

**Report of Head of Elections, Licensing and Registration  
Report to Licensing Committee****Date: 3<sup>rd</sup> April 2018****Subject: Unmet Demand Survey: Provision of Hackney Carriage Proprietor Licences**

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Summary of main issues**

1. Local Licensing Authorities have a legal duty to commission independent periodic surveys of unmet demand for Hackney carriages. The results of the last unmet demand survey to be carried out in Leeds were presented to the Licensing & Regulatory Panel in March 2010.
2. The Licensing Committee agreed the specification and scope for a tendering exercise to appoint independent consultants to carry out an Unmet Demand Survey at their meeting on 20<sup>th</sup> May 2016.
3. On completion of the tender exercise, CTS Traffic & Transportation were awarded the contract to conduct the survey. The survey was carried out between January 2017 and November 2017. The report at appendix 1 details the full findings of the survey by CTS Traffic and Transportation.

**Recommendations**

4. That Members consider the results of the Unmet Demand Survey and decide whether:
  - i. to continue with the Council's current policy to limit the number of Hackney Carriage Proprietor licences at 537;
  - ii. to issue any number of additional Hackney Carriage Proprietor licences as it sees fit, either in one allocation or a series of allocations; or

- iii. to remove the limit on the number of Hackney Carriage Proprietor licences and allow a free entry policy.

## **1. Purpose of this report**

- 1.1 To inform Members of the results of the Unmet Demand Survey and for Members to decide whether there needs to be any change in the policy to restrict the number of Hackney Carriage Proprietor licences in Leeds, and, if so, whether the number of currently issued licences needs to change to in response to the results of the survey.

## **2. Background information**

- 2.1 Hackney carriage proprietor licences are granted by the Local Authority under Section 37 of the Town Police Clauses Act, 1847.
- 2.2 The Town Police Clauses Act, 1847, as amended by the Transport Act 1985, allows a Local Authority to limit the number of Hackney carriage proprietors licences but only if it is satisfied there is no significant demand for the service of Hackney carriages within its area.
- 2.3 The results of the 2017 survey are attached at appendix 1 and a representative of CTS Traffic and Transportation is attending the Licensing Committee meeting to present that report and answer any questions Members may have about the content of the survey results.

## **3. Main issues**

- 3.1 The survey was conducted over 11 months to ensure a full, fair and comprehensive review was conducted that measured seasonal variations in demand at the time.
- 3.2 CTS Traffic and Transportation's report details a number of additional recommendations at 8. These can be summarised as follows;
  - There are opportunities for further development and continued improvement of the offer provided by Hackney carriages in the City. The most important is to ensure trade, police and Council (both licensing and highway) clarity about the Call Lane area in terms of night rank provision.
  - Consideration is needed to provide better disability access to the rank at the station.
  - Great care is needed with the application of the Clean Air legislation to ensure the current number of Hackney carriage vehicles remain available for servicing all ranks.
  - Some of the further out feeder ranks could be considered for provision of rest-rank facilities, such as those available in London near to the Department for Transport (DfT) building.
  - DfT Best Practice Guidance (BPG) recommends where limits are retained that further surveys should be undertaken within three years. CTS recommend therefore that, unless legislation or situations change, a fresh independent survey of unmet demand should occur with rank work undertaken no later than April 2020.

## **4. Corporate considerations**

### **4.1 Consultation and engagement**

- 4.1.1 The information contained within this report has not been the subject of consultation however Key Stakeholder consultation was carried out by CTS, the results of which can be found at 4, 5 & 6 of their report.

### **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 There are no issues affecting this report. Equality and Diversity/ Cohesion and Integration has been fully considered throughout the duration of the Unmet Demand survey itself and within the body of the CTS report.

### **4.3 Council policies and best council plan**

- 4.3.1 The Taxi & Private Hire Licensing policies contribute to the following aims:

#### **Best Council Plan 2013 -17**

#### **Towards being an Enterprising Council**

#### **Our Ambition and Approach**

**Our Ambition** is for Leeds to be the best city and Leeds City Council to be the best council in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

**Our Approach** is to adopt a new leadership style of civic enterprise, where the council becomes more enterprising, business and partners become more civic, and citizens become more actively engaged in the work of the city.

#### **Our Best Council Outcomes**

Make it easier for people to do business with us

#### **Our Best Council Objectives**

Promoting sustainable and inclusive economic growth – Improving the economic wellbeing of local people and businesses. With a focus on:

- Helping people into jobs,
- Boosting the local economy
- Generating income for the council

Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city. With a focus on;

- Getting services right first time
- Improving customer satisfaction

#### 4.3.2 The Taxi & Private Hire Licensing policies contribute to priorities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

#### 4.3.3 Safeguarding children and vulnerable adults:

Leeds City Council has both a moral and legal obligation to ensure the duty of care for both children and vulnerable adults across all of its services. This cannot be achieved by any single service or agency. Safeguarding is ultimately the responsibility of all of us and depends on the everyday vigilance of staff who play a part in the lives of children or vulnerable adults.

### 4.4 Resources and value for money

4.4.1 The Taxi and Private Hire Licensing service is cost neutral to the Council and by virtue of the Local Government (Miscellaneous Provisions) Act, 1976, raises its own revenue by setting fees to meet the cost of issuing and administering licences. The cost of the Unmet Demand survey has been paid for by the Taxi & Private Hire Licensing Service.

### 4.5 Legal implications, access to information, and call-in

4.5.1 The results of the last unmet demand survey were presented in March 2010. As such the Council had to repeat the survey, even to justify maintaining the existing limits.

4.5.2 Any decision to refuse an application for a new licence must be on the grounds that the Council is satisfied that there is no significant unmet demand with the licensing district.

4.5.3 The Council must decide whether to remove the restriction, maintain the existing restriction or to increase the number of licences on a managed basis until there is no significant unmet demand.

### 4.6 Risk management

4.6.1 Local Licensing Authorities have a legal duty to commission independent periodic surveys of unmet demand for Hackney carriages.

## 5 Conclusions

5.1 The 2017 Unmet Demand survey has identified that there is no evidence of any unmet demand for the services of Hackney carriages either patent or latent which is significant at this point in time in the Leeds City Council licensing area. The Licensing Committee therefore has the option of retaining the current limit, at the current level, and should be able to defend this if necessary.

5.2 The ultimate decision about being sure about there being no significant unmet demand is for Members to decide, but the national experience of CTS would currently support such a decision that the limit could remain.

## **6 Recommendations**

6.1 That Members consider the results of the Unmet Demand Survey and decide whether:

- iv. to continue with the Council's current policy to limit the number of Hackney Carriage Proprietor licences at 537;
- v. to issue any number of additional Hackney Carriage Proprietor licences as it sees fit, either in one allocation or a series of allocations; or
- vi. to remove the limit on the number of Hackney Carriage Proprietor licences and allow a free entry policy.

## **7 Background documents<sup>1</sup>**

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.