage licence	24	6.3	36	31.6
I would acquire multiple hackney carriage	14	3.7	6	5.3
I would switch from hackney to private hire	12	3.1	1	0.9
I would switch from private hire to hackney	7	1.8	48	42.1
I would leave the trade	155	40.7	17	14.9
Other	34	8.9	4	3.5

Mick Hildreth
Branch Secretary
GMB P39 Southern Region Professional Taxi Drivers Branch
5 Sheridan Terrace
Hove
East Sussex
BN3 5AE

15th November 2009

Dear Tim & Brighton and Hove City Councilors,

On behalf of the large number of GMB members, working in Brighton & Hove as taxi and private hire proprietors, I write to you in relation to the recent taxi unmet demand survey (carried out on behalf of Brighton & Hove City Council by Halcrow), its subsequent findings, the recently held trade meeting, and the forthcoming committee meeting which will consider the findings of the survey.

I would like to explain that in my role as the GMB PDB National (Provincial) Hackney Carriage & Private Hire Secretary; I have travelled the length and breadth of England and Wales supporting our membership. During this time I have witnessed this scenario of Councilors considering the findings of such reports many times, and I wish to make sure that every Councilor within our city is aware of the responsibility that lies upon their shoulders when considering the way forward in these turbulent economic times.

Without going into too much of the history of legislation and government 'best practice guidance', in respect of the Taxi and Private hire industry, a short time line in chronological order is listed below:

1985: Conservative Government Deregulate the Provincial Taxi Industry.

1985: Lobbying on behalf of the Taxi Industry by Trade Unions resulted in an amendment being added to the above legislation, allowing local authorities to limit the number of taxis 'if there is no significant unmet demand', which resulted in this being considered done by conducting an un-met demand survey, which would allow local authorities to defend themselves should they be legally challenged.

2003: Labour Government commission the Office of fair trading (OFT) to investigate the Taxi Industry. The result of their investigations stated that market forces should determine the number of Taxis that would operate in each licensing authority.

2003: The Government Passenger Select Committee at the time were given the task of considering this report and found that the OFT report was statistically flawed and failed to provide any empirical evidence to support its findings in recommending the abolition of taxi restrictions, and it's view that fares would decrease should taxi restrictions end. The OFT replied to the committee rejecting those criticisms.

2003: Government Best Practice Guidance, issued by the Labour Government, stated that in their opinion entry into the taxi industry should not be restricted, and best practise should be to allow market forces to determine the number of taxis operating within each licensing authority. However, the report also stated that local authorities could still limit the number of taxis if it was their opinion that it was best to do so, as local government would be in the best position to judge that.

Since this time further restrictions have been placed on local authorities to pressure them into complying with this government's policy, and out of approximately 343 local authorities only 81 continue to restrict the number of Taxi licenses.

I would like to take this opportunity to inform you of recent developments in Bracknell Forest and Southend-on-Sea, where the GMB has a large number of members in each area. Both areas have recently taken the decision to re-limit the number taxi licenses.

Bracknell Forest has limited for the first time and Southend-on-Sea has decided to continue to limit. The respected councils, both Conservative controlled, worked with the GMB and came to these decisions by accepting that their local taxi drivers were suffering due to the current economic climate.

They accepted that it was their responsibility to support their taxi drivers by providing an economic working environment that would enable the drivers to provide a safe professional service to their local visitors and residents.

The GMB Professional Drivers Section has thousands of members nationally, and the policy of our National Organising Committee, which represents these members, is that of opposing market forces in our industry. As a Trade Union we cannot support the policy of this government that leaves our members working in excess of 70 hours a week to support their families, because there are too many taxis for the level of work available, a policy that encourages drivers to work these hours regardless to the health & safety of both passengers and drivers.

There are numerous cases around the country of drivers being involved in accidents due to working excessive hours, in Sheffield recently one driver sadly was involved in a fatal RTA after taking one more job after working for 14 hours. This was the result of market forces.

LIMATATION OF TAXI LICENCES IN BRIGHTON & HOVE

In our local unmet demand survey it clearly states that at this moment in time there is no significant unmet demand for taxi services. Our membership therefore insists that our council continues to support the limitation of taxi licenses within Brighton & Hove, and continues to support the managed growth policy which has been in place for many years, issuing 5 plates per year until the next un-met demand survey. The GMB would expect these licenses to have the same license conditions placed upon them as before, in as much that they must work on a taxi company to assist with the unmet demand for the service provision to wheelchair user.

SERVICE PROVISION TO WHEELCHAIR USERS

The GMB has great concerns regarding this issue, surveys in 2003, 2006 and this latest version all indicate that the service provision to wheelchair users is getting worse, instead of improving. Our membership is of the opinion that not only has the council let down these people but has failed in its moral duty of care to take steps to assist these people.

It is also our members opinion that the responsibility to provide a service to wheelchair users lies with all sides of the trade, which include Hackney Carriage, Private Hire, and Taxi companies. The GMB would therefore like to suggest the following initiatives:

1.

1. I recently wrote to our council asking what procedures were in place to ensure, on Health & Safety grounds, that training was provided to drivers of wheelchair accessible vehicles (WAVs). I asked this question as it is our member's opinion that drivers of WAVs are reluctant to do a WAV job as they are either unsure, or have had no training in how to use the vehicle equipment. I was informed it was not the responsibility of our local Hackney Carriage Office.

On behalf of our members I would like to suggest that this council takes responsibility to ensure that all drivers of WAVs are fully knowledgeable of how to use the equipment, action such as this would improve vastly the service to WAV users.

I would also suggest on behalf of our members that a condition of license is placed upon a Hackney Carriage vehicle license which states that the proprietor is responsible for the training in the use of the wheelchair car equipment. Alternately the council could issue a separate drivers badge for WAV vehicles, and could insist that the driver concerned demonstrates the use of the equipment of the vehicle type he is driving.

2. The un-met demand for the service provision for wheelchair users is mainly via bookings with Taxi companies. Our members would like to suggest that initiatives are put into place to ensure that Taxi companies provide a service to wheelchair users, and these are our member's suggestions.

    a. Operator licenses have the following conditions placed upon them. By April 2010 all operators within Brighton & Hove must have 20% of their fleet wheelchair accessible. By April 2011 all operators must have 25% of their fleet wheelchair accessible. By April 2012 30% of their fleet must be wheelchair accessible.

3. Currently there are some 500 private hire cars of which less than 10% are wheelchair accessible. The ratio of Private Hire cars being wheelchair accessible is the main problem with the provision of service to wheelchair users. Our membership therefore suggests that a condition be placed upon all new private hire vehicle licenses, being issued after April 1st 2010, requiring the vehicles to be wheelchair accessible. This would allow the private hire fleet to provide a service with 450 saloon cars adequately catering for the ambient disabled, and put into place a system which will provide an improved service in the future for wheelchair users.

4. Other incentives to encourage drivers to acquire wheelchair cars could be to reduce the licensing fees for WAV vehicles by 75%, and pass the costs to saloon car vehicle fees.

5. The council could provide business receipt cards, out of the hackney carriage budget, for WAV drivers, and produce a directory of drivers contact details, of those drivers which volunteer, for disabled groups to distribute.

6. The council could provide free Private Hire operators licenses to individual Private Hire WAV proprietors to encourage them to provide a service directly to WAV users.

CONCLUSION

The Brighton and Hove GMB Taxi and Private Hire section are firmly of the view that something must be done to bring the level of service, offered to wheelchair bound customers, in line to the service offered to more able bodied customers. Wheelchair bound customers have had to suffer long waits and poor service for far too long. This must end.

Our suggestions above are radical, but they are needed, and needed urgently. We believe our proposals share the burden between all sections of the taxi and private hire trade. The time has come to end this discrimination.

Mick Hildreth

Branch Secretary

GMB P39 Southern Region Professional Taxi Drivers Branch

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LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)	Agenda Item 14 Brighton & Hove City Council

Subject:		***Hackney Carriage / Private Hire Trade Ethnicity Monitoring***		
Date of Meeting:		**26 November 2009**		
Report of:		***Director of Environment***		
Contact Officer:	Name:	Martin Seymour	**Tel:**	29-6659
	E-mail:	hco@brighton-hove.gov.uk		
Wards Affected:	All			

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 To report the results of Ethnicity Monitoring of the Hackney Carriage/Private Hire Trade for 2008/09.

2. RECOMMENDATIONS:

2.1 That Committee note the results of Ethnic Monitoring.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 All applications received by the Hackney Carriage Office for the licensing of vehicles and drivers are monitored for Ethnic background. The results of this monitoring are shown in appendix 1.

3.2 Ethnic monitoring is undertaken to ensure that the waiting list is maintained and operated in a fair and transparent way as recommended by the Equality and Human Rights Commission.

4. CONSULTATION:

4.1 This matter has been discussed at the council's hackney carriage and private hire consultation forum where all members of that forum are free to express their opinions. The forum members have delegated negotiations to selected representatives. Monitoring is carried out at the request of the forum who are satisfied with the results.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

Revenue: The full cost of providing the ethnicity monitoring report is met from within the revenue budget for taxi licensing.

Capital: There are no capital cost implications.

Finance Officer Consulted: Karen Brookshaw Date: 21/10/2009

5.2 Legal Implications:

There are no direct legal implications.

Lawyer: Rebecca Sidell Date: 04/11/2009

5.3 Equalities Implications:

In order to improve services to disabled groups all new drivers are required to attend equalities and disabilities awareness and customer care training. Drivers are also tested to ensure that they meet a basic standard of literacy.

5.4 Sustainability Implications:

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. 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.

5.5 Crime & Disorder Implications:

Sufficient late night transport to reduce public place violent crime is recognised in the community safety, crime reduction and drugs strategy. The presence of CCTV can be an important means of deterring and detecting crime.

5.6 Risk and Opportunity Management Implications:

The transport industry should be safe, profitable and be a positive experience for residents and visitors.

5.7 <u>Corporate / Citywide Implications</u>:

Tourism needs to provide a warm welcome to visitors and the tourism strategy depends upon effective partnership with transport operators particularly to achieve safe late night dispersal for the night time economy.

SUPPORTING DOCUMENTATION

Appendices:

1.

Documents in Members' Rooms:

1. None.

Background Documents:

1. None.

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)	Agenda Item 15 Brighton & Hove City Council

Subject:		***Street Trading Policy***		
Date of Meeting:		**26 November 2009**		
Report of:		***Assistant Director Public Safety***		
Contact Officer:	Name:	Jean Cranford	**Tel:**	29-2550
	E-mail:	jean.cranford@brighton-hove.gov.uk		
Wards Affected:	All			

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 Brighton & Hove City Council street trading policy was introduced on 2 April 1998 and was an amalgamation of policies from Brighton Borough Council and Hove Borough Council adopted under the provisions of the Local Government (Miscellaneous Provisions) Act 1982.

1.2 Brighton & Hove has streets in which street trading is prohibited, it has areas where consent is granted for street trading (e.g. East Street) and there are 5 pitches for street trading in the city centre. The Seafront area including Grand Junction Road and Kings Road is designated a consent street but is outside the trading policy established by the Council and control of that area is the responsibility of the Seafront Office.

1.3 Officers obtained permission to undertake consultation to review the entire city's street trading designations and policy from committee on 27 November 2008 and this report shows the proposed final street trading policy which takes into account feedback received as part of the consultation process.

1.4 Existing standard conditions have been modified to remove imprecise, unenforceable conditions and to assist small businesses which links to corporate priorities.

1.5 Officers have received comments from a street trader who operates near Dorothy Stringer School and interested parties. These comments are all appended. It is felt, on balance, that there is no justification to interfere with this legitimate business.

2. RECOMMENDATIONS:

2.1 That the committee agrees the street trading policy as set out in appendix 1.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

Current Process

3.1 Officers in Environmental Health and Licensing issue permits for street trading (see 3.2 – 3.4). Any appeals against officer's decisions are heard by the Licensing Committee (Non-Licensing Act 2003).

3.2 There are currently 5 designated pitches for street trading in the city centre (Castle Street, Clarence Square, Dean Street, Crown Street and Marlborough Street). All pitches are let and there is a waiting list for traders who would like to take over a pitch if one becomes vacant.

3.3 A street market is held each Saturday in Upper Gardener Street between the hours of 07.00 and 17.00. Occasional markets are held in Bartholomew Square and George Street Hove. New Road and Black Lion Street in Brighton need to be authorised for street markets.

3.4 Street artists and hot chestnut sellers are permitted to operate in East Street, Duke Street, Bartholomew Square and Market Street.

3.5 There are designated areas (zone B) where traders can request a permit for street trading. These are the residential areas outside the city centre.

3.6 There are areas throughout the city in which street trading is prohibited. These areas are generally main thoroughfares or areas in the city centre and run from the western boundary of Brighton & Hove in Vale Road, Portslade, along Portland Road, Sackville Road, Church Road, Western Road, Montpelier Road, Chatham Place, Viaduct Street, Upper Lewes Road, then southwards down Lewes Road, Albion Street and Grand Parade before heading East along Edward Street, Eastern Road and finishing in Arundel Road.

3.7 A meeting was held with Brighton & Hove Albion Football Club regarding street trading in the streets surrounding the new Community Stadium at Falmer. It was agreed that street trading will be prohibited within 1 mile of the Community Stadium, but excluding council owned public spaces, which would remain undesignated.

3.8 There have been requests for occasional markets from the business community in areas such as New Road, Jubilee Street and Black Lion Street.

Commentary on street trading policy

3.9 Historically, parks have remained undesignated to allow Leisure officers flexibility permitting outdoor events. The Seafront has been a consent street managed on a day to day basis by Seafront officers. Economic development members and officers are considering corporate market policies and officers are working to ensure corporate market policies and street trading policy work in harmony.

3.10 For members assistance and as reported last time:-
Street trading is selling articles on the street, including exposing or offering articles for sale. It does not include provision of services, like henna tattooing, hair braiding, tarot reading etc.

The following activities are not subject to street trading controls:

- Pedlars, with a pedlar's certificate issued by the Police under the Pedlars Act 1871. These are itinerant traders.
- Markets covered by enactment or order (ancient – none in Brighton & Hove)
- Trunk road picnic areas (none in Brighton & Hove)
- News vending
- Trading at petrol filling station
- Trading on the street adjoining a shop as part of the business of the shop
- Selling things on a round like milk doorstep delivery
- Objects on a highway licensed under highways legislation, like tables and chairs or A boards
- Recreation or refreshment facilities licensed under highways legislation
- Charitable street collections which are subject to separate permissions

Controls only apply to the street or other public places.

It is proposed to continue to permit Upper Gardner Street, city centre stalls, various specialist or occasional markets and seasonal activities like portrait painting and hot chestnut selling but to allow markets in some newly pedestrianised street.

4. CONSULTATION:

4.1 A full and measured consultation involved residents (via the council's website), residents associations and Community Associations including the North Laine Community Association, businesses (including individual street traders) in Brighton & Hove, Police and Highway Authority, Economic Development and Regeneration regarding the corporate markets policy, Tourism, Events Office, Seafront Office (including Seafront Trader Association), Trading Standards, City Clean, Legal, Finance, Ward Councillors, City Centre and Hove Business Fora, Trader Associations including North Laine Traders Association, Upper Gardener Street Traders Association, Brighton & Hove Albion Football Club, Education Authority (Children's Trust) and the governing body and head teacher of Dorothy Stringer High School.

4.2 The Education Authority commented as follows:

"You may be aware of a particular issue we have regarding street traders who operate outside schools, in particular some of our secondary schools. There is an increasing drive towards healthy eating and we have made considerable efforts to improve the school meal offer to encourage pupils to eat more healthily. In some instances this effort is being hampered because of the proximity of street traders running burger and ice cream vans very close to schools. This inevitably encourages pupils to leave the school campus and purchase less healthy food options than for lunch rather than the healthier options that are available in the school dining facilities.

This has been raised in the past with officers in the licensing department to see if there is anything that can be done to restrict the ability of these traders from operating in such proximity to schools. Would it be possible as part of this review to consider introducing an 'exclusion zone' around the secondary schools in the city to help promote the benefits of healthy eating?".

4.3 An email response was received via Dorothy Stringer School from the Safer Schools Officer, East Area Neighbourhood Policing Team around issues relating to the same ice-cream seller as mentioned above, plus concerns around a new ice-cream seller in the vicinity of Varndean School.

4.4 Feedback was received from an existing street trader (ice cream van at Stringer) (letter attached).

4.5 The regulation of street trading by consents covers infrequent, itinerant trading. There is no right of appeal against refusal and so it is vital that licensing authorities behave in a fair and reasonable manner. An established street trader would have a reasonable expectation that his/her consent would continue. Street trading consent regulations' primary purpose is to prevent obstruction of the street or danger to persons using it, or nuisance or annoyance to people using the street or otherwise. The department promotes diet, health and local food issues including engagement with school children by its healthy awards scheme recently launched. Using street trading regulations to promote healthy food, although appealing, may not be proper use of the regulatory controls.

4.6 Another response was received from an existing street trader with a pitch in the city centre who is opposed to the issue of further pitches in the city centre. He was also concerned that we are removing section C (permitting the sale of same goods within 100 metres). There is no proposal to increase city centre pitches. Limiting business may be an improper use of street trading controls which are designed to avoid danger, obstruction, nuisance and annoyance.

4.7 Brighton and Hove Business Forum raised the matter of Jubilee Street but this is private land and therefore not subject to street trading controls.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

Revenue: Street Trading fees are set at a level that officers reasonably believe will cover the costs of administering the service. Any costs associated with the Street Trading Policy will be met within existing Licensing budgets. Fees are set as part of the annual Council budget setting process.

Capital: There are no capital implications.

Finance Officer Consulted: Karen Brookshaw Date: 19/10/2009

5.2 Legal Implications:

Section 3 of the Local Government (Miscellaneous Provisions) Act 1982 enables a district council in England and Wales to adopt a code for the regulation and control of street trading within its area.

Certain types of trading are excluded from the definition of street trading and these traders are not required to obtain a licence or consent to trade on a licence or a consent street. Similarly, a trader falling within the exclusions may trade in a street designated as a prohibited street.

Lawyer Consulted: Rebecca Sidell Date: 22/10/2009

5.3 Equalities Implications:

Diversity is valued and strong, safe communities are vital to future prosperity.

5.4 Sustainability Implications:

Some street trading supports recycling of goods. Farmers markets may reduce “food miles".

5.5 Crime & Disorder Implications:

Transparent, proportional street trading controls minimise danger of obstruction and nuisance. Street trading can be a source of stolen or counterfeit goods.

5.6 Risk and Opportunity Management Implications:

Street trading is a crucial business and employment opportunity and unnecessary regulation might lead to legal challenge.

5.7 Corporate / Citywide Implications:

Street trading represents some traditional, historic heritage of the city. Many characters and activities are interwoven into the city's history.

SUPPORTING DOCUMENTATION

Appendices:

1. Brighton & Hove City Council Street Trading Policy.

Documents In Members' Rooms:

1. None.

Background Documents:

1. None.

STREET TRADING POLICY

Consent Street	Purpose
Zone A	
City Centre Static consent sites (Dean Street, Marlborough Street, Castle Street, Crown Street, Western Road, Clarence Square)	General trading
Upper Gardner Street	Saturday market
Bartholomew Square, Dukes Street, Market Street	Hot chestnut and other traditional Christmas trading activity
Bartholomew Square, East Street, Dukes Street, Market Street	Street artists who produce portraits on the street
George Street Hove, Bartholomew Square, Black Lion Street, New Road and Jubilee Street	Occasional markets including ethnic, farmers and crafts etc.
Zone B	
Area outside city centre	Mobile and static traders, both as regular occupation and community events and markets

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982: STANDARD CONDITIONS FOR STREET TRADING

A. The consent may not be transferred and the Trader shall not permit any person to exercise the consent in his/her absence unless that person is employed by the consent holder and is at least seventeen years of age. The consent holder shall not employ more than two persons at any one time to exercise the consent in the absence of the holder and any contravention of the standard conditions forming part of the consent by these persons shall be deemed to have been committed by the consent holder.

B. The Trader shall not stand or use any stall, barrow or basket or other receptacle or any mobile stall or vehicle in any street except such as are specified in the consent. Such stall, barrow etc. shall be removed from the specified site at the end of each trading day for storage at a location that is not on the public highway.

C. The Trader shall not sell, expose or offer for sale any articles on days or at times other than those specified in the consent.

D. The Trader shall not place, store or sell, expose or offer for sale any article outside the trading area marked out at the specified site (with the exception of Upper Gardner Street).

E. The Trader shall at all times whilst trading provide a suitable receptacle for rubbish and litter and remove the rubbish and litter from the site at the end of each days trading. Such rubbish and litter is not to be placed in municipal litter bins. In Upper Gardner Street in lieu of this condition being complied with the Council will offer a refuse collection service upon payment of an appropriate fee.

F. The Trader shall operate in a manner which causes no nuisance to the Council or to the general public.

G. The Trader shall at all times whilst trading wear in a prominent position an identity badge provided by the Council. In addition, for town centre street trading consents, the consent, or copy thereof, shall be displayed on the stall/mobile vehicle.

H. The Trader shall be insured against any claim in respect of third party liability whilst trading under a consent. No consent will be issued until a current policy has been produced to the Director of Environmental Services and the Trader shall produce evidence of such insurance to an authorised officer of the Council within seven days of the officer's request.

I. Where there is a potential ignition source present including cooking facilities, a 2kg dry powder extinguisher which complies with the standards set out in BS 5423: 1987 must be provided.

J. Where hot fat cooking facilities are provided a fire blanket should be provided and so positioned as to allow the blanket to be withdrawn easily and quickly.

Clarification

Times of trading:

Upper Gardner Street	7am – 5pm
City Centre	8 am – 6pm
Zone B	No times set

- A waiting list will be administered where sites or types of street trading are oversubscribed.
- There will be no transfer of consents, no joint consents, preference will be given to local residents and consents will be issued not exceeding 12 months.
- Consent holders shall be fit and proper, the activity will cause no danger, obstruction, nuisance or annoyance to people in the vicinity and will leave 2m unobstructed footway.
- Preference will be given to existing traders at existing sites at renewal.
- Traders will ensure suitable refuse storage and remove refuse at the end of trading (with the exception of Upper Gardner Street).
- Traders will wear identity badges issued by the Council.
- Traders will take reasonable fire safety measures.
- Consent will only be issued following receipt of appropriate fee. Fees shall be payable quarterly.
- If the site is temporarily unavailable, it will be relocated to a nearby site or suspended and a proportion of the fee remitted.

Reg Hook
33 Overhill Drive - Patcham,
Brighton BN1 8WF
01273 553745: Fax. 01273 883840
Mob: 07950 925758 Email: reghook@ntlworld.com

Ref: RH

25 March 2009

Mr. T. Nichols
Head of Environmental Health and Licensing
Brighton and Hove City Council
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

Dear Mr. Nichols

Re: Street Trader Licensing Policy Review

I write on behalf of the Governing Body and Head Teacher of Dorothy Stringer High School to contribute to the policy review of street trading licence conditions.

Our concern in this area stems from the fact that a street trader selling food such as burgers and chips from a van regularly targets our school. His name is Mr Coomber and he trades from a van labelled "Soft Ice Cream" registration number F409 DKL.

This trader used to sell food just inside the entrance to the school in Loder Road. When asked to leave school premises he simply re-located, and now parks at morning break, lunchtime and after school in Stringer Way at the rear of the school. This is a road owned by the Council separating the Stringer and Varndean campuses. It leads to various buildings including a nursery school and swimming pool and is constantly used by vehicles and pedestrians.

The **nuisance** caused to our school by this street trader is considerable:

1. Road safety

   Naturally the safety of all the children at our school is our absolute priority. The van is parked on the road and restricts visibility. There is no pavement. There is therefore an obvious and unacceptable risk of injury if a child going to buy food or drink from the van were to be hit by a car.

2. Unhealthy food

   We are very proud of the fact that our school has Gold Status as a Healthy School. We have worked hard to improve the range and quality of healthy food in the canteen. Unfortunately, youngsters continue to be attracted by unhealthy food such as burgers and chips sold by this trader, who is plainly targeting a captive market. It would be far preferable for this type of food not to be available to children near school.

3. Litter
   Inevitably this food is sold in wrappers which are unfortunately discarded causing a litter problem. Whilst the school tries to address this through educating children not to drop litter, the problem would not arise if the cause were removed.

4. Staffing implications

   Because of the risk to children's safety, senior staff have no alternative but to supervise Stringer Way when the van is there. This is outside school premises and does not form part of their normal responsibilities. The governing body regards it as unreasonable for staff time and resources, already stretched to the maximum, to have to be deployed in this way.

   Zones under Local Government (Miscellaneous Provisions) Act 1982: Street Trading

5. The information given on the Council website states that there are 2 zones in relation to street trading. Zone A excludes the city centre and Zone B defines other excluded areas in the rest of the city. We note that although "parks, gardens, recreation grounds, pleasure grounds and open spaces under the management and control of the Council" are excluded, there is no mention of schools or the areas around schools. Also the designated excluded streets are main thoroughfares with no mention of streets around schools (apart from some by coincidence, such as Elm Grove).

6. We understand from the Environment Department that it is not possible to attach individual terms and conditions to street trader licences, so that if a license is granted, the trader can effectively operate anywhere in Zone B apart from the designated excluded areas and roads.

7. We would therefore submit that as part of its policy review, the Council should extend the excluded Areas in Zone B specifically to exclude named streets around our school, and indeed, the other secondary schools in the city, for the health, safety and protection of the children in our care.

8. In the case of Dorothy Stringer, we would wish to avoid the problem simply being displaced from Stringer Way to a nearby street (such as Draxmont Way). This would only increase the danger to our children and potentially cause a nuisance to our residential neighbours. Therefore, any extended exclusion zone would have to be meaningful in size. We would suggest an area of at least ½ to 1 mile radius around our school.

9. Finally we wish to make clear that we do not object to Mr. Coomber or any street trader earning a living in this way, but we do object to the children in our school being targeted as his prime market, for all the reasons set out above. We do not argue for an unreasonable restriction in trade, but consider our submissions to be reasonable and proportionate.

Yours sincerely

Reg Hook
Chair of Governors
Dorothy Stringer School

c.c. Sarah Ranger

C.H.A. COOMBER
59, BEVENDEAN CRESCENT
BRIGHTON
BN2 4RB
12th APRIL 2009

JEAN CRANFORD
ASSISTANT DIRECTOR PUBLIC SAFETY
BRIGHTON & HOVE CITY COUNCIL
BARTHOLOMEW HOUSE
BARTHOLOMEW SQUARE
BRIGHTON BN1 1JP

BRIGHTON & HOVE C[illegible] [illegible]NCIL
ENVIRONM[illegible] HEALT[illegible] [illegible]ENSIN[illegible]
DATE RECEI[illegible]
1[illegible] APR 20[illegible]

RE:- APPENDIX 4 - REG HOOK

MANY THANKS ADVISING ME OF THE LETTER AS ABOVE. I HAVE, AS YOU KNOW, BEEN GOING TO STRINGER WAY FOR SOME TIME AS THE COURT CASE WITH BRITISH BULLDOG ICE CREAM SOME YEARS AGO BEARS OUT. THEN, AS NOW, IT IS PART OF MY ROUND. I HAVE NEVER TRADED WITHIN THE SCHOOL SO THE "RELOCATION" STATEMENT IS UNTRUE. FURTHERMORE I HAVE NEVER ATTENDED THE SCHOOL AT MORNING BREAK OR EVER SOLD CHIPS. FOR A SHORT WHILE I DID SELL STEAMED BURGERS BUT WITHDREW THEM UPON "DISCOVERING" THAT THE CANTEEN WERE SELLING CHICKEN BURGERS AS I DID NOT WISH TO CAUSE A CONFLICT OF ANY KIND. I CONTINUE TO SELL STEAMED SAUSAGES AS HOT DOGS. THE CANTEEN STILL SELLS BURGERS.

AT LUNCHTIME THERE IS VERY LITTLE, IF ANY AT ALL, TRAFFIC MOVEMENT AS SESSIONS AT NURSERY AND POOL DO NOT COINCIDE WITH LUNCHBREAK. FURTHERMORE I SERVE ONTO THE FIELD AWAY FROM THE ROAD AND AS YOU COULD SEE DO NOT OBSTRUCT VISIBILITY. TO SAY THAT IT IS UNACCEPTABLE IF A CHILD WAS TO BE INJURED I DO AGREE WITH. HOWEVER,

IT PAINTS A PICTURE TO THE COMMITTEE THAT I AM THE SOLE ATTRACTION TO THE CHILDREN CROSSING TO THE FEILD. THIS IS NOT SO. IN FACT THE SCHOOL 'ONLY LAST YEAR' INSTALLED TABLES & CHAIRS ON THE FEILD TO ENCOURAGE THE USE OF IT RATHER 'I FEEL' THAN LEAVING THE SITE TO GO TO THE LOCAL SHOPS WHERE THE ROADS ARE BUSY. INDEED AFTER I HAVE BEEN ON HOLIDAY IT WAS SAID TO ME THAT THEY WERE GLAD TO SEE ME BACK AS IT WAS EASIER TO GET THE CHILDREN BACK IN SCHOOL ON TIME, AND NOT "LOSE" SO MANY.

WITH REGARD TO LITTER THERE ARE TWO BINS ON THE FIELD (THERE USED TO BE FOUR) BUT I STILL SPEND 15 - 20 MINUTES MOST DAYS PICKING UP RUBBISH BOTH FROM MYSELF AND ALL OTHER.

WHILST I CANNOT SAY NEVER, IT IS VERY RARE TO SEE A MEMBER OF STAFF AT LUNCHBREAK. THERE ARE A COUPLE OF STAFF HOWEVER, WHEN ON DUTY, ATTEND THE FEILD AT CLOSE TO THE END OF LUNCHBREAK TO "HURRY" THE CHILDREN BACK INTO SCHOOL. I STOP SERVING AT 1.00 PM. TO HELP ACCOMODATE THIS.

SOME YEARS AGO IT WAS THOUGHT TO BE SAFER FOR THE CHILDREN TO STAY CLOSEBY AND NOT CROSS BUSY ROADS. ALTHOUGH MANY CHILDREN STILL DO THIS I HOPE MY PRESENCE DOES DETER SOME OF THEM.

I HAVE ALWAYS TRIED TO COMPLY WITH EVERYTHING REQUESTED, WITHDRAWAL OF BURGERS A POINT IN CASE, BUT MR. HOOK'S LETTER DOES NOT REALLY PAINT A TRUE PICTURE OF MY PRESENCE. THE GOLD STATUS AS A HEALTHY SCHOOL IS VERY MUCH TO BE APPLAUDED, BUT IS A STEAMED HOT DOG UNHEALTHY WHEN A CHICKENBURGER IS DEEMED TO BE HEALTHY? THE HEALTH OF A SCHOOL IS NOT ONLY ABOUT FOOD IT IS ALSO ABOUT WELLBEING AND CONTENTMENT. THE RECENTLY PUBLISHED FIGURES

WOULD INDICATE THAT IN MANY AREAS DOROTHY STRINGER IS WAY ABOVE MANY OTHERS, MAYBE I PLAY A PART IN THIS, MAYBE I DON'T BUT RECENTLY I WAS ASKED BY SOME YEAR 11'S IF I COULD TAKE THEM TO THE LEAVING PROM AS I HAD MEANT SO MUCH TO THEM OVER THE YEARS THEY HAD BEEN THERE. ON MY BIRTHDAY LAST YEAR I HAD A LARGE NUMBER OF CHILDREN SINGING HAPPY BIRTHDAY. IT ALL GOES TOWARD MAKING THINGS NICER!

SECTION 8 OF THE LETTER IS A VERY GOOD POINT IN QUESTION. I DO FEEL THAT MY PRESENCE DETERS A GREAT MANY CHILDREN FROM LEAVING THE SCHOOL AREA AND A GREATER EXODUS AT LUNCHBREAK TO THE SHOPS WOULD VERY MUCH ADD TO THE DANGER TO THE CHILDREN.

"PRIME TARGET" IN THE CONTEXT IT HAS BEEN USED SOUNDS HORRIBLE! THAT IS THE NATURE OF MY TRADE THE SAME AS ANY TRADER - BE THEY MARKET TRADER OR PUBLICAN, SHOE SHOP OR COFFEE SHOP WE ALL FILL A NICHE. UNFORTUNATELY SOME OF US ARE LOOKED DOWN ON AS LESSER OCCUPANCIES AND ARE VERY OFTEN TREATED AS SUCH "YOU ARE ONLY AN WHATEVER' AND ARE THEREFORE LESS WORTHY THAN MY PROFESSION!

MAY I THANK YOU FOR YOUR PAST KIND ASSISTANCE

YOURS SINCERELY

[signature]

C. H. A. COOMBER

18 Eastbourne Road,
Brighton,
Sussex,
BN2 4DL.

18th June 2009.

Dear Ms Cranford

I am writing with regards to the consultation about street trading. I have been a street trader for many years at Marlborough Street near Western Road selling fruit flowers and Christmas products. After reading the proposal it appears you do not have any plans to issue any new sites,but if there is any planned in the Brighton area to I wish to state it will have a terrible effect on the existing traders.I like the other traders have dedicated my live to my vocation and had to see my business suffer due to the rise of the supermarkets and numerous shops selling the same items as myself, so if any other traders appeared it would be devastating,but as a compassionate and caring authority I am sure you would never inflict such a blow to the long standing existing traders.

I have also noticed you plan to scrap section C of the (miscellaneous provisions) act 1982. Section C stops a trader selling the same items as another trader who is within 100 meters.I would urge you to reconsider omitting section C because it stops a new trader who has taken an existing site from selling the same items as a trader who has been selling these items for a long period of time, many years in some cases. In a civilized society surly it is not right that a long standing trader could be compromised in such a way.I have expressed my views to Jim whitelegg who has recommended I therefore write to you. I welcome your comments on my suggestions and hope to hear from you soon.

Yours faithfully,

R. Mees

(Richard Mears)

Jean Cranford

From: Sue Middleton [MDL@dorothy-stringer.co.uk]
Sent: 07 October 2009 17:31
To: Jean Cranford
Subject: FW: Ice cream vans [Scanned]

Jean – thank you for your reply. I read the council notes but not sure what action is now agreed. Please also see below PC Dave Walker comments we understood had been sent to you. I will try to telephone you Thursday. Thanks Sue

From: David.h.walker@sussex.pnn.police.uk [mailto:David.h.walker@sussex.pnn.police.uk]
Sent: 17 September 2009 15:42
To: Brian Orrells
Subject: FW: Ice cream vans [Scanned]

Failed first time

PC DAVE WALKER
SAFER SCHOOLS OFFICER
North Brighton
East Area Neighbourhood Policing Team
Police Station | Crowhurst Road | Brighton | BN1 8AP
Telephone 0845 60 70 999 Ext. 59719
www.sussex.police.uk

Sussex Police – Serving Sussex

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-----Original Message-----

From: Walker David AW030
Sent: Thursday 17 September 2009 15:22
To: 'www.jeancranford@brighton-hove.gov.uk'
Cc: 'Orr@dorothy-stringer.co.uk'; 'brenda muzio'; Davidson James CD219
Subject: Ice cream vans

Hi Jean
I have been informed the you are the lead in collating information regarding health and safty issues with Ice cream vans in the town. I understand that there has recently been a consultation period regarding this issue which has now ended and the findings being assessed. To that end I would like to make you aware of issues surrounding Ice cream vans that attend two of the schools I cover those being Dorothy Stringer and Varndean secondary schools situated to the North of the town. For at least as long as I have been in post (4 years) Dorothy Stringer have expressed concerns regarding an Ice cream van that attends Stringer Way at the rear of Dorothy Stringer at break times and home time. The main concern is break times where the presence of this van encourages students to leave the school site and purchase food stuffs that are not on the governments list for healthy schools. As there are a large number of students at the school it follows that there is normally a scrum to get to the ice cream van which sometimes results in anti social behaviour. There has also at times been incident between the driver and the children resulting in missiles being thrown at the van.Dorothy Stringer do not condone the presence of the van but have been powerless to stop it as it not currently breaking any rules. I have contacted the council myself regarding these issues but have not got any further than the school have.I have spoken to the owner/driver but obviously as he is not breaking any rules and it is a good sourse of income he is not inclined to stop and accepts that on occasions his van has got damaged etc but the benefits outway the negatives.

There has also recently been a new van that has started attending Varndean school either parking on Ditchling Road opposite the school or at lunch time immediately outside the main gate. This again distracts the kids encouraging them to either leave the school site which only year 11's can do at lunchtime or more importantly crossing what can be very busy roads without paying the nescessary attention . Now I know these things do not happen overnight but I do not wish a death or a serious injury to a child to suddenly highlight this problem when the problems have been there for some time with the no doubt uncomplementary reporting in the local press. So to that end can I express my concerns regarding these types of vehicle so that at the conclusion of your investigation there being some sort of restrictions as to where they can trade and when. If you wish to discuss with me this subject then please contact me on 07786274676 or the number below.

Yours Dave.

PC DAVE WALKER
SAFER SCHOOLS OFFICER
North Brighton
East Area Neighbourhood Policing Team
Police Station | Crowhurst Road | Brighton | BN1 8AP
Telephone 0845 60 70 999 Ext. 59719
www.sussex.police.uk

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From: Sue Middleton
Sent: 06 October 2009 08:47
To: 'jeancranford@brighton-hove.gov.uk'
Subject: Food/Ice Cream Vans at the gates of Dorothy Stringer School

Dear Jean

I have been sent a copy of the email sent to you by PC Dave Walker. I am sorry Dave did not explain your role within the council but I am hoping you can help us. For a long time we have tried to find away of getting rid of the food van that parks in Stringer Way, at our back gate. I have listed below some of the issues :

The van is at the back gate lunch and after school

1.The van sells - sweets (full of sugar), cans of fizzy drinks (full of sugar), hot dogs with tomato sauce, crisps.

We do not sell any of these food items and with the canteen staff have continued to try and sell healthy options. Also we are governed by the Governments ruling on school dinners etc. Whereas the van driver can sell sugar and e numbers etc.

We also do not sell cans as if dropped on the field and cut up by the grass cutters, bits of mental are left in the grass and can cause injury.

The van driver does, usually pick up near the van but that does not solve the problem of the fields.

Pupils don't always understand when we say we don't sell cans are allow them in school as the van is right at our back gate.

2. Parking - The van parks in a lay by where I have put no parking to help keep the back gate free for pupil crossing and to allow space for cars, larger vehicles to get the turn into the back entrance (deliveries, mini bus etc). He ignores this. Children hanging about the van, not looking etc is not a good idea in this area. Stringer Way is a road used by Stringer, the play group, swimming pool, cottages and gardens hut etc.

Stringer Way is also a road that no one seems to take responsibility for ? But someone must ?

3. Trouble at the van - pupils are allowed to cross Stringer Way and sit at the picnic tables, visit the

school's butterfly haven or play football on the schools football pitch situated above the butterfly haven.

If we "police" the van we are seen is agreeing with him being there. If we don't they is often trouble - either pushing in the queue, throwing cans at the driver. Occasionally when for some reason he has fallen out if pupils (usually senior boys) there is more trouble. We deal with the situation and now regularly have senior staff in the area.

When he is not there, there is no trouble in this area.

We also now have a van at the front gate selling ice creams at lunch and break.

The van seems to have a " dirty" looking sink in the front. Is this enough ? Are the drivers CRB checked ?
We feel that the schools on the Surrenden campus should be helped. A zone should be put around the campus and in fact all schools, banning vans from that area.

We really do need your help and support.
I look forward to hearing from you

Sue Middleton
Healthy Schools Co-ordinator and Assistant Head Teacher
Tel : 852302

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)	**Agenda Item 16** Brighton & Hove City Council

Subject:		***Policing and Crime Bill – Sex Establishment Consultation***		
Date of Meeting:		**26 November 2009**		
Report of:		***Director of Environment***		
Contact Officer:	Name:	Tim Nichols	**Tel:**	29-2163
	E-mail:	tim.nichols@brighton-hove.gov.uk		
Wards Affected:	All			

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 On 5 February 2009, the committee were apprised of the Policing and Crime Bill relating to sex establishments including lap dancing clubs. The Home Office is conducting a consultation on the draft proposals for transitional arrangements and responses must be received by the x date.

1.2 The minutes of that discussion are appended (appendix A).

1.3 The Home Office is consulting on transitional arrangements (appendix B).

2. RECOMMENDATIONS:

2.1 That the committee responds to the questions in the consultation as follows:

2.2 24. The new regime should apply to existing operators but the licensing authority is concerned that existing operators may have an expectation that their current business should not be criminalised.

31. The timetable is appropriate.

33. The proposed approach for existing operators is acceptable.

39. Any conditions related to relevant entertainment should be passed to the new Sex Encounter Establishment licence.

44. Current sex encounter provision created by local London legislation is inapplicable outside London.

47. LLA does not apply in the city.

50. There are no objections to the commencement dates.

53. The impact assessment appears reasonable.

2.3 That regulation of sex encounter establishments would continue to be supported by Licensing Committee.

2.4 That Licensing Panels continue to be guided by the statement of licensing policy including the imposition of conditions applicable to lap dancing clubs in determining applications until overtaken by the Policing & Licensing Bill.

2.5 That the Council would be recommended to adopt provisions relating to sex encounter venues, if the Policing and Crime Bill is enacted.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 The concerns raised by members in committee included:

- Councillors welcomed the provisions of the new bill and it was a success for local authorities who were concerned on the proliferation of this type of establishment, which could not be controlled by the Licensing Act 2003. There was concern over the fact that it was not mandatory and that it did not cover venues such as pubs, where events may be organised intermittently or on a casual basis.

- Conversely, it was accepted that there should be provision for adult entertainment for the continued economic health of the city and controlling the number and location of these establishments could detrimentally affect the tourist trade.

- Greater control of establishments was generally welcomed but existing ones were already causing problems in city centre ward. Hen and stag party activities were unfortunately likely to be exempt from the provisions.

Initial concerns over the proliferation of sex establishments in the city had not been borne out over recent years, and as there was no longer a demand for Private Members Bill, the costs for investigation and implementation would be reduced.

3.2 The documentation from the Minister for Crime Protection is appended (appendix 2).

3.3 The European Services Directive aims to break down barriers for cross border trade in services. It will make it easier for service providers, particularly small and medium sized enterprises, to set up or offer their services anywhere in the EEA.

The Services Directive aims to ensure that any licence applications, authorisations or administrative procedures that must be followed in order to establish a business in a relevant service sector are transparent and keep any burden on the business to a minimum.

This basic concept also applies to the fees charged by local councils for approving licence applications, authorisations or other administrative processes.

4. CONSULTATION:

4.1 The Council's legal and finance officers have been consulted.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

The regulatory impact assessment is appended.

Licensing fees set at a level that officers reasonably expect will cover the cost of service provision. This will include administration and enforcement of the regime. The current sex establishment licensing fee is to be set by report elsewhere on agenda. Finance officers creating a trading account for our current sex shops consider that it is: a) justified, b) set too high and should remain static until expenditure meets income. The new sex encounter establishment licence would be part of the same regime as sex shops and it is recommended that the same fee is charged for sex shops and sex encounter establishments. There are currently 4 sex shops licensed by the council and there are 3 licensed premises that provide relevant entertainment.

Finance Officer Consulted: Karen Brookshaw Date: 16.10.09

5.2 Legal Implications:

European Convention on Human Rights requires peaceful enjoyment of one's possessions and that includes licences etc and retrospective criminalization of acts, may have the same effect as protecting/grandfathering existing operators.

Lawyer Consulted: Rebecca Sidell Date: 04.11.09

5.3 Equalities Implications:

New powers would allow communities more influence on location of lap dancing clubs.

5.4 Sustainability Implications:

None.

5.5 Crime & Disorder Implications:

New powers would give local authorities scope to reject applications for lap dancing clubs.

5.6 Risk and Opportunity Management Implications:

None.

5.7 Corporate / Citywide Implications:

Effectiveness of regulation will need monitoring. Proliferation of lap dancing clubs can affect the character of an area and concern local people.

SUPPORTING DOCUMENTATION

Appendices:

A. Minutes from Licensing Committee 5th February 2009.
B. Home Office consultation document.

Documents In Members' Rooms:

1. None.

Background Documents:

1. None.

Item 16: APPENDIX A

EXTRACT MINUTES FROM THE MEETING OF THE LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS) HELD ON 5 FEBRUARY 2009

BRIGHTON & HOVE CITY COUNCIL

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

3.00PM 5 FEBRUARY 2009

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors C Theobald (Chairman), Lepper (Deputy Chairman), Mrs Cobb, Fallon-Khan, Fryer, Hamilton, Hyde, Kitcat, Marsh, Older, Pidgeon, Simson, Watkins and West

Apologies: Councillors Harmer-Strange and Young

PART ONE

24. POLICING AND CRIME BILL

24.1 The Head of Environmental Health and Licensing presented a report on the Policing and Crime Bill as it related to the Licensing Committee (Non Licensing Act 2003 Functions) and stated that since the Constitution had changed, work on examining this bill would now be conducted by the Licensing Committee.

24.2 Councillor Lepper welcomed the provisions of the new bill and stated that it was a success for Local Authorities who were concerned about the proliferation of this type of establishment, which could not be controlled by the Licensing Act 2003. She noted concern over the fact that it was not mandatory however, and that it did not cover venues such as pubs, where events may be organised intermittently or on a casual basis. Councillor Lepper recognised that such venues would have to apply for, or already have provision for, dancing on their licence however.

24.3 Councillor Cobb felt cautious about adopting provisions to control this type of establishment and noted that Westminster City Council was not intending to adopt the bill. She noted that Brighton and Hove already had a nudist beach and was a popular resort for hen and stag parties. She felt that provision for adult entertainment was necessary for the continued economic health of the city and believed that controlling the number and location of these establishments could detrimentally affect the tourist trade.

24.4 Councillor Kitcat welcomed greater control of these establishments and noted that existing ones were already causing problems in his ward. He recognised the effects of the provisions in terms of the tourist trade, but noted that hen and stag party activities were exempt from the provisions. He asked whether a new working group would be formed to look into this issue further, and asked whether the funding that had been ring fenced to investigate the Private Members' Bill would be used for the work on the Public Bill.

24.5 The Head of Environmental Health and Licensing stated that the Licensing Committee would take on the work of the cross-party working group and would refer any recommendations as a result of that work to Council for adoption.

The funding that was originally set aside for investigation and implementation of a Private Members Bill was not in the control of the Head of Environmental Health and Licensing and he stated that as the Bill was now public, any costs incurred could be absorbed into the relevant current budget of the Committee or the department.

24.6 Councillor Hyde expressed concern over the Public Bill and felt that it was incomplete. The Head of Environmental Health and Licensing stated that it was too early to tell what provisions the final act would contain and noted it would be prudent to stay neutral for the time being. He noted that the department received very few complaints about existing sex establishments in the city and their licences could be reviewed in the usual way if they were creating problems for a local area.

24.7 Councillor Simson stated that initial concerns over the proliferation of sex establishments in the city had not been borne out over recent years, and as the Bill was no longer a Private Members Bill the costs for investigation and implementation would be reduced. She felt that it was prudent therefore to use the original funding elsewhere.

24.8 **RESOLVED** – that the Licensing Committee (Non Licensing Act 2003 Functions) agrees the recommendations in the report.

Item 16: APPENDIX B

Home Office

Regulation of Lap Dancing Clubs

Consultation on Transitional Arrangements

Content

Ministerial Forward

In September 2008, the previous Home Secretary announced her intention to bring forward important reforms to empower communities in England and Wales by giving them a greater say about the location and number of lap dancing clubs and similar establishments in their local areas. To achieve this we have introduced measures in the Policing and Crime Bill to allow local authorities to regulate lap dancing clubs as sex establishments under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 198 These important reforms will give local authorities the powers they have called for to allow them to respond more effectively to the views of local people, who have become increasingly concerned about the number of lap dancing clubs being established in their communities.

The measures are still being scrutinised by Parliament, but as we prepare for the Bill passing into law, we need to consider what form the transitional arrangements will take to ensure we move smoothly from the current regime to the new one. These arrangements will be important as they will help ensure that local authorities, businesses, and, of course, the communities who will be affected by the new reforms will have time to prepare and adjust. We recognise the impact on business but have always been clear that this needs to be balanced against ensuring local people have sufficient voice in their communities. We hope that the proposals set out in this consultation document strike this balance and will help those that need to take appropriate steps to adapt to the new licensing regime.

This, therefore, is an important consultation. It gives interested parties an opportunity to tell us how they will be affected by our proposals and, if necessary, allow us to take into account their concerns before bringing forward the transitional arrangements in secondary legislation.

We hope you will take the opportunity to give us your views.

ALAN CAMPBELL
MINISTER FOR CRIME REDUCTION

Consultation Summary
Scope of the consultation

Topic of this consultation:	Proposals for transitional arrangements for the provisions in the Policing and Crime Bill relating to the regulation of lap dancing clubs and similar venues.
Scope of this consultation:	This consultation seeks views on proposals relating to transitional arrangements. This is not a consultation on the decision to reclassify lap dancing clubs as sex establishments.
Geographical scope:	England and Wales
Impact assessment (IA):	An updated impact assessment is included with this consultation.

Basic Information

To:	• Local Authorities • Existing operators • New operators • Licensing practitioners • Local residents • Campaign Groups • Local Businesses Police
Duration:	21th September to 14th December
Enquiries and Responses	Thomas Cottam 4th Floor, Peel Building 2 Marsham Street London SW1P 4DF SEVconsultation@homeoffice.gsi.gov.uk
Additional ways to become involved:	As this consultation concerns a relatively small number of venues and deals with issues that are technical in nature, it will primarily be a written exercise.
After the consultation:	A summary of responses will be placed on the Home Office website.

Background

Getting to this stage:	In Summer 2008 the Department of Culture, Media and Sport (DCMS) held a consultation with local authorities regarding the regulation of lap dancing clubs. A majority of respondents felt that additional powers specific to lap dancing clubs were necessary. As part of the Policing and Crime Bill introduced in Parliament on the 19 December 2008, the Government included provisions to reclassify lap dancing clubs and similar establishment as sex establishments under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.
Previous engagement:	In addition to the DCMS consultation with local authorities, the Home Office sent a letter in September 2008 to selected stakeholders seeking views on the proposal to bring lap dancing clubs under the regulation of the 1982 Act. Over the last year Home Office officials also met with a number of interested groups and presented at events for licensing practitioners.

Introduction

1. This paper sets out the Government's proposals for the implementation of the amendments to Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 ('the 1982 Act') made by the Policing and Crime Bill[1].

2. It explains the background to the policy and the proposed transitional arrangements that will be set out in secondary legislation, once the Bill has received Royal Assent.

3. The proposals set out in Section Two relate to the implementation of clause 26 of the Policing and Crime Bill which extends to England and Wales only.

4. In summary the Government is proposing that:

- Any operator – new or existing - who wishes to provide 'relevant entertainment' at the end of the transitional period will be required to apply for a sex establishment licence in the manner set out in Schedule 3 to the 1982 Act.
- Existing operators will be allowed to continue to provide 'relevant entertainment' under their existing permission without interruption for the duration of the transitional period or until their application for a sex establishment licence has been determined, whichever is the later.
- The transitional period will start on the date Schedule 3 to the 1982 Act comes into force in that area (the 1st appointed date). It will last for 12 months.
- For 6 months following the 1st appointed date, applicants will be able to submit applications all of which will be considered together by the local authority.
- Applications received after the first 6 months (the 2nd appointed date) will be considered after applications received before the 2nd appointed date have been determined
- Licences granted for sex encounter venues will not take effect until the conclusion of the transitional period (the 3rd appointed date)
- Where a London local authority has previously adopted the sex encounter establishment category introduced by the London Local Authorities (General Powers) Act 1986, this category will be replaced by the new sex encounter venue category upon the adoption of the provisions introduced by the Policing and Crime Bill by the local authority.

5. We welcome your views on all the proposals and are particularly interested to hear your views on the specific questions asked throughout this consultation document. This is not a consultation on the Government's decision to reclassify lap dancing clubs and similar venues as sex establishments.

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1 http://services.parliament.uk/bills/2008-09/policingandcrime.html

6. Please send your comments to:
Thomas Cottam
4th Floor, Peel Building
2 Marsham Street
London SW1P 4DF
or
SEVconsultation@homeoffice.gsi.gov.uk

7. You should also contact the consultation team should you require a copy of this consultation paper in any other format, e.g. Braille, Large Font, or Audio.

8. This document is available on the Home Office website.

Section One – Background
9. This section outlines the background to the measures introduced by the Policing and Crime Bill and explains what the policy seeks to achieve.

Policy Background
10. The increase in the number of lap dancing clubs in recent years has become an issue of concern for many local communities. Estimates suggest that the number of venues has doubled since 2004 and there are now close to 300 throughout the United Kingdom.[2] Other estimates put the figure closer to 150.[3] Most lap dancing clubs are regulated under the Licensing Act 2003 ('the 2003 Act'), under which they hold a premises licence/club premises certificate to provide 'regulated entertainment'. Under the 2003 Act, the objections of local people and businesses must be based on the four licensing objectives, namely: the prevention of crime and disorder; public safety; prevention of public nuisance and the protection of children from harm. As a result, licensing authorities cannot consider the objections of local people and businesses that are based on matters outside the scope of these four objectives, such as whether a lap dancing clubs is appropriate given the character of an area.

11. In June 2008 Gerry Sutcliffe, the Parliamentary Under Secretary of State at the Department of the Culture, Media and Sport, wrote to the chief executives of local authorities to clarify how they viewed the powers available to them under the 2003 Act and to seek their views on whether these, and other controls, were sufficient to address the concerns of local people and businesses. The majority of those who responded felt that additional legislation should be introduced to provide controls that are specific to lap dancing clubs and similar premises and suggested that Schedule 3 to the 1982 Act should be used for this purpose[4]. This approach was also supported by a wide range of stakeholders including the Local Government Association, the National Organisation of Residents Associations and the campaign groups Object and the Fawcett Society.

[2] A Growing Tide, Object, April 2008:
http://www.object.org.uk/files/A%20Growing%20Tide%20Report%202008.pdf
[3] Figure provided by the Lap Dancing Association

12. Alternative approaches that sought to make changes to the 2003 Act and utilise existing planning legislation were proposed by industry representatives who opposed the use of the 1982 Act. However, it was felt that such changes, especially those making use of planning legislation, would be overly complex and would not provide sufficient additional powers called for by many local authorities to regulate lap dancing clubs.

13. Therefore the Government announced on the 2 December 2008 that they would introduce legislation to reclassify lap dancing clubs and other similar venues as 'sex establishments' under the 1982 Act[5]. These provisions were included in the Policing and Crime Bill, which was introduced in Parliament on 19th December 2008.

The Policing and Crime Bill and the Local Government (Miscellaneous Provisions) Act 1982

14. Clause 26 of the Policing and Crime Bill introduces a new category of sex establishment under Schedule 3 to the 1982 Act called a 'sex encounter venue'. This new category covers venues that provide 'relevant entertainment'. Relevant entertainment is defined as any live performance or display of nudity "which is of such a nature that, ignoring financial gain, it must be reasonably assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)". Such venues will require a sex establishment licence. However, there is an exemption for premises which provide such entertainment infrequently (see new paragraph 2A(3)(b) to be inserted into Schedule 3 to the 1982 Act) and, even if premises do qualify as a sex encounter venue, the local authority still has the discretion to waive the requirement for a licence.

15. In summary Schedule 3 to the 1982 Act will, in particular: .

- allow local people to oppose an application for a sex establishment licence if they have legitimate concerns that a lap dancing club would be inappropriate given the character of an area because for example, if the area was primarily a residential area.
- require licences to be renewed at least yearly, at which point local people will have the opportunity to raise objections with their local authority.
- allow a local authority to reject a licence application if they believe that to grant a licence for a lap dancing club would be inappropriate given the character of a particular area.
- allow a local authority to set a limit on the number of sex encounter venues that they think is appropriate for a particular area.

[4]http://www.culture.gov.uk/reference_library/foi_requests/5500.aspx
[5] Announcement made in Fair Rules for Strong Communities, December 2008: http://www.number10.gov.uk/wp-content/uploads/fair-rules-for-strong-communities.pdf

- allow a local authority to impose a wider range of conditions on the licences of lap dancing clubs than they are currently able to under the 2003 Act.

Section Two – Proposals for Regulations

16. To implement the measures introduced by Clause 26 of the Policing and Crime Bill there will need to be a transitional period to allow existing lap dancing clubs and other venues falling within the definition of a sex encounter venue time to comply with the new legislation. The transitional arrangements and the duration of the transitional period will be specified in secondary legislation made by the Secretary of State in England and Welsh Ministers in Wales.

17. This section sets out the proposals for these transitional arrangements and forms the main part of this consultation. We would welcome comments on this section and in particular your comments on those areas where specific questions have been raised. How will the 1982 Act apply to existing operators?

18. Representations have been made to the Government by industry representatives to exclude existing operators, who have explicit permission in their existing licences to provide ‘relevant entertainment’, from the new regime or at least to give them preferential treatment when their sex establishment licences fall to be determined for the first time. Such provisions, often referred to as ‘grandfather rights’, were made when the 2003 Act and the Gambling Act 2005 were introduced.

19. After careful consideration, it is proposed that similar provisions should not be made for the purposes of the Policing and Crime Bill and that existing lap dancing clubs who wish to continue to provide ‘relevant entertainment’ should be required to apply for a new sex establishment licence in the manner set out in Schedule 3 to the 1982 Act, subject to the transitional arrangements set out below.

20. Although the local authority will need to consider any rights an existing licence holder may have under Article 1, Protocol 1 of the European Convention on Human Rights when deciding an application, the Government is not proposing to give existing licence holders preferential treatment or indeed, exclude them from the provisions on the face of the Bill.

21. It is acknowledged that as a result of this approach, some existing businesses may have to stop providing ‘relevant entertainment’ or, in a small number of cases, close. While we understand the concerns that have been expressed by the industry, we believe that to automatically grant existing lap dancing clubs a sex establishment licence would be contrary to the intent behind these reforms, which is to give local people greater say over the number and location of lap dancing clubs in their area.

22. We are aware that in recent years there have been instances where lap dancing clubs have been granted licences despite significant local opposition. In many of these cases licensing authorities were unable to consider local opposition that fell outside the scope of the four licensing objectives.[6] In some cases, the result has been that lap dancing clubs have opened, and continue to operate, against the wishes of local people. For this reason, the Government believes that local communities should be given the opportunity to have their say over how or whether existing venues operate in the future.

23. We are mindful of the UK's obligations under EU law. Paragraphs 28 and 29 to Schedule 3 of the 1982 Act set out the provisions for dealing with existing sex shops and sex cinemas when these provisions were first commenced. Paragraph 29(4) provided that when considering several applications for sex establishment licences, local authorities would have to give preference to existing operators. A similar approach was considered with regards to sex encounter venues. However, it was concluded that such provisions would now be unlikely to survive a legal challenge in respect of Article 43 EC or the Services Directive.

24. What are your views on the proposal that the new regime should apply to existing operators and that the transitional provisions should not provide for them to be given preferential treatment when their application for a sex establishment licence comes to be determined?

Transitional Period

25. The transitional period is the time that existing operators will be given to comply with the new legislation.

26. The transitional period will commence on the date the provisions in the Policing and Crime Bill come into force in the particular local authority area ('the 1st appointed date'). The Secretary of State then intends to specify a date 6 months after the 1st appointed date which will be known as the '2nd appointed date'. The Government is proposing that between the 1st and 2nd appointed dates applicants, who can be either existing operators or new applicants, will be able to submit applications to be considered by the local authority. At the end of this period, local authorities will consider all applications received during this period and will not grant any application until they have done so.

27. This approach would ensure that where local authorities have decided to set a limit on the number of premises that they consider appropriate for a particular locality, all applications submitted during this period will be considered before the local authority decides which applicants should be been granted a licence. Applications received after the 2nd appointed date will be considered individually by local authorities.

[6] A Growing Tide, Object, December 2008: http://www.object.org.uk/files/A%20Growing%20Tide%20Update%20Dec%202008.pdf

28. On the 3rd appointed date, which it is proposed will be 6 months after the 2nd appointed date all venues in that local authority area, unless awaiting the determination of an outstanding application, will have to be compliant with the new legislation.

29. The transitional period is the period between the 1st and 3rd appointed dates and is therefore currently intended to last for 12 months.

30. Under these proposals existing venues would be able to continue to provide ‘relevant entertainment’ under their existing premises licence or club certificate until the end of the transitional period, or until any application for a sex establishment licence submitted during the transitional period has been determined, whichever is the later. This will apply to all existing operators, irrespective of whether or not an application for sex establishment licence is submitted or whether or not such an application, if submitted, is granted.

31. What are your views on the proposed time periods between the 1st, 2nd and 3rd appointed dates and do you believe that a transitional period of 12 months in total is appropriate?

32. For the purposes of these transitional arrangements, it is proposed that an ‘existing operator’ is defined as a person operating any premises that on the 1st appointed day is authorised under an existing premises licence or club premises certificate, either explicitly or implicitly to provide entertainment that would be defined as ‘relevant entertainment’ under Clause 26 of the Policing and Crime Bill. Where licence holders are uncertain as to whether or not they are able to provide ‘relevant entertainment’ under their existing premises licence or club certificate they should contact the relevant local authority for guidance.

33. Do you agree with the proposed approach for identifying existing operators?

34. Annex 1 shows how the transitional arrangements for existing operators would work under these proposals.

New Operators

35. Where a premises without authorisation under an existing premises licence or club premises certificate, wishes to provide ‘relevant entertainment’ after the 1st appointed date, it is proposed that they will be required to apply for a sex establishment licence following the process set out in Schedule 3 to the 1982 Act, as amended by the Policing and Crime Bill. Under these proposals new operators will not be able to provide ‘relevant entertainment’ unless and until a sex establishment licence has been granted. Under these proposals new applications received before the 2nd appointed day would be considered at the same time as those applications from existing operators that are received by this date.

Outstanding Applications

36. It is proposed that premises which have made an application before the 1st appointed date under the 2003 Act for a premises licence or club premises certificate authorising the provision of relevant entertainment is treated as a new operator for the purpose of these arrangements where the application remains outstanding after the 1st appointed date. They will therefore have to submit an application for a sex establishment licence under Schedule 3 to the 1982 Act.

Existing Conditions

37. Where existing operators have sought explicit permission, when applying for a premises licence or club premises certificate under the 2003 Act to provide 'relevant entertainment' as defined in clause 26 of the Policing and Crime Bill, it is likely that they will be subject to licence conditions that apply directly to the provision of that entertainment. For example, where a lap dancing club has explicit permission to provide nude entertainment, they may have licence conditions that prohibit physical contact between performers and customers.

38. It is proposed that where such licence conditions are present on either an existing premises licence or clubs premises certificate, these conditions will be read as though they have been deleted from the premises licence or club premises certificate from the 3rd appointed day onwards. Where existing lap dancing clubs and similar venues are granted sex establishment licences for the provision of relevant entertainment, any conditions relating to the provision of that entertainment will be regulated by that licence alone.

39. What are your views on the proposal for dealing with conditions on existing premises licences/clubs premises certificates that relate specifically to the provision 'relevant entertainment'?

What does this mean for local people?

40. When an application is made to the local authority for a sex establishment licence, whether during the transitional period or after it, local people will have the opportunity to make representations to the local authority. It is important to note that these representations will be expected to address the provision of relevant entertainment and not activities that will continue to be authorised under the 2003 Act, such as the provision of alcohol and other forms of regulated entertainment.

Sex Encounter Establishments

41. The 1982 Act contains a category of sex establishment called a 'sex encounter establishment', which was introduced by the Greater London Council (General Powers) Act 1986. This category only applies in London where the relevant local authority has adopted the provisions. It only covers those venues that offer sexually explicit entertainment (such as peep shows) but are not licensed under the 2003 Act.

42. The Government is proposing that the new category of sex encounter venue will replace the existing sex encounter establishment category upon a London

Borough's adoption of the new provisions. If a London Borough, that has previously adopted Schedule 3 to the 1982 Act as amended by the Greater London Council (General Powers) Act 1986, decides not to adopt Schedule 3 to the 1982 Act as amended by the Policing and Crime Bill, the existing sex encounter establishment regime will remain in force.

43. Where a London Borough decides to adopt Schedule 3 of the 1982 Act as amended by the Policing and Crime Bill, secondary legislation will set out that where a sex encounter establishment licence has been previously granted it will be treated as though it were granted under the new sex encounter venue regime, retaining any conditions previously
granted.

44. What are your views on the proposals relating to the existing sex encounter establishment category? Also are you aware of any type of venue that currently requires a licence for a sex encounter establishment that would not require a licence for a sex encounter venue as defined in Clause 26 of the Policing and Crime Bill? Hostess Bars

45. Schedule 3 of the 1982 Act also includes a category of sex establishment called 'hostess bar', which was introduced by the London Local Authorities Act 2007 and therefore does not apply outside of London. We do not intend to make any changes to the hostess bar provisions. Section 2 of the London Local Authorities Act 2004

46. Section 22 of the London Local Authorities Act 2004 (as amended by section 72 of the London Local Authorities Act 2007), applies only in London and appears to be of uncertain extent. On one interpretation it could be seen as prohibiting anyone from soliciting people to attend a sex establishment if the impression is given that the activities are, in fact, licensed under the 2003 Act. Another interpretation is that it creates that offence and an offence of soliciting people to attend a sex establishment.

47. Do you believe that section 22 of the London Local Authorities Act 2004 should be amended in light of the amendments being made in the Policing and Crime Bill?

Timescales – Next Steps

48. The consultation closes on the 14th December 2009. Once responses have been reviewed a summary of the responses will be placed on the Home Office website. Subject to the Policing and Crime Bill receiving Royal Assent, the provisions on lap dancing are expected to be commenced in April 2010. However, the provisions will only take effect in any given area once the relevant local authority has passed a resolution to adopt them and appoints a day for the provisions to come in force in that area.

49. Prior to the commencement of the provisions, the Home Office will write to every local authority in England and Wales to ensure that they are aware of when the provisions come into force and what it will mean for them. The Home Office will also issue a press release and information will be made available in advance on the Home Office website (www.homeoffice.gov.uk) about the commencement date.

50. What are your views on the proposal to commence these provisions in April 2010?

Impact Assessment

51. As part of this consultation we have revised the Impact Assessment (IA) that was published when the Policing and Crime Bill was introduced in Parliament on the 18 December 2008.

52. The revised IA attempts to estimate the potential cost to industry of these proposals. Due to the lack of information relating specifically to the sector this legislation will impact upon, the estimates in the IA should only be seen as indicative.

53. Do you agree that the suggested costs and benefits set out in the Impact Assessment are a reasonable estimate of the potential costs and benefits? If not, can you provide evidence of what any likely costs and benefits should be?

Consultation

Confidentiality & Disclaimer

54. The information you send us may be passed to colleagues within the Home Office, the Government or related agencies.

55. Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 [FOIA], the Data Protection Act 1998 [DPA] and the Environmental Information Regulations 2004).

56. If you want other information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

57. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all

circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

58. The Department will process your personal data in accordance with the DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Complaints
59. If you have a complaint or comment about the Home Office's approach to consultation, you should contact the Home Office Consultation Co-ordinator, Nigel Lawrence. Please DO NOT send your response to this consultation to Nigel Lawrence. The Co-ordinator works to promote best practice standards set by the Government's Code of Practice, advises policy teams on how to conduct consultations and investigates complaints made against the Home Office. He does not process your response to this consultation.

60. The Co-ordinator can be emailed at:
Nigel.Lawrence@homeoffice.gsi.gov.uk or alternatively write to him at:
Nigel Lawrence, Consultation Co-ordinator
Home Office
Performance and Delivery Unit
3rd Floor Seacole
2 Marsham Street
London
SW1P 4DF

Government's Code of Practice on Consultation
The Consultation follows the Government's Code of Practice on Consultation – the criteria for which are set out below:
Criterion 1 – When to consult – Formal consultation should take place at a stage when there is scope to influence the policy outcome.
Criterion 2 – Duration of consultation exercises – Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
Criterion 3 – Clarity of scope and impact – Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.
Criterion 4 – Accessibility of consultation exercises – Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
Criterion 5 – The burden of consultation – Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
Criterion 6 – Responsiveness of consultation exercises – Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7 – Capacity to consult – Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

The full Code of Practice on Consultation is available at:
http://www.berr.gov.uk/whatwedo/bre/consultation-guidance/page44420.html

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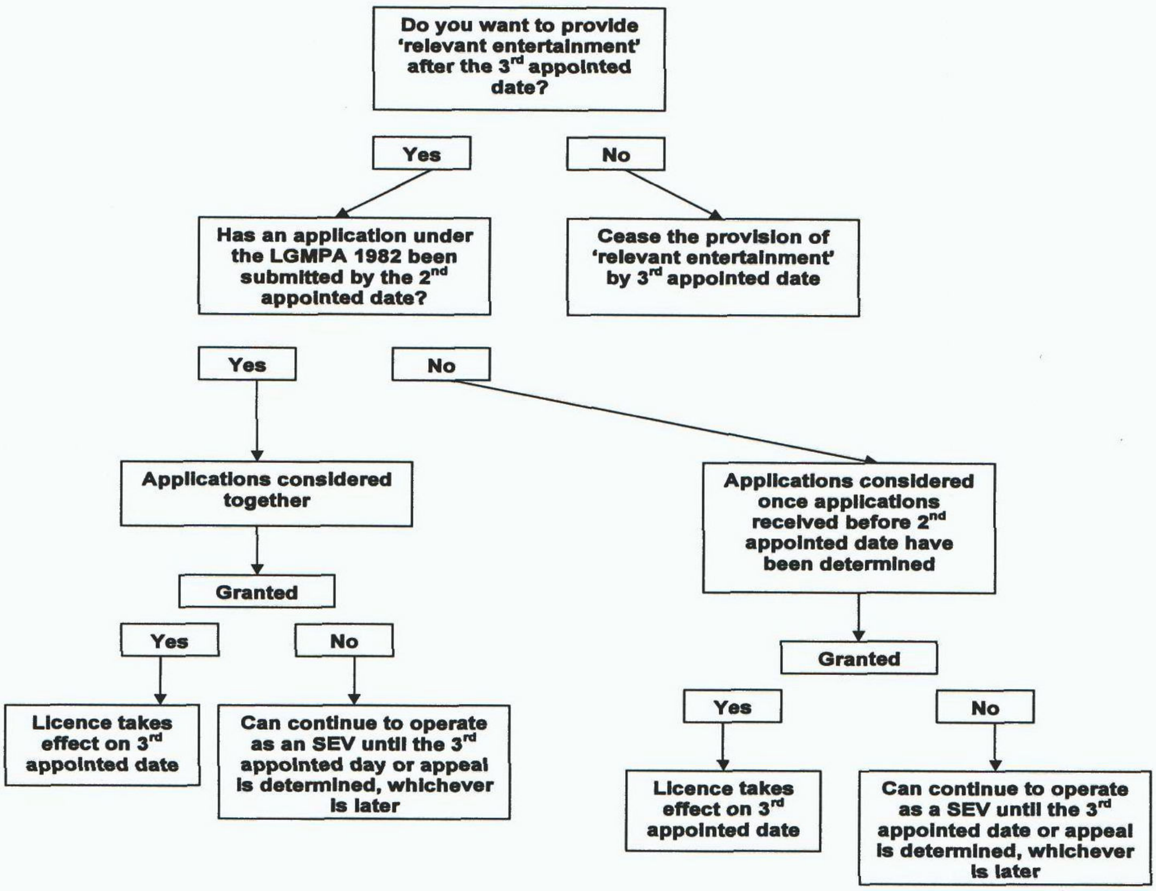
Annex 1

Proposed Transitional Arrangements for Existing Operators



Annexe 2

Summary: Intervention & Options		
Department /Agency: **Home Office**	Title: **Impact Assessment of new measures to regulate lap-dancing clubs**	
Stage: Final	Version: 2.0	Date: 7 September 2009
Related Publications:		

Available to view or download at:
http://www.
Contact for enquiries: Thomas Cottam   Telephone: 020 7035 0453

What is the problem under consideration? Why is government intervention necessary?
Lap dancing premises are currently regulated under the Licensing Act 2003. However, under this legislation the powers available to local authorities to control the establishment of lap-dancing premises or impose condition on their licences are limited. Following a Department for Culture, Media and Sports consultation with local authorities a majority of those that responded felt that their current powers to regulate lap-dancing clubs were insufficient to address the concerns of local people and wanted Government to intervene. On 21 September 2008 the Home Secretary announced the Government's intention to address this issue.

What are the policy objectives and the intended effects?
To give local communities a stronger say over the establishment and location of lap-dancing clubs in their area and local authorities more power to reject applications for lap-dancing clubs or impose conditions on licences. To bring the licensing of lap-dancing clubs in line with other sex establishments such as sex shops and sex cinemas. To recognise that local people have legitimate concerns about where lap-dancing clubs are located.

What policy options have been considered? Please justify any preferred option.
Option 1 - Do Nothing, maintain the status quo Option 2 - Reclassify lap-dancing clubs as 'Sex Establishments' under the 1982 Local Government (Miscellaneous Provisions) Act Option 2 is the preferred option as the existing 'Sex Establishment' legislation adequately covers lap-dancing and similar activities and the provision within the 1982 Act gives a stronger say to local communities and more powers to local authorities.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?
We will review the implementation of this policy and its impact on local authorities and industry on an ongoing basis.

<u>Ministerial Sign-off</u> For final proposal/implementation stage Impact Assessments: ***I have read the Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) the benefits justify the costs.*** Signed by the responsible Minister: ....Date:

Summary: Analysis & Evidence	
Policy Option: 2	Description: Reclassify lap-dancing clubs as 'Sex Establishments' under the 1982 Local Government (Miscellaneous Provisions) Act

COSTS	ANNUAL COSTS One-off (Transition) Yrs £ 0 - 4.3million 1 Average Annual Cost *(excluding one-off)*		Description and scale of key monetised costs by 'main affected groups' 10 year costs, 300 premises, low - high closure Private sector admin burden: £6m - £5.1m Private sector licensing fee: £16.4 - £14.2m Private sector closure/loss of 'relevant entertainment': £0-£4.3m Public Sector Licensing Regime: £16.4 -£14.2m	
	£ 3.3million		Total Cost (PV)	£ 33.5m - 33.2m
	Other key non-monetised costs by 'main affected groups' Cost to local authority of implementing the new measures.			

BENEFITS	ANNUAL BENEFITS One-off Yrs £ 0 1 Average Annual Benefit *(excluding one-off)*		Description and scale of key monetised benefits by 'main affected groups' Transfer to Local Authorities from Licence Fee applications: £16.4 - £14.2million	
	£ 1.6 - 1.4million		Total Benefit (PV)	£ 14.1m - 12.3m
	Other key non-monetised benefits by 'main affected groups' Gives local communities more power to control the number and location of lap dancing clubs in their area. .			

Key Assumptions/Sensitivities/Risks: Costs assume that all local authorities who have lap dancing clubs in their area will adopt the new measures and all existing premises apply for sex establishment licences.

Price Base Year 2009	Time Period Years 10	Net Benefit Range (NPV) £ -19.4m to -20.9m	NET BENEFIT (NPV Best estimate) £ -20m

What is the geographic coverage of the policy/option?			England & Wales	
On what date will the policy be implemented?			TBC	
Which organisation(s) will enforce the policy?			Local Authorities	
What is the total annual cost of enforcement for these organisations?			£	
Does enforcement comply with Hampton principles?			Yes	
Will implementation go beyond minimum EU requirements?			No	
What is the value of the proposed offsetting measure per year?			£ N/A	
What is the value of changes in greenhouse gas emissions?			£ N/A	
Will the proposal have a significant impact on competition?			Yes/No	
Annual cost (£-£) per organisation (excluding one-off)	Micro	Small	Medium	Large
Are any of these organisations exempt?	No	No	N/A	N/A

Impact on Admin Burdens Baseline (2005 Prices)		(Increase - Decrease)
Increase of £ 0.5 -0.43m	Decrease of £ 0m	Net Impact £ 0.5 - 0.43m

Key: Annual costs and benefits: Constant Prices (Net) Present Value

Evidence Base (for summary sheets)

Background

What is meant by Lap Dancing Club?

For the purpose of these measures the term ‘lap dancing club’ is a broad term encompassing certain venues that provide entertainment with a sexual content. In addition to lap dancing, this may also include, but is not limited to, stripping, table dancing and pole dancing. The Policing and Crime Bill will classify such premises as sex encounter venues, which is defined as premises where “relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer”. For the purpose of the legislation “relevant entertainment” is defined as any live performance or display of nudity, “which is of such a nature that, ignoring financial gain, it must be reasonably assumed to be provided solely or principally for the purposes of sexually stimulating any member of an audience (whether by verbal of other means”. The Bill contains an exemption for premises where “relevant entertainment” is provided on an infrequent basis, defined as no more than 11 occasions in a 12 month period with a period of more than one month between each occasion.

Number of establishments affected

Currently, existing lap-dancing clubs will most likely be regulated under the Licensing Act 2003 and are therefore difficult to differentiate from other licensed premises and clubs. For this reason, the availability of accurate data on the number of premises that will be affected by this legislation is limited. Some estimates state that there are roughly 300 existing lap-dancing clubs. The Lap Dancing Association put the figure closer to 150.
How many of these clubs are actually affected will not be known until the licensing regime begins operating. There is the potential for an impact on lap dancing clubs in localities where local authorities choose to adopt the power and where communities choose to oppose license applications and renewals. However, while the impact may directly affect a large proportion of lap dancing clubs, owing to the relatively small size of this part of the sector the overall impact on the entertainment/leisure and the economy as a whole is likely to be small.

Location of Lap Dancing Clubs

For the reasons explained above, it is difficult to be precise about the distribution of lap dancing clubs in England and Wales. However, research provided by the campaign group Object suggests that while there are concentrations of venues in large metropolitan areas, such as London, Birmingham and Leeds, as might be expected, there are also multiple venues located in smaller cities and an increasing trend towards venues opening in towns and suburban areas. This research identifies close to 300 “lap dancing establishments”, which are located in roughly one third of all local authorities.

Rationale
Lap dancing premises currently require a premises licence under section 1 of the 2003 Licensing Act. No special provisions are made in the 2003 Act for lap-dancing clubs. If an application is submitted to the licensing authority for a premises licence the authority must grant the licence subject to certain mandatory conditions, the only relevant ones for lap dancing clubs being those related to how and when alcohol is supplied.

It is only if relevant representations are made by an interested party (e.g. residents or local businesses) or a responsible authority (e.g. the police or fire services in the area) that the authority can, following a hearing, impose other conditions or reject the application. Even then, it will only be able to do so where such a step is necessary to promote one of the four licensing objectives set out in the Act – preventing crime and disorder; public safety; prevention of public nuisance; the protection of children from harm.

Premises licences are not subject to renewal and last until they are revoked, suspended, surrendered or the holder becomes mentally unstable, insolvent or dies (sections 26 to 28). They can be reviewed following representations by an interested party or a responsible authority but the authority will only consider representations relating to one or more of the four licensing objectives.

As licensing authorities are unable to consider any objections on matters outside the scope of the four licensing objectives, the Government is aware that increasingly lap dancing club have been allowed to open despite widespread local opposition.[1]

Therefore, following consultation with local authorities, the Government decided that local communities should be given more powers to control the number and location of lap dancing clubs in their area.

Objectives
To give local communities a stronger say over the establishment and location of lap-dancing clubs in their area and local authorities more power to reject applications for lap-dancing clubs or impose conditions on licences. To bring the licensing of lap-dancing clubs in line with other sex establishments such as sex shops and sex cinemas. To recognise that local people have legitimate concerns about where lap-dancing clubs are located. Under these provisions, local people will be able to object to an application for a lap-dancing club on the grounds that such an establishment would be inappropriate given the character of the area or, for instance, if located in a area that is primarily residential.

[1]A Growing Tide, Object, December 2008:
http://www.object.org.uk/files/A%20Growing%20Tide%20Update%20Dec%202008.pdf

Options
Option 1 - Do Nothing, maintain the status quo.

Option 2 - Reclassify lap-dancing clubs as 'Sex Establishments' under the 1982 Local Government (Miscellaneous Provisions) Act.

Option 2 is the preferred option - Placing lap-dancing clubs under the category of 'Sex Establishments' as defined by the 1982 Local Government (Miscellaneous Provisions) Act Those local authorities who resolve to adopt Schedule 3, as amended, will be able to impose a wider variety conditions on lap dancing clubs e.g. relating to opening hours, adverts, visibility of the interior to passers by. Local authorities will also be able to refuse to grant or renew a licence on the grounds that such a club would be inappropriate having regard to the character of the area or the total number of similar premises in the locality.

Similarly, local people will be able to make written representations to the local authorities on these grounds, rather than being limited to making representations based on the four licensing objectives found in the 2003 Act. Licenses would only last a maximum of one year before requiring renewal.

The Lap Dancing Association proposed an alternative approach that included using planning legislation to control the establishment of lap dancing clubs. This approach was considered but was opposed by the Local Government Association and some industry representatives[2] who argued that it would be overly complicated and bureaucratic. It was also felt that this approach would not adequately address the issue of giving communities a stronger say.

Appraisal
<u>Option 2 - Reclassify lap-dancing clubs as 'Sex Establishments' under the 1982 Local Government (Miscellaneous Provisions) Act</u>

Costs
<u>Costs to Local Authorities</u>
The level of take-up by local authorities is difficult to predict as it will depend greatly on local circumstances and where lap dancing clubs are located. Responses to the Department for Culture, Media and Sports (DCMS) consultation suggest that these measures are well supported by local authorities and therefore we anticipate a relatively high take-up, especially in those areas where lap dancing clubs are located or where specific issues relating to applications for lap dancing clubs have arisen in the past.

Those local authorities that resolve to adopt the provisions will face costs of processing applications and monitoring premises to ensure compliance. There may also be costs associated with enforcement action that is required where

[2] Peter Stringfellow’s evidence to Department of Culture Media & Sport Select Committee hearing – 25 November 2008

premises breach their licence conditions or operate without a licence. Under the new provisions, local authorities are able to recover costs by setting a 'reasonable fee' for licence applications. This is accounted for in the summary table.

Costs to Business – Based on 300 establishments
Costs to local authorities will be recovered from new applicants and existing club operators when licenses are renewed. In addition all clubs will be faced with the additional administration and legal costs of applying for a new sex establishment licence and the subsequent annual renewals and some may choose to offer alternative entertainment in order not to face more regular licensing.

Additional costs to the sector arise where applications are rejected under the new act where they would previously have been approved or where an application for renewal was not previously required. In some cases the club will be licensed to continue trading in the same way but in others the license may be revoked or refused, necessitating either a change in the type of entertainment offered or closure of the club. For applications for new clubs it may restrict the potential areas or locations within an area where the club can operate and impact on revenue where the location is less favourable for the business. In some cases this may deter investment altogether. Where renewals are rejected there will be some loss of revenue if the club has to revert to an alternative role under the 2003 Licensing Act or sunk costs where the club chooses to close.

Legislation will be clearly directed at regulating sex establishments and not any premises that might occasionally feature performances, exhibitions or entertainment that involves nudity or sexual stimulation, such as theatrical performances/art or a one-off or infrequent performances of 'relevant entertainment' in a pub or nightclub.

It is possible that this legislation may capture some premises, such as 'peep shows' that operate outside London and are not currently licensed under the Licensing Act 2003, but do provide services or performances that are for the purpose of sexual stimulation. The number of such premises is not known but is believed to be very low.

The Government is proposing a transitional period of one year for business to comply with the new regime. This will delay the full impact on business, especially the cost associated with closures or venues being forced to operate without 'relevant entertainment', for this period.

The Cost of a Sex Establishment Licence
Information provided by the Lap Dancing Association based on the current cost of sex establishment licences in local authorities across UK puts the average fee for a new licence at £5447 and £4981 for a renewal.

Therefore the total cost of applying for a licence in year 1 would be around £1.6m for 300 premises.

After year 1 the cost burden as a result of renewing sex establishment on licenses on a yearly basis would be around £1.5m. However, this figure may be lower after year 1 if there are closures or premises continue to operate without 'relevant entertainment'.

Administrative Costs
The average administrative cost of applying for a new licence is estimated to be around £2,000 per application resulting in a total cost to industry of approximately £600,000 per year.[3] However, as with the application fee, this figure may be lower after year 1 if there are closures or premises continue to operate without 'relevant entertainment.

Cost of Operating Without 'Relevant Entertainment'
Where existing venues are refused a sex establishment licence or decide that applying for a licence would be too costly, they may decide to continue to operate without 'relevant entertainment', for example as a nightclub, bar or pub. This may incur a loss of revenue. We have estimated that this lost revenue would represent 20% of a premises' annual turnover. We have also estimated that this could apply to up to 10% of all existing lap dancing venues. These figures should only be seen as indicative and do not necessarily represent a likely outcome.

Assuming that existing lap dancing clubs consist of Micro (1-9 employees) and Small (9 – 50 employees) businesses at a ratio of 50/50, we have estimated that the cost to industry would be up to around £1,225 .[4]

Cost of Business Closures
Where existing venues are refused a sex establishment licence or decide that applying for a licence would be too costly, they maybe forced to close. We have estimated that this could apply to up to 5% of all existing lap dancing clubs.

Assuming that existing lap dancing clubs consist of Micro (1-9 employees) and Small (9 – 50 employees) businesses at a ratio of 50/50, we have estimated that the cost to industry would be up to around £3,060.[5]

Benefits

- These new powers will allow local communities to have a greater say over the establishment and location and of lap-dancing clubs in their area and will bring the licensing of lap-dancing clubs in line with the licensing of

[3] Figure provided by the Lap Dancing Association
[4] Figures based on Department for Business, Innovation and Skills SME statistics.
[5] Figures based on Department for Business, Innovation and Skills SME statistics.

other sex establishments such as sex shops and sex cinemas, which are currently licensed under the 1982 Act.

- Where the provision adopted local people will be able to object to lap-dancing clubs if they felt that it would adversely impact the character of a particular area or, for example, that its proximity to a school or place of worship was inappropriate.
- Gives local authorities more scope to reject applications for lap-dancing clubs or impose conditions on their licences if they deem that such measures are necessary to address the concerns of local people.

Assessment of the costs and benefits

The purpose of this policy is to empower local communities and give them more say over the make-up and character of their local area. Where they have reasonable and legitimate concerns about the location or establishment of lap-dancing clubs, local authorities will have more powers to consider these concerns when reviewing a licence application.

The Government acknowledges that costs will fall to industry as a result of this legislation, and some lap-dancing clubs may close or be restricted from operated from certain locations. However, we believe that the cost to industry is outweighed by the wider objective of giving power to local communities to control the establishment and location of lap dancing clubs.

Risks

Option 2 - Reclassify lap-dancing clubs as 'Sex Establishments' under the 1982 Local Government (Miscellaneous Provisions) Act

There is a risk that some local authorities may decide not to adopt the new legislation. However, we believe this is a small risk as a significant number of local authorities have indicated their support for this legislation, as it will allow them to regulation lap dancing clubs and similar establishment more effectively.

Enforcement

As existing lap-dancing clubs are already licensed under the Licensing Act 2003 there will be no additional licensed premises as a result of this policy. Therefore, we do not anticipate that these proposals will result in significant increased enforcement costs for the police or local authorities or subsequent prosecution costs for the Crown Prosecution Service (CPS).

In addition, experience of the Licensing Act 2003 suggests that very few licence breaches result in prosecutions as local authorities have the power to deal with such offences by other means. In order to minimise transition costs and reduce the potential for licensees inadvertently failing to comply with the new legislation (with the resultant costs for the police or local authorities, CPS and Her Majesty's Court Service) local authorities will be encouraged to work closely with industry and promote any legislative changes prior to adopting the provisions in their area.

Implementation
The Government is proposing to commence these provisions in April 2010. However, they will only come into force in individual local authority areas when the relevant local authority resolves to adopt them. Once a local authority has passed a resolution to adopt the provisions the Government is proposing that there will be a transitional period that lasts for 12 months.

Monitoring and Evaluation
The effectiveness of the new regime and the impact on industry and local authorities will be monitored on an ongoing basis.

Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	***Results in Evidence Base?***	***Results annexed?***
Competition Assessment	Yes/No	Yes/No
Small Firms Impact Test	Yes/No	Yes/No
Legal Aid	Yes/No	Yes/No
Sustainable Development	Yes/No	Yes/No
Carbon Assessment	Yes/No	Yes/No
Other Environment	Yes/No	Yes/No
Health Impact Assessment	Yes/No	Yes/No
Race Equality	Yes/No	Yes/No
Disability Equality	Yes/No	Yes/No
Gender Equality	Yes/No	Yes/No
Human Rights	Yes/No	Yes/No
Rural Proofing	Yes/No	Yes/No

ADULT RETAILER OF THE YEAR 2005/6 | 2006/7 | 2007/8 | 2008/9

Nice'n'Naughty

EROTIC LINE BEST RETAIL CHAIN EUROPEAN ADULT AWARDS 2008/9

Aberystwyth | Bangor | Bolton | Brighton | Bristol | Chester | Leeds | Liverpool | Manchester | Newcastle | Southport | Warrington | Wednesbury | Wigan

Mr Tim Nichols
Head of Environmental Health Licensing
Bartholomew House
Bartholomew Square
Brighton, BN1 1JP

13th August 2009

Dear Mr Nichols,

Further to my letter of 20th May in which I said I would contact all other licensees of adult shops in Brighton. I am writing to advise you that as promised, I have now managed to speak to all of the owners, I apologise for the delay in getting back to you but I wanted to make sure I spoke to them personally.

They have all clarified that they have not raised any recent issues or concerns to the council so feel that they have not been any extra strain on resources.

I hope this is helpful.

Yours sincerely

Trish Murray
Retail Director

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enquiries@nicennaughty.co.uk | www.nicennaughty.co.uk

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ADULT INDUSTRY TRADE ASSOCIATION

Ms Jean Cranford
Licensing Manager
Brighton & Hove Council
Bartholomew House
Bartholomew Square
Brighton, BN1 1JP

14 July 2009

Dear Ms Cranford,

Re: Nice 'n' Naughty. 32 James Street, Brighton, BN2 1RF

Further to my letter of 9 June I wondered if you had heard from your legal advisor with regard to my making a representation to the committee responsible for licensing fees?

I look forward to hearing from you.

Many thanks

Yours sincerely

Elaine Hamilton

pp. Trish Murray
Retail Director