

Cabinet Member for Localism and Enforcement Agenda

Date: Tuesday, 1st July, 2014
Time: 4.30 pm
Venue: Committee Suite 2/3 - Westfields, Middlewich Road, Sandbach, CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relating to the work of the body in question. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

4. **Variation to the Hackney Carriage Table of Fares** (Pages 1 - 280)

To consider objections to the proposed variation to the Hackney Carriage Table of Fares.

For requests for further information

Contact: Cherry Foreman

Tel: 01270 686473

E-Mail: cherry.foreman@cheshireeast.gov.uk with any apologies

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CHESHIRE EAST COUNCIL

Cabinet Member for Localism and Enforcement

Date of Meeting:	25 th June 2014
Report of:	Miss Kim Evans – Licensing Team Leader
Subject/Title:	Consideration of objections in relation to the proposed variation to the Hackney Carriage Table of Fares
Portfolio Holder:	Cllr Les Gilbert

1.0 Report Summary

- 1.1 To determine the Table of Fares applicable in each of the Council's Hackney Carriage Zones in light of the responses received following the publication of the statutory Notices.

2.0 Recommendation

- 2.1 That the Portfolio Holder considers all the relevant information including any alternative suggestions made by objectors. The Portfolio Holder may:
- i. Consider relevant objections to the proposed Table of Fares and determine that no changes are necessary and the Table of Fares as published should become effective on 4th August 2014.
 - or
 - ii. Consider relevant objections to the proposed Table of Fares and determine that amendments to the proposal are necessary. To set out those amendments and to determined that the amended Table of Fares should become effective on 4th August 2014.
- 2.2 If the Portfolio Holder determined that significant changes to the proposals are appropriate, consideration should also be given to further publication of Notices rather than determining that the changes become effective on a nominated date. This would allow further opportunity for comment on the changes to the proposals.
- 2.3 The Portfolio Holder has the opportunity to deal with the Table of Fares in each zone separately. This would allow the Portfolio Holder to amend the proposals differently in each of the zones if this is desirable.
- #### 3.0 Reasons for Recommendations
- 3.1 In accordance with the Local Government (Functions and Responsibilities) (England) Regulation 2000, any amendment to the Table of Fares is an Executive function. The Council's Constitution makes provision for decisions of this nature to be made by the relevant Portfolio Holder.

4.0 Wards Affected

4.1 All

5.0 Local Ward Members

5.1 Not applicable

6.0 Policy Implications

6.1 None

7.0 Financial Implications

7.1 There was a requirement to advertise the variation to the fares in at least one local newspaper. As the Borough is also split into 3 sub-districts (known as zones) each fare card was individually advertised. This resulted in nine notices being placed in the press.

7.2 The Notices were also placed on the Council's website and copies placed on the notice board at the Westfields Council Offices and at the Contact Centres at the Town Hall Macclesfield and Delamere House Crewe.

8.0 Legal Implications

8.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 gives the Local Authority the discretion to set the maximum fares payable in connection with the hire of a Hackney Carriage vehicle. The fares must be set out in a table referred to as the 'Table of Fares'.

8.2 Section 65 also provides that the following is required when varying a table of fares:

- i. publication of a notice setting out the variation to the table of fares (specifying the period within and manner in which objections can be made) in at least one local newspaper circulating in the district; and
- ii. deposit of the notice for the period of fourteen days at the offices of the Council (for public inspection).

8.3 If no objection to the variation is made within the relevant fourteen day period (or if all such objections are withdrawn) the variation comes into operation on the date of the expiration of the period specified in the notice (or the date of withdrawal of the last objection (if any)). If any objection is made and not withdrawn, a further date (not later than 2 months after the first specified date) shall be set on which the table of fares shall come into force with or without modifications as decided after consideration of the objections.

- 8.4 A Hackney Carriage Proprietor is permitted to charge less, but not more than the maximum set by the Licensing Authority. The case of R v Liverpool City Council ex parte Curzon Ltd (1993) has confirmed that if the proprietor is using their own version of the Table of Fares or continues to use a previous Table set by the Local Authority, the taximeter should reflect the fare being charged. There is a requirement for the Table of Fares set by the Council to be displayed in the vehicle.

9.0 Risk Management

- 9.1 Full and thorough consideration of any responses received following the publication of the Notices is necessary to provide a reasonable and appropriate decision. This would also mitigate the risk of challenge to any decision taken.

10.0 Background

- 10.1 In June 2011 the Licensing Committee instructed Officers to prepare a report providing information on the potential harmonisation of fares across the Borough.
- 10.2 Following the presentation of that report in January 2012, a decision was taken to move the Congleton and Macclesfield Zones to the Table of Fares operating in the Crewe and Nantwich zone. It was thought at this time that the Crewe and Nantwich zone Table of Fares was the more generous, but this did not take into consideration that the fares are calculated differently. It was therefore not a straight increase, as although the day rate was more generous the other rates (including evening and bank holiday's etc) were less generous than the other zones. Following publication of the statutory notices a number of objections were received and those proposals were abandoned.
- 10.3 The Licensing Committee requested that further consultation be undertaken to ascertain the views of the trade and seek to find common ground. The Licensing Team has conducted consultation with the licensed trade in the Macclesfield and Congleton zones. However, the licensed trade in the Crewe and Nantwich zone did not attend the meeting on the 27th July 2012.
- 10.4 Following the consultation and the meeting held on 27th July 2012, agreement with the Congleton and Macclesfield Zones was reached on the following:
- i. A harmonised structure based on a fixed rate for first mile or part thereof
 - ii. The subsequent mile rate to be £0.22 per 1/10th mile or part thereof
 - iii. Tariff 2 to operate from 9pm to 12am at the flag rate plus a set percentage
 - iv. Tariff 3 to operate from 12am to 7am at the flag rate plus 50%
 - v. Soiling charge to be £50.00
 - vi. Additional agreements have been reached regarding Sundays, public holidays and Christmas and the rates that are applicable

10.5 At its meeting on the 5th November 2012, the Licensing Committee considered the agreement and consensus reached and resolved the following:

- i. That the Cabinet Member for Communities and Regulatory Services be recommended to approve further consultation on the agreed structure with a flag/first mile rate of £3.50 and Tariff 2 set at the flag rate plus 20%;
- ii. That, in view of the extensive consultation that had already been undertaken, the Cabinet Member for Communities and Regulatory Services be recommended to approve a reduction in the consultation period to six weeks.

10.6 On the 7th January 2013 the Portfolio Holder considered this matter and the information presented and approved that formal consultation should be conducted in line with the 5th November 2012 recommendation from the Licensing Committee.

10.7 The Licensing Team then consulted with the licensed trade in March/April 2013 by writing to each licence holder providing a copy of the proposed variations, 1201 letters were sent prior to the consultation commencing, and by placing the proposed Table of Fares on the Council's website.

10.8 On the 28th April 2014 the results of this consultation were reported to the relevant Portfolio Holder. A decision was taken to publish Notices of the proposed Table of Fares without amendment. The report and appendices for this meeting are available on the Council's website and the decision notice is at appendix 1 with the proposed Table of Fares.

10.9 Before any Notices were placed in the newspaper, offices or website, Officers confirmed that the 'call in' period applicable with Executive decisions expired without being engaged.

10.10 Following publication of the Notices a significant number of responses commenting on the proposals have been received, including 2 petitions. The Notices allowed a 21 day period for comments to be made (the legislation requires not less than 14 days be given).

10.11 The proposals will affect each zone differently and this has influenced the content of the responses from each zone. The responses have therefore been divided into separate appendices:

- § Appendix 2 - Congleton Zone responses
- § Appendix 3 - Crewe and Nantwich Zone responses
- § Appendix 4 - Macclesfield Zone responses
- § Appendix 5 - Trade organisation responses
- § Appendix 6 - Public response
- § Appendix 7 - Petitions

10.12 The decision-maker should decide how much weight is appropriate to give the petitions received. There are also responses from two trade organisations:

1. Cheshire East Licensed Vehicle Association, which was formed in April 2014 and a list of those represented by this organisation is provided at appendix 8. Some members have also provided individual responses.
2. Cheshire East Taxi group formed on 28th May 2014. The Licensing Team does not have any information confirming who is represented by this group.

10.13 The decision-maker should carefully consider the content of the responses and should consider any alternative proposals. The proposals can be varied if it is deemed necessary.

10.14 The results of the proposed change on the zones was reported in the information presented on the 28th April 2014 and this is attached again at appendix 9. The following table gives a national and regional perspective on the effect of a Tariff 1 fare (the information is collated by PHTM magazine and is provided in the June edition):

National average flag rate	£2.72
North average flag rate	£2.44
National average one mile fare	£3.76
North average one mile fare	£3.50
Proposed flag rate	£3.50
Proposed one mile fare	£3.50

10.15 Similarly, a comparison with Cheshire West and Cheshire and 'Nearest Neighbour' Authorities, areas with similar characteristics to Cheshire East, is set out below:

Proposed CEC	£5.70
Cheshire West and Chester zones	
Chester (last rise – 2011)	£5.50
Vale Royal (last rise – 2011)	£5.25
Ellesmere Port (last rise – 2011)	£5.20
'Nearest Neighbour' Authorities	
Bath and North East Somerset (last rise – 2014)	£6.40
Central Bedfordshire (last rise – 2012)	£5.50
North Lincolnshire (last rise – 2012)	£5.40
North Somerset (last rise – 2012)	£5.70
Shropshire (last rise – 2013)	£5.50
South Gloucester (last rise – 2010)	£6.40
Swindon (last rise – 2008)	£6.10
Warrington (last rise – 2014)	£5.20

- 10.16 A number of responses from the Congleton and Macclesfield zone have commented that the increase to £3.50 is excessive and are concerned the impact this increase will have on their business.
- 10.17 In the Congleton zone the comparison table shows that any journey of one mile or less would be an increase of £0.60. This is because the flag rate and first mile rate are currently the same in this zone. The increase also becomes greater as the journey lengthens.
- 10.18 Consideration should also be given to the legal implications section, which confirms that the Licensing Authority sets the maximum charges rather than setting a fixed rate. Some commentators have raised their concerns around charging less than the maximum and the effect this may have on public perception and any unintended harm to the safety of drivers and the public that may be caused by any confusion. There are three ways that a reduction in the maximum charge can be given:
1. The hirer negotiates a lesser amount before the journey commences. This can be negotiated over the phone or at a taxi rank.
 2. The driver decides to have an alternative table of fares at an amount below the maximum set by the Licensing Authority. The driver's meter should reflect their own table of fares as required by the decision in case law set out in para 8.4. The official Table of Fares set by the Licensing Authority must be displayed in the vehicle.
 3. The driver can give on the spot discounts. An example would be where the meter read £4.50 and the driver asked that £4.00 be paid.
- 10.19 A number of Macclesfield responders have expressed their concern that the rates will increase by £0.80 on the flag rate. However, the increase at the first mile marker would be £0.20 and a two mile journey would increase by £0.40.
- 10.20 Some responses from the Crewe and Nantwich zone are critical of the proposal as it is seen as a decrease. There would be a decrease in fare for journeys of over half a mile and it would not be until a journey was over 4 miles that drivers would see an increase if the proposed Table of Fares (without amendment) were to be implemented. However, there would be an increase on the flag rate of £1.10 and an increase on a half mile journey of £0.10. Shorter and longer journeys will therefore increase and mid length journeys will decrease. A number of responders have provided information on their 'average' journey for consideration. All other tariffs would be increased.
- 10.21 Some responses from the Macclesfield zones support the changes providing waiting time is reinstated and some have provided information at what level it should be set at. Responses from other zones have also asked that waiting time be reinstated. The current waiting times in each zone are:

Congleton	£26.40 per hour (ie £0.44 per minute)
Crewe and Nantwich	£0.33 per minute or each part thereof (ie £19.80 per hour)
Macclesfield	£0.10 up to every 24.8 seconds (ie £14.52 per hour)

- 10.22 A number of responses raise the potential for the variation to have a disproportionately adverse impact on some people with characteristics that are protected under section 149 of the Equality Act 2010. Some protected characteristics are specifically referred to in the objections, such as disability and age etc. The Council's duty under Section 149 is to have due regard to the matters set out in relation to equalities when considering and making decisions. This would include decisions on the maximum fares that may be charged for journeys in hackney carriages.
- 10.23 In 2003 the Office for Fair Trading conducted a market study titled 'The regulation of licensed taxi and PHV services in the UK'. Pages 60 to 72 dealt with the regulation of fares and provides informative detail that may assist the decision-maker. This report is attached at appendix 10. The section on fares clearly states that Councils should be encouraged to set the maximum fare and to encourage a competitive market under that maximum. It also confirmed that for taxi drivers to work the fares need to be set at a level that allows them to earn a sufficient amount. The report also makes the case that increasing fares, increases provision.
- 10.24 The Best Practice Guidance produced by the Department for Transport on Taxi and Private Hire licensing (March 2010) is attached at appendix 11. The setting of fares is dealt with at para 52 – 54.
- 10.25 Also provide at appendix 12 is a timeline of events that have taken place, summarising the consultations and meetings, in relation to this matter.

11.0 Summary

- 11.1 Taxis play a vital role in ensuring our night-time economy is safe by making sure patrons to licensed premises leave a town centre quickly and efficiently and arrive home safely. Similarly, in areas where there is reduced public transport provision, taxis can fill this gap ensuring those who need to attend their GP practice or do their weekly shop are able to do so.
- 11.2 The proposed 'mid-evening rate' had been included because some members of the trade suggested that a stepped increase to the night-time rate would benefit the public, ie there would not be such a large increase from the day to night tariffs. It was felt that drivers who are working unsociable hours and dealing with members of the public, who may have enjoyed the evening economy, should be able to charge a greater amount than the day rate.

11.3 The table of fares should be set to enable:

- § Sustainable income for drivers. It is therefore important that the public and trade recognise that the Council sets the maximum fares payable rather than a fixed rate.
- § Future investment in vehicles to ensure they remain safe and suitable for use as a working vehicle
- § Clear and simple maximum charges that minimise the opportunity for overcharging or confusion

11.4 It should also be borne in mind that the Council has no power set the fees in relation to private hire vehicles. This type of hiring should be negotiated when the journey is booked. In respect of these fares, the market finds its own level. Similar, the Table of Fares set by this Authority would not be applicable to any vehicles licensed by other Local Authorities, but working in the Borough. In those instances the driver can charge as much or as little as the customer agrees to.

11.5 Following any amendments to the Table of Fares the meters in licensed vehicle may need to be recalibrated. Either to the Council set maximum or to the drivers own Table of Fares. The cost of this process would fall to the proprietor of the vehicle and can vary depending on the type of meter used and the company carrying out the change. However, the cost would be in the region of £25.00 per change.

11.6 Currently, the Council has two appointed testing station that carry out our vehicle test. These test include testing that meter does not exceed the set maximum. As a result of the Table of Fares being different in each zone, the Congleton and Crewe & Nantwich zones have their tests conducted in Crewe and the Macclesfield zoned vehicles are tested in Macclesfield. If the Table of Fares were to be set the same in each zone vehicles could be tested at either Testing Station. This would alleviate any booking pressures at peak times and give the option to wait or have an earlier test.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report author:

Name: Miss Kim Evans

Designation: Licensing Team Leader

Tel No: 0300 123 5015

Email: kim.evans@cheshireeast.gov.uk



DECISION NOTICE

Notice is given that the following decision has been taken under the Provisions set out in the Council's Constitution

Decision maker: Cabinet Member for Communities and Regulatory Services

Date: 28 April 2014

Decision in the matter of: Variation to the Hackney Carriage Table of Fares

- Decision:**
1. That the Licensing Team Leader be authorised to take all necessary actions to implement the draft Hackney Carriage Table of Fares for each of the Council's zones including writing and advertising the Statutory Public Notices.
 2. In the event that any objections are received, that a further Portfolio Holder meeting be arranged to consider those objections.
 3. In the event that no objections are received, that the Table of Fares for each zone advertised in accordance with the requirements of Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 automatically come into force on the date specified in the Public Notices.

Background: Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 gives the local authority the discretion to set the maximum fares payable in connection with the hire of a Hackney Carriage vehicle; it also provides that any variation in the fares be advertised and the opportunity given for objections to be made.

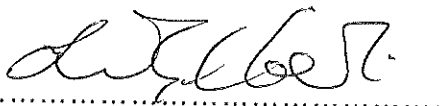
The Licensing Committee requested that informal consultation be undertaken to ascertain the views of the trade, and to seek to find common ground, regarding the harmonisation of the Tables of Fares across the Borough. The Licensing Team has conducted consultation with the licensed trade in the Macclesfield and Congleton zones and agreement was reached regarding the necessary changes. The licensed trade in the Crewe and Nantwich zone did not, however, engage in the process.

The Licensing Committee therefore resolved that a further consultation period of six weeks be undertaken. As a result a straight increase in the fares in the Macclesfield and Congleton zones whereas in Crewe and Nantwich, because the fare and any increases are calculated differently, there is a reduction in the tariff 1 fare for the first and second miles.

Background Documents:

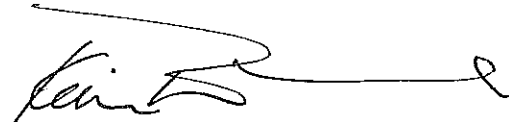
Can be inspected by contacting the report author.

Approved:


Signed 
Councillor Les Gilbert (Cabinet Member for Communities and Regulatory
Services)

Date: 28 April 2014

Advising Officer:

Signed 
Kim Evans (Licensing Team Leader)

Proposed Fare Card – Congleton Zone, Crewe and Nantwich Zone, and Macclesfield Zone

Hackney Carriage Table of Fares - Operative from (insert date)		
MAXIMUM CHARGES - IN THEIR OWN INTEREST, PASSENGERS ARE REMINDED TO CHECK THE FARE DEMANDED WITH THAT SHOWN ON THE TAXIMETER		
I. TARIFF 1		
If the distance does not exceed one mile for the whole distance		£3.50
For each subsequent 1/10th mile or uncompleted part thereof		£0.22
II. EXTRA CHARGES		
A	(i) For hiring begun between 9pm and Midnight	Tariff 1 + 20%
	(ii) For hiring begun between Midnight and 7am	Tariff 1 + 50%
	(iii) Sundays and other Public Holidays/Bank Holidays	Tariff 1 + 50%
	(iv) For hiring begun between 6pm and Midnight on Christmas Eve and New Year's Eve	Tariff 1 + 50%
	(v) Christmas Day and New Year's Day	Tariff 1 + 100%
B	Where the carriage or seating is soiled	£50.00
Any comment about the Vehicle or Driver should be sent in writing to Licensing Department, Westfields, Middlewich Road, Sandbach, Cheshire, CW11 1HZ. Quoting either the registration or plate number of the vehicle and/or driver's badge number.		

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Appendix 2

Congleton Zone Responses

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RECEIVED
20 MAY 2014

Fareways

18th May 2014

Dear Kim Evans,

Regarding the proposed table of fares, there is no waiting time, this is an essential part of the fare structure.

To give an example when I take a disabled passenger to Macclesfield Hospital for a hospital appointment it is normally cheaper for the customer to pay waiting time than pay a return fare. This is only one example of many, that I could give but it helps to illustrate the need for waiting time.

Until the waiting time issue is resolved and we know how much it may be, it is difficult to discuss the proposed table of fare further.

Yours faithfully

Kim Evans
Licensing Officer
Cheshire East
Westfields
Middlewich Road
Sandbach
Cheshire
CW11 1HZ

RECEIVED
28 MAY 2014

QUE-CABS

Monday 27th May 2014

Dear Ms Evans

I'm writing to you regarding the proposed changes to the harmonisation of taxi fares over the 3 zones in Cheshire East. I'm a taxi owner with 5 Hackney taxis in Congleton and find the proposal totally unacceptable!!!

I find it very hard to believe that these proposals have been put forward without any input from the trade. You've stated in the Congleton Chronicle that's this has been done with consultation of the trade but at no point has anyone asked my opinion or other drivers regarding their income and there lively hoods!

We would like to know who these people are when these meetings took place. Because at no stage any information has been put forward to the drivers or owners has to their thoughts on the matter.

There are many reasons why this proposed table of fares are unjust and totally unacceptable! I will name 3 of the main reasons and hopefully you will see that this harmonisation should be put on hold for 12 months and a panel should be put together from the trade involving all 3 zones. I know Congleton drivers have set up an association which is called CELVA and my son sits on the committee which they had a constructive meeting with you only a few weeks ago. That way every driver/owner would be able to put their thoughts forward and hopefully together we can sort this mess out!

The first objection is the omitting of waiting time from the meter. I hope this is just an oversight on Cheshire East part? The waiting time is vital when taking customers to the bank, shopping or the doctors etc. and on many occasions the customer will ask the driver to wait while they do their daily business, this mainly effects elderly and vulnerable customers, without the waiting time element it will discourage drivers from waiting for customers who request them to do so this will result on drivers going away and coming

back for the customer for which they will be charged a new fare which will result in a more expensive journey which will inevitably upset the customer.

Second objection is the increase of the fares from £2.90 to £3.50 we as drivers feel with the reducing of transport services i.e. bus routes these increases only add unreasonable costs to Cheshire east residents getting about they only have limited amounts of disposable income. I feel that if we need to increase the fares across the borough then it should be done over a 5 year period maybe like a 10p rise each year then that would help residents budget and not be made to feel like we are robbing them. It would also help us drivers with the problem of out of town taxis who are coming into our town touting for trade and undercutting us and by Cheshire East putting our fares up to will only play into their hands. I was told at your meeting with CELVA a few weeks ago you said these new rates were only a max amount we could charge but this will make a joke out of Hackney taxis and the expensive meters we have fitted and maintained because you will have the public very confused and upset at the variation in fares from taxi to taxi.

Third objection is the 20% increase after 9pm this short time span between then and midnight is totally unjustified and we believe could lead to drivers being subject to abuse. There is no need what so ever for this fare rise and should be changed ASAP!!!

In addition to the mentioned objections listed above I can see no financial benefit to Cheshire east council all the financial implications are levelled against the companies and our customers, it must seem strange to you us voicing our objections to these fare increases as under normal circumstances it is us as owners who are approaching you to allow us to increase our fares but I sincerely hope our objections demonstrate our deep concerns of our customers being overstretched financially and with the greatest of respect we know our customers better than you do.

Even we as owners are being financially stretched with increase in license costs etc. one major help for us would be changes to the six month additional tests for older vehicles you said at the recent meeting as a council you gained nothing financially from these additional test fees and surely as these are only interim tests outside the annual tests these tests could be in the form of a general m.o.t at an authorised VOSA station this one simple change would go some way of reducing our costs, it can be in no one's interests that costs reach a point where companies start to cease to trade this in its self reduces the councils revenue.

I hope you see my comments as constructive as they are sincerely meant to

Just an additional observation at a recent meeting in Macclesfield which was attended by some local councillors but more importantly Fiona Bruce the Macclesfield M.P. where she expressed amazement to what had been going on as it was all news to her, can I respectfully ask who the M.P. you have referred to as making the decision to agree to the licensing fares and conditions changes was..

27th May 2014.

RIVERSIDE**TAXIS****RELIABLE FRIENDLY SERVICE**

Airport - Long Distance - Contract Services

RECEIVED

22 MAY 2014

20-5-14

Dear Miss Evans,

I would like to object to the "Proposal New Table of Fares" that the council want to impose on Zone 1 Owners/Drivers.

Objection 1 The increase from £2.90 to £3.50 is far too much, as bus services have been cut, many people on low incomes have to have taxis for shopping, school, work, etc, etc, these people don't have cars any many of these journey's are of 1 mile or so. An increase of about 20% is ridiculous, and will I am sure reduce Taxi journey's. It also shows how like National Govt, local Govt is so out of touch with the public they serve.

The council say the fare will be a maximum and a lesser charge can be made. For the last few years the Council has been failing some taxis at there test, for out of date meter. new meters at £400 approx have been bought, and now you say it doesn't matter what the meter says, its only a maximum. The meter is a safeguard for the customer and the driver and should be a true reflection of the cost, which brings me to

Objection 3

The removal of Waiting Time is totally unacceptable, many journeys are made a peak times, when a 1 or 2 mile journey can take upwards of 30-40 mins, there are many customers who need taxis to get to hospitals, doctors, banks etc some of the elderly or disabled can only get out and about because a taxi will wait for them, and I might add

RIVERSIDE

TAXIS

RELIABLE FRIENDLY SERVICE

Airport - Long Distance - Contract Services

that I and other taxi drivers are often asked to do a bit of shopping, or pick up a prescription, all these people could be disadvantaged because of your policies, waiting time is very important, and again because its a record on the meter it is better for both parties to accept. I am sure that without waiting time, drivers will pick and choose what jobs are worth doing or not. Why would you try to drive from Congleton Town Centre to West Heath at 5pm when it could take 40mins in nose to tail ~~traffic~~ traffic for £3 because no waiting time would be included, the driver would probably decline the fare, and finish for the night.

To sum up the New Fares would in my view would very damaging to my business, and once again shows how little the Council understand the Taxi trade and how tough it is.

yours sincerely

c 1/2

RECEIVED

22 MAY 2014

A B Private Hire

F.A.O.
Kim Evans,
Licensing Team Leader,
Cheshire East Council,
Municipal Buildings,
Crewe,
CW1 2BJ

RE: Proposed Variation to the Hackney Carriage Table of Fares

OBJECTIONS

Dear Miss K. Evans,

I hereby exercise my right to respond and object to the "Proposed Variation to the Hackney Carriage Table of Fares" Notice for Zone 1 issued by letter on 14th May 2014.

I am a Taxi Owner/Driver in Congleton and have been operating as a taxi driver since September 2005. If the proposed variation of fares is brought in then I believe this will have a detrimental effect to my business and potentially prevent me from operating as a taxi driver within the Borough for the following reasons:-

- **Daily Rate Increase – Substantial Loss Of Customers/Income**

The new proposed fares show a staggering 20% increase or more on the existing Rates for every journey which is just too high.

As the majority of my customers throughout the day are low income travellers without their own transport, this will inevitably increase pressure on them to take fewer taxis where they can. I believe that this is too bigger rise and such a rise in Congleton needs to be staggered over a number of years allowing the public to adjust gradually.

Note: The Councils argument with respect to the "maximum fare displayed on the Hackney Meter being the maximum amount the driver is allowed to charge and therefore a lower amount can be charged if desired" does not work in practice. The meter protects both the customer and the driver. If a situation arose where a taxi driver had to charge an amount less than the price displayed on the meter this would lead to bartering and arguments on every journey. All drivers would interpret their own fares and rates and the customers and driver would no longer be protected by the meter, rendering the taxis meters useless.

- **Loss of Waiting Time – Substantial Loss Of Income**

The new proposed fares show the removal of Waiting Time which is unacceptable.

Waiting Time comes into effect during every journey when driving below 12mph (ie. waiting at traffic lights, junctions and also in slow moving traffic). Therefore

(Continued....)

(....Continued)

the removal of waiting time with the proposed new Table of Fares will have a dramatic effect on my earnings, especially in peak times of traffic where Journeys take much longer.

Also there are many journeys each week that involve taking the infirm, elderly or disabled. These customers are generally picked up at home taken to the bank and/or shops and then returned home all in the same journey. These trips can often take up to 30 minutes and the distance travelled is rarely over a mile, therefore there would substantially less income received from these time consuming jobs causing taxi drivers to refuse these journeys often requested by phone.

Note: I know of no other Borough that has a Hackney Table of Fares with no compensation for waiting time.

- **Competition From Other Boroughs – Loss Of Income**

Over the last twelve months there has been a steady increase in competition from other taxis coming from neighbouring Boroughs such as Staffordshire and Stoke-on-Trent. The proposed new Table of Fares will definitely lead to more and more business being lost to other Boroughs. This again will only have a detrimental effect on my business.

All in all I am opposed to the new Proposed Table of Fares and believe that the decision to increase the fares in Congleton way over inflation and the cost of living rise together with the removal of waiting time is only going to harm mine and many other businesses. These changes if approved will have a major impact on my business and could potentially force closer on some taxi firms.

Yours Sincerely

A B Private Hire

RECEIVED
22 MAY 2014

F.A.O.
Kim Evans,
Licensing Team Leader,
Cheshire East Council,
Municipal Buildings,
Crewe,
CW1 2BJ

20/05/2014

RE: Proposed Variation to the Hackney Carriage Table of Fares

OBJECTIONS

Dear Miss K. Evans,

I hereby exercise my right to respond and object to the "Proposed Variation to the Hackney Carriage Table of Fares" Notice for Zone 1 issued by letter on 14th May 2014.

I am a Taxi Owner/Driver in Congleton and have been operating as a taxi driver since August 2010. If the proposed variation of fares is brought in then I believe this will have a detrimental effect to my business and potentially prevent me from operating as a taxi driver within the Borough for the following reasons:-

- **Daily Rate Increase – Substantial Loss Of Customers/Income**

The new proposed fares show a staggering 20% increase or more on the existing Rates for every journey which is just too high.

As the majority of my customers throughout the day are low income travellers without their own transport, this will inevitably increase pressure on them to take fewer taxis where they can. I believe that this is too bigger rise and such a rise in Congleton needs to be staggered over a number of years allowing the public to adjust gradually.

Note: The Councils argument with respect to the "maximum fare displayed on the Hackney Meter being the maximum amount the driver is allowed to charge and therefore a lower amount can be charged if desired" does not work in practice. The meter protects both the customer and the driver. If a situation arose where a taxi driver had to charge an amount less than the price displayed on the meter this would lead to bartering and arguments on every journey. All drivers would interpret their own fares and rates and the customers and driver would no longer be protected by the meter, rendering the taxis meters useless.

- **Loss of Waiting Time – Substantial Loss Of Income**

The new proposed fares show the removal of Waiting Time which is unacceptable.

Waiting Time comes into effect during every journey when driving below 12mph (ie. waiting at traffic lights, junctions and also in slow moving traffic). Therefore

(Continued....)

(...Continued)

the removal of waiting time with the proposed new Table of Fares will have a dramatic effect on my earnings, especially in peak times of traffic where Journeys take much longer.

Also there are many journeys each week that involve taking the infirm, elderly or disabled. These customers are generally picked up at home taken to the bank and/or shops and then returned home all in the same journey. These trips can often take up to 30 minutes and the distance travelled is rarely over a mile, therefore there would substantially less income received from these time consuming jobs causing taxi drivers to refuse these journeys often requested by phone.

Note: I know of no other Borough that has a Hackney Table of Fares with no compensation for waiting time.

- **Competition From Other Boroughs – Loss Of Income**

Over the last twelve months there has been a steady increase in competition from other taxis coming from neighbouring Boroughs such as Staffordshire and Stoke-on-Trent. The proposed new Table of Fares will definitely lead to more and more business being lost to other Boroughs. This again will only have a detrimental effect on my business.

All in all I am opposed to the new Proposed Table of Fares and believe that the decision to increase the fares in Congleton way over inflation and the cost of living rise together with the removal of waiting time is only going to harm mine and many other businesses. These changes if approved will have a major impact on my business and could potentially force closer on some taxi firms.

Yours Sincerely

— A —

Appendix 3

Crewe and Nantwich Zone Responses

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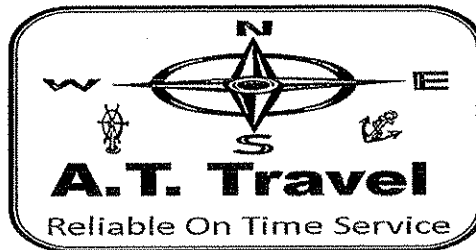
A.T. Travel

RECEIVED

19 MAY 2014

CN

A.T. Travel



Dated 14th May 2014


Dear Miss Evans

Re: Proposed Variation to hackney carriage Table of fares.

A.T. Taxis welcomes a harmonising of fares across East Cheshire, and to the change from yards to 1/10 miles which is much more up-to-date way of charging (and one that most people will understand)

However you seem to make no allowance in the new tables for waiting time at all? We would like to see this set around £0.40 per minute (or part of) or £24 per hour which is a fair price for having a taxi and driver standing by. And we believe well below that of the professional service we provide or could be taken if working an hour.

Point 2: for our sake and that of the traveling public, who very often have no or very little change on them, we would very much like to see all the fares round down/up to full ten's or .5 of ten's e.g. £0.20 /£0.25 which would make paying for, or giving change a lot more easy and there for less likely to mistakes being made and the need to have a bag of copper always to hand.

Yours 

(8 Seater Taxi with Full Wheelchair Access)

09 June 2014

Proposed Hackney Carriage Table of Fares

To whom it may concern:

I would like to most strongly object to the proposed new table of fares for the following reasons.

Our last increase was 3 years ago, the increase was proposed, accepted and implemented by yourselves, since then our overheads have risen and trade in general has decreased due to the increase in the number of hackney vehicles. In the new proposals the charge for the first mile will give us a 20% reduction on our current charges and we would have to complete a journey of 4.5 miles to equal our current rate, as most of our fares are short journeys this will have a significant effect on our earnings. Last week I only worked part-time and I carried out a survey which resulted in the following facts. Between Monday and Friday I averaged 9.3 fares per day of which 97% of those were under the 4.5 mile breakeven point, each fare was re-calculated to the proposed new tariff the result being I would have been £23.46 down in revenue. If I would have worked a full 6 day week it is not inconceivable to say I would have been more than £50 down in revenue, which of course is £2500 per annum which cannot be sustained. The result of this would be older vehicles and less maintenance which both are not acceptable to yourselves, myself and most important the general public.

The extras listed should be Tariff 2,3 etc not extras.

Hiring from 9pm at 20% extra is fair but to charge 50% from midnight is too much, no other borough in the UK implements 3 tariffs in a 24 hour period. If you work nights in industry a lot of firms now work 4 nights instead of 5 but at the same weekly wage, this equates to 20% extra. To say that you can always charge less does not work as proprietors who employ drivers depend on the taxi meter to tell them a true takings of their drivers, 90%+ of passengers at night time have consumed alcohol and we must have consistency to avoid conflicts for our and the passengers sakes. To maintain consistency we need things to be as they are now, all taxi meters running on the same tariff. Passengers do not argue when they can see the fare displayed on the meter. If the new proposals were implemented there would be open warfare resulting in trouble which nobody needs.

Christmas Day and New Years Day at 100% is also far too much, 50% is more than adequate. All these proposals could lead to an increase in drink driving.

The extra charge for more than 1 person has been dropped, this is needed especially when you are carrying 5-8 passengers as this helps to offset the extra cost involved in purchasing a larger vehicle. For example a new 8 seat wheelchair friendly vehicle costs between £30k-£38k and you can purchase a new car or 4 seat wheelchair vehicle from £15k.

Waiting time has also been dropped. In the Crewe and Nantwich area we often get journeys to the local boat yards for holidaymakers, they always ask you to call at a supermarket en route so they can purchase provisions this can often take 20mins+. A week last Saturday I picked up 6 people from America at Crewe railway station and took them to Wrenbury boat yard they asked me to stop at a supermarket which I did

and it took them 37 minutes to complete their shopping, what would their reaction be if I said no and dropped them and their suitcases off and told them I could not wait? People returning home often decide to have a impromptu party and often ask us to call at a off door licence to purchase alcohol, this is available 24/7 at certain garages taking 5-10 mins this will also stop causing more aggravation. There are countless other situations when passengers ask us to wait and nobody will do unless they are being paid for it. Waiting time must remain otherwise the amount of bad feeling and aggravation it will cause is immeasurable.

The proposed drops at 22p are impractical, we spent years trying to eliminate coppers from our tariff, why not make it 20p per 1/11 of a mile giving the same result and set other tariffs pro rata.

Having asked the opinion of countless other taxi drivers in Crewe and Nantwich the general consensus and my personal opinion is that even though it is 3 years since our last fare increase considering the economic climate I would like to propose that in the Crewe and Nantwich Zone we leave the fares as they stand at present for the next 12 months and then maybe discuss a rate increase.

All my proposals have kept in mind what to me is the most important thing, which others seem to totally disregard, **THE CUSTOMER.**

If I can be of any further assistance please do not hesitate to contact me.

I look forward to your response with interest.

Yours truthfully,

CN
1
1

Miss Kim Evans
Licensing Team Leader
Cheshire east council
Municipal buildings
Crewe
CW1 2BJ

Badge no

Dear Miss K Evans

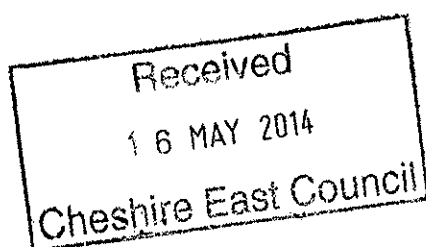
I am writing in response to the variation of the hackney carriage table fares That the cabinet members for communities and regulatory services have proposed I as a taxi driver in the Crewe and nantwich zone feel that the rate 1 is unfair as we are taking a fare decrease on that rate up to the first 4.9 miles so in respect to my daily takings as up to 75% of our work Is less than a mile 20% is less than 4.9 miles and the remaining 5% is over so on a average week my takings will be down the taxi trade is saturated with to many taxis as it is without having to take a rate decrees .

I also feel strongly that there should not be 3 rates on a daily basses I feel 2 rates are enough and 3rd rate on bank holidays Christmas day and new years day .

I feel the 3rd rate on a daily basis is unfair to the passengers They should not have to pay such extreme rate to get home at a later time and feel this will encourage people to either drink and drive or walk home in a unfit manner and may cause danger to themselves or other road users I feel a single rate is fair enough to run from 9pm till 7am

Yours faithfully

Signature



RECEIVED

20 MAY 2014

Name:	
Address:	
Badge No:	1539

15 May 2014

Proposed Hackney Carriage Table of Fares

To whom it may concern:

I would like to most strongly object to the proposed new table of fares for the following reasons.

In the new proposals the charge for the first mile will give us a 20% reduction on our current charges, as most of our fares are short journeys this will have a significant effect on our earnings. Which other firms do you know who drop their charges by 20%?

The extras listed should be Tariff 2,3 etc not extras.

Hiring from 9pm at 20% extra is fair but to charge 50% from midnight is both greedy and stupid, if you work nights in industry a lot of firms now work 4 nights instead of 5 but at the same weekly wage, this equates to 20% extra. To say that you can always charge less does not work as proprietors who employ drivers depend on the taxi meter to tell them a true takings of there drivers, and also it would cause a free for all and only lead to trouble.

Christmas Day and New Years Day at 100% is also nothing but sheer greed and stupidity, 50% is more than adequate. All these proposals could lead to an increase in drink driving.

The extra charge for more than 1 person has been dropped, this is needed especially when you are carrying 5-8 passengers as this helps to offset the extra cost involved in purchasing a larger vehicle (approximately double the amount).

Waiting time has also been dropped. In the Crewe and Nantwich area we often get journeys to the local boat yards for holidaymakers, they always ask you to call at a supermarket en route so they can purchase provisions this can often take 20mins+ without waiting time nobody is going to stop without being paid for. People returning home often decide to have a impromptu party and often ask us to call at a off door licence to purchase alcohol, this is available 24/7 at certain garages taking 5-10 mins this will also stop causing more aggravation. Waiting time must remain otherwise the amount of bad feeling it will cause is unmeasureable.

The proposed drops at 22p are stupid, we spent years trying to eliminate coppers from our tariff, why not make it 20p per 1/11 of a mile giving the same result.

Taking all into consideration I propose that the other two areas go onto the current Crewe & Nantwich tariff. That would give them a rate increase to help combat the current economic climate.

All my proposals have kept in mind what to me is the most important thing, which others seem to totally disregard, **THE CUSTOMER.**

I look forward to your response with interest.

Yours truthfully,

Name:	DANIEL JARVIS
Address:	
Badge No:	DMV 4682

15 May 2014

Proposed Hackney Carriage Table of Fares

To whom it may concern:

I would like to most strongly object to the proposed new table of fares for the following reasons.

In the new proposals the charge for the first mile will give us a 20% reduction on our current charges, as most of our fares are short journeys this will have a significant effect on our earnings. Which other firms do you know who drop their charges by 20%?

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The proposed drops at 22p are stupid, we spent years trying to eliminate coppers from our tariff, why not make it 20p per 1/11 of a mile giving the same result.

Taking all into consideration I propose that the other two areas go onto the current Crewe & Nantwich tariff. That would give them a rate increase to help combat the current economic climate.

All my proposals have kept in mind what to me is the most important thing, which others seem to totally disregard, **THE CUSTOMER.**

I look forward to your response with interest.

Yours truthfully,

Name:	STEPHEN TENCH
Address:	
Badge No:	3208

15 May 2014

Proposed Hackney Carriage Table of Fares

To whom it may concern:

I would like to most strongly object to the proposed new table of fares for the following reasons.

In the new proposals the charge for the first mile will give us a 20% reduction on our current charges, as most of our fares are short journeys this will have a significant effect on our earnings. Which other firms do you know who drop their charges by 20%?

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The proposed drops at 22p are stupid, we spent years trying to eliminate coppers from our tariff, why not make it 20p per 1/11 of a mile giving the same result.

Taking all into consideration I propose that the other two areas go onto the current Crewe & Nantwich tariff. That would give them a rate increase to help combat the current economic climate.

All my proposals have kept in mind what to me is the most important thing, which others seem to totally disregard,

THE CUSTOMER.

I look forward to your response with interest.

Yours truthfully,

Name:	Trevor J Taylor
Address:	
Badge No:	2309

15 May 2014

Proposed Hackney Carriage Table of Fares

To whom it may concern:

I would like to most strongly object to the proposed new table of fares for the following reasons.

In the new proposals the charge for the first mile will give us a 20% reduction on our current charges, as most of our fares are short journeys this will have a significant effect on our earnings. Which other firms do you know who drop their charges by 20%?

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The proposed drops at 22p are stupid, we spent years trying to eliminate coppers from our tariff, why not make it 20p per 1/11 of a mile giving the same result.

Taking all into consideration I propose that the other two areas go onto the current Crewe & Nantwich tariff. That would give them a rate increase to help combat the current economic climate.

All my proposals have kept in mind what to me is the most important thing, which others seem to totally disregard,

THE CUSTOMER.

I look forward to your response with interest.

Yours truthfully,

Name:	JOHN HAMILTON EVANS
Address:	
Badge No:	3339

15 May 2014

Proposed Hackney Carriage Table of Fares

To whom it may concern:

I would like to most strongly object to the proposed new table of fares for the following reasons.

In the new proposals the charge for the first mile will give us a 20% reduction on our current charges, as most of our fares are short journeys this will have a significant effect on our earnings. Which other firms do you know who drop their charges by 20%?

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Taking all into consideration I propose that the other two areas go onto the current Crewe & Nantwich tariff. That would give them a rate increase to help combat the current economic climate.

All my proposals have kept in mind what to me is the most important thing, which others seem to totally disregard,

THE CUSTOMER.

I look forward to your response with interest.

Yours truthfully,

Name:	Brian Connolly
Address:	-
Badge No:	1565

15 May 2014

Proposed Hackney Carriage Table of Fares

To whom it may concern:

I would like to most strongly object to the proposed new table of fares for the following reasons. In the new proposals the charge for the first mile will give us a 20% reduction on our current charges, as most of our fares are short journeys this will have a significant effect on our earnings. Which other firms do you know who drop their charges by 20%?

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All my proposals have kept in mind what to me is the most important thing, which others seem to totally disregard,

THE CUSTOMER.

I look forward to your response with interest.

Yours truthfully,

Name:	PEIWAN AHMED
Address:	AV
Badge No:	3393

15 May 2014

Proposed Hackney Carriage Table of Fares

To whom it may concern:

I would like to most strongly object to the proposed new table of fares for the following reasons.

In the new proposals the charge for the first mile will give us a 20% reduction on our current charges, as most of our fares are short journeys this will have a significant effect on our earnings. Which other firms do you know who drop their charges by 20%?

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All my proposals have kept in mind what to me is the most important thing, which others seem to totally disregard,

THE CUSTOMER.

I look forward to your response with interest.

Yours truthfully,

Name:	Joseph Dennis
Address:	1
Badge No:	1698

15 May 2014

Proposed Hackney Carriage Table of Fares

To whom it may concern:

I would like to most strongly object to the proposed new table of fares for the following reasons. In the new proposals the charge for the first mile will give us a 20% reduction on our current charges, as most of our fares are short journeys this will have a significant effect on our earnings. Which other firms do you know who drop their charges by 20%?

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Taking all into consideration I propose that the other two areas go onto the current Crewe & Nantwich tariff. That would give them a rate increase to help combat the current economic climate.

All my proposals have kept in mind what to me is the most important thing, which others seem to totally disregard,

THE CUSTOMER.

I look forward to your response with interest.

Yours truthfully, _

Name:	MICHAEL WALKER
Address:	
Badge No:	3063

15 May 2014

Proposed Hackney Carriage Table of Fares

To whom it may concern:

I would like to most strongly object to the proposed new table of fares for the following reasons.

In the new proposals the charge for the first mile will give us a 20% reduction on our current charges, as most of our fares are short journeys this will have a significant effect on our earnings. Which other firms do you know who drop their charges by 20%?

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THE CUSTOMER.

I look forward to your response with interest.

Yours truthfully,

Name:	CHRIS CROSBIE
Address:	
Badge No:	DRV 4746

15 May 2014

Proposed Hackney Carriage Table of Fares

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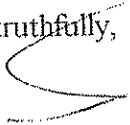
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Name:	JOE HICKSON
Address:	
Badge No:	DRV 4668.

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Yours truthfully,

Name:	BRIAN STURBS
Address:	
Badge No:	3129

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Yours truthfully

Name:	MUSTAK AHMED
Address:	
Badge No:	1720

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Yours truthfully,

Name:	MOHAMMAD A RAHMAN ✓
Address:	
Badge No:	DO 770

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Address:	
Badge No:	340 S

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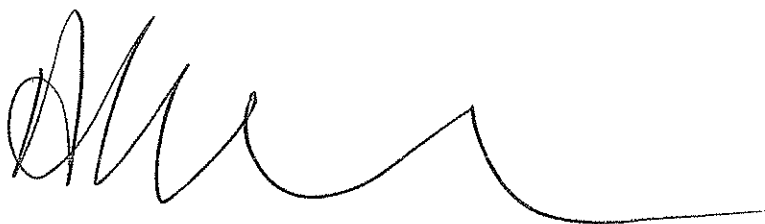
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Address:	-
Badge No:	DRY4617

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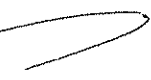
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Address:	
Badge No:	3285

15 May 2014

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Address:	
Badge No:	3202

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Name:	Hristo Soltanovski
Address:	
Badge No:	DRV4831

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Name:	MUHAMMED DELWAR HOSSAIN
Address:	
Badge No:	4011

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Name:	KHAZIR MAHMOOD
Address:	
Badge No:	4678

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Address:	
Badge No:	3167

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Taking all into consideration I propose that the other two areas go onto the current Crewe & Nantwich tariff. That would give them a rate increase to help combat the current economic climate.

All my proposals have kept in mind what to me is the most important thing, which others seem to totally disregard, **THE CUSTOMER.**

I look forward to your response with interest.

Yours truthfully,

Miss Kim Evans
Licensing Team Leader
Cheshire east council
Municipal buildings
Crewe
CW1 2BJ

Badge no
3109

Dear Miss K. Evans

I am writing in response to the variation of the hackney carriage table of fares. That the cabinet members for communities and regulatory services have proposed I as a taxi driver in the Crewe and nantwich zone feel that the rate 1 is unfair as we are taking a fare decrease on that rate up to the first 4.9 miles so in that respect my daily takings will be down as up to 70% of our work is less than a 1 mile 29% is less than 4.9 miles and the remaining 1% is over so on an average week my takings will be down the taxi trade is saturated with too many taxis as it is without having to take a cut in the day rate. I also feel strongly that there should not be 3 rates on a daily basis I feel 2 rates are enough and 3rd rate on bank holidays Christmas day and new years day. I feel the 3rd rate on a daily basis is unfair to the passengers They should not have to pay such an extreme rate to get home at a later time and feel this will encourage people to either drink and drive or walk home in an unfit manner and may cause danger to themselves or other road users I feel a single rate is fair enough to run from 9pm till 7am set at a rate that won't cost the customers too much extra

Yours faithfully

Signature

Miss Kim Evans
Licensing Team Leader
Cheshire east council
Municipal buildings
Crewe
CW1 2BJ

Badge no 3129
RR40 STUBBS

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Yours faithfully

Signature

Name:	IAN SPENCER
Address:	
Badge No:	1529

15 May 2014

Proposed Hackney Carriage Table of Fares

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Yours truthfully,

Name:	S. COOPER
Address:	.
Badge No:	3109

15 May 2014

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THE CUSTOMER.

I look forward to your response with interest.

Yours truthfully,

Name:	LAWAN - IBERAHIM
Address:	
Badge No:	3417

15 May 2014

Proposed Hackney Carriage Table of Fares

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THE CUSTOMER.

I look forward to your response with interest.

You

C

Name:	RICHARD BUSTEED
Address:	
Badge No:	3424

15 May 2014

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Yours truthfully,

Name:	KEVIN GRIFFITHS
Address:	
Badge No:	3362

15 May 2014

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Yours truthfully,

Name:	Wesley Cooper
Address:	
Badge No:	DRV 4731

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Yours truthfully,

Name:	DAVID WHOIZ
Address:	
Badge No:	1 6 4 7

15 May 2014

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Yours truthfully,

>

Name:	MALCOLM PRESTON
Address:	
Badge No:	3015

15 May 2014

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THE CUSTOMER.

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Yours truthfully,

Name:	Simon WARD
Address:	
Badge No:	3415

15 May 2014

Proposed Hackney Carriage Table of Fares

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THE CUSTOMER.

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Yours truthfully,

Name:	STEPHEN HARDING
Address:	
Badge No:	3211

15 May 2014

Proposed Hackney Carriage Table of Fares

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THE CUSTOMER.

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Yours truthfully,

Name:	MR. A. GAGAN
Address:	
Badge No:	3240

15 May 2014

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Yours truthfully, ,

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Appendix 4

Macclesfield Zone Responses

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RECEIVED

23 MAY 2014

Kim Evans
Licensing Officer
Cheshire East
Westfields
Middlewich Rd
Sandbach
Cheshire
CW11 1HZ

Tim Sumner
Top Cars Uk Ltd

104 S. Stagg Hill Rd.
Alderley
Alderley Edge
Cheshire
W14 9PL

18/5/14

Dear Mrs Evans,

I refer to your recent letter advising of revised Hackney carriage tariffs in the Cheshire East Area.

Yet again proposals have been put forward that do not take in to account the present state of the economy, the views of the drivers and the views of Cheshire East Council tax payers . Do you really think that the general public want to pay considerably more for their taxis ? We have the supermarkets in a price war where Sainsburys are trying to get their prices closer to Aldi and yet the licensing authority seem to think that these financial constraints don't apply to the taxi industry. Well they do?

You say that these proposed tariffs are to harmonise the price structure over the three regions. You have glibly ignored the fact that both Crewe and Congleton differ from Macclesfield massively in that they are regulated and we are not .That to my mind is a far bigger issue and only heightens the lack of strategic thinking within Cheshire East Licensing.

Just to give a simple overview of how I think the rates should be set follows but I will go on to deal with the detail later.

People do not trust taxi drivers. They know there are different tariffs but they don't know when they start or what % increases there are. Confusion and uncertainty are the two main reasons why people don't buy. During the week the business traveller

just jumps in the cab and there is usually no enquiry about the price because their company is paying. Friday and Saturday nights are normally so busy that nobody cares. Sunday is the best indicator of how the public uses taxis. On the rank at Macclesfield station on a Sunday morning there are normally only four or five cabs till mid afternoon. We are very rarely busy on a Sunday as locals know that we are a third dearer than most private hire companies so they will be much busier at our cost.

People , who arrive at the station will either be picked up by friends and relatives or because they are not business travellers will have pre-booked a private hire vehicle.

It doesn't matter whether it is a third or a half extra our income will not increase and will probably go down.

I would scrap Sunday rates, Bank Holiday rates, with the exception of Xmas and New Year leaving them as they are now. All I would do is increase the minimum fare i.e flag rate to £ 3.50 and keep the pence per mile the same.

I can see NO reason why anyone should pay extra for a cab on a Sunday or Bank Holiday, as you would not pay extra for anything else at those times, drinks food etc. Our industry is part of a bigger industry and should be viewed as such.

To give you an example of how the Sunday tariff would affect us.

From the rank to Whaley Bridge £ 30.00

Cab Co £ 21.00

These rates are a Xmas present for the private hire companies !! I ask myself WHY.

The argument for increases on Sundays and Bank holidays was originally that you wouldn't get enough drivers out. This no longer holds true as drivers are being licensed in record numbers and there aren't the number of customers anyway!! Putting prices up will make matters worse.

As I understand it one of the main points of your proposals is to scrap waiting time ?

Firstly there is no other council in the UK that has that policy !!!!
Why do you want to be the first ? Again it clearly shows that you do not understand how the taxi business works in Macclesfield ! !

Let's take a typical Monday morning off the station rank. There will probably be as many as 20-25 trips to Middlewood Ct AZ at Hulley rd and these will be done in rush hour traffic so the waiting time can easily be a £ 1.00 or more !! I have never had a customer complain about waiting time.

Do you seriously expect us to stop at cash tills, takeaways, toilets, launderettes , private houses etc etc etc and not get paid for that time. Would you work for nothing???

Waiting time payments are an essential part of a driver's income and should be retained.

I have dealt with Sundays and bank holidays in that the intended price rises should be scrapped or as a positive step reduce them to the flat daily rate. Your proposed increase from a third to a half represents an increase of 12.5 % on the existing rate. Do you know the current rate of inflation? This is hardly a competitive move is it? The majority of people are struggling with their household budgets in the worst recession for 70 years and you want to increase the prices at 4 times the rate of inflation.

And finally , well not quite !! Why do you want to create more confusion and mistrust by introducing a mid evening rate?

I have no idea of the reasons behind these proposals ?? It should be remembered that all licensing whether it be taxis, utility supplies, communications etc etc came after the business not before. All decisions connected with pricing should be business driven not the other way round.

This document looks as though it could have been written with the help of the private hire companies because they are the only ones that will benefit from it.

The public will not benefit and neither will the Hackney carriage drivers in the borough.

In your efforts to HARMONISE you will created total discord.

The public don't want these changes and neither do we !!

Regards



Kim Evans
Licensing Officer
Cheshire East
Westfields
Middlewich Rd
Sandbach
Cheshire
CW11 1HZ

Tim Sumner
Top Cars Uk Ltd
The Old Rectory, Church Lane
Macclesfield
Cheshire
SK11 7JL

23/5/14

Dear Ms Evans,

I refer to your email to me of the 20th May in which you outline your timescales on this consultation.

Initially put to the Licensing Committee on the 5th November 2012 (what an appropriate date !!) and the Cabinet member on the 7th January .

So this process of consultation was started over 30 months ago ?? !!

The Oxford English dictionary defines the word Consultation as “ the act of consulting “ 2 ” a conference for discussion or the seeking of advice “.

At no stage have me or my colleagues been asked for advice either individually or collectively and it would seem that a number of councillors, who know nothing of these proposed fair increases, have not been asked for advice either.

The definition of the word Objection in the Oxford English Dictionary is “an expression or feeling of opposition or dislike “

Now this I have been asked to do but I only have a couple of weeks to do it as do the Macclesfield Tax Payers.

Had the Macclesfield tax payers been made aware of this via their local councillors you would have had a resounding "No ".If I said to you tomorrow "oh by the way we're putting your grocery bill up is that OK there would be an overwhelming no.

As David Rutley said at his meeting with us on Wednesday that very few people read the public notices in the Macclesfield Express so the number of objections you receive is clearly not a true reflection of public opinion.

These proposals will affect the income of the Hackney Carriage drivers in the borough and will be welcomed by the private hire operators. To the general public there is no difference between these two sectors. It's just a smart phone a Google search and a price.

I am a member of Unite , you may well be also ? If there was a proposal to lessen your income would you expect to be consulted as to why it was necessary ? Would you accept such a proposal ? Clearly not !! So why should we ?

The majority of the drivers are self – employed and each ,in varying degrees , is a small businessman completely reliant on his own abilities to make a living. There are larger companies like GT Tours who serve the school transport sector . Your proposals will affect our businesses.

We work the streets; we know that the Taxi business is a good barometer of the economy.

You have not consulted us or the general public properly when you have clearly had enough time to do so and it is clear that you are trying to railroad these proposals in through the back door!

We will not let you do that.

We have not had an acceptable explanation as to why this increase is needed ? There is not massive unrest on the rank about an increase but we would welcome some proper discussions on how the rates operate.

You use the word HARMONISATION as the reason for the proposals.

As a business person I understand that to mean that these proposals will result in cost savings to Cheshire East or efficiency benefits. In which case have you informed the licensing committee of the actual savings as a figure? If so can you tell us what it is ? It's not obvious to me or most of the business people I've spoken to how substantial a benefit these proposals might bring ?

I suspect that this is a cosmetic idea with little substance which might make admin a bit easier and a bit cheaper !!

I hope you are costing the time that you are now having to devote to sort this mess out ?

If these proposals are to standardise rates across the three towns so that everybody pays the same then that is utter nonsense. Will a person from any of those three towns , who on the odd occasion uses a taxi in a different town worry about the different price, even if they notice ? Of course not !!

People in Crewe , Congleton, and Macclesfield do not pay the same for their housing, groceries, entertainment, meals drinks fuel etc, etc, They are separate economies with different demographics.

It would be laughable for say the Regional Director of a supermarket chain or indeed any retail business to write to their store managers in the three towns and say " just to make the spreadsheets easier to read we are going to have the same prices in all the stores. It would not happen because sales and profits would go down !!

Yet you, without consultation are proposing to do just that !

You have a " B " in your bonnet about this but it happens to be the wrong " B " .

I met with you a while ago to discuss issues affecting taxis in Macclesfield and I know that I NEVER mentioned a tariff increase but I will highlight those issues which I did talk about then. The Macclesfield public and drivers both have a poor deal .

There has never been an enforcement officer on any of the ranks in Macclesfield on a Friday or Saturday night as far as I or any of the other drivers are aware. I have asked you tell us the date of any such visit that might have been made. I have never had a response. They would be able to address the following issues.

- 1) Overcharging . This happens regularly and could easily be resolved by an enforcement officer or mystery shopper.
- 2) Private hire taxis from out of town waiting for jobs at the station after dropping off.
- 3) Private hire taxis from out of town ranking up on Mill Street.
- 4) Private hire taxis ranking up by the Medical Centre.
- 5) Hackney carriage drivers from out of town doing private hire work in the town, a loophole in the regulations which I am told by a licensing officer from Stockport they are trying to close.

N.B if you are up to speed with the Law Commission's interim report on the industry you will have noted that they have changed their mind on de-regulation.Originally they were intending to implement it but have now done a 180 degree turn and are proposing to have councils regulate the number of plates. Macclesfield has no adjacent boroughs that are fully de-regulated as we are.

- 6) Drivers being allowed to work in the borough without sufficient local knowledge

These are more relevant issues than the Harmonisation of tariffs but Licensing has done virtually nothing to sort these matters out !!

We do not accept these proposals which should be deferred for 6 months and a proper consultation process begun.

Cheshire East has had its INCINERATORGATE, WASTEGATE, REFUSEGATE or what you will. It's about to get its TAXIGATE.

Regards,

Tim Sumner

Houses

Groceries

Tim Sumner
Top Cars Uk Ltd
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

23/5/14

Dear Licensing committee member,

Obviously the furore regarding the proposed increase in Hackney Carriage tariffs is gaining momentum.

This is unfortunate because this is taking up valuable time of both the council and Hackney drivers who are trying to earn a living.

There is some question as to the legality of the proposal concerning the removal of waiting time? The National Taxi Association are taking legal advice on this and I, at present have a QC reviewing it through my union.

These are all unnecessary wastes of time and money.

I feel that the Council, by it's own short-sightedness has backed itself into a corner which might mean that this will go down to the wire.

There will be an article in the Macclesfield Express on Wednesday, as there was in the Congleton Chronicle last week and our campaign to collect support will begin through an extensive social media campaign, the physical collection of signatures on a petition and the support we have enlisted through a number of councillors.

There is a way out of this for you which though it will not completely leave you without egg on your face will show you in a better light as a caring council that has the interests of it's tax payers at heart in these difficult times.

Simply say that when these proposals were first mooted in November 2012 that you took advice on what the state of the economy might be when they were to be introduced in May 2014.

Reiterate that advice was taken in January 2013.

You now withdraw these proposals accepting that whilst the economy is moving slowly upward that for those people at the lower end of the economic spectrum and those who depend on short taxi journeys on a regular basis that your proposed increases would be an unfair extra burden to their budget.

I am sure that you can find someone to write this properly.

Agree that you will review this situation in say October and will CONSULT with appropriate parties.

This will include representatives of the Licensed Hackney Carriage drivers!!

The public don't want this proposed new tariff and neither do the drivers.

Finally, we are pretty sure we know the reason why you have introduced these tariffs!! Couldn't possibly be a hike in our License fees coming could there?

These tariffs will not increase our incomes!! That surely must be clear to you now!!

You would do well to concentrate on the law commissions report that councils should regulate the number of plates before looking at badge increases.

Regards,

Tim Sumner

EVANS, Kim

From: Tim Sumner [mailto:tim.sumner@cheshire.gov.uk]
Sent: 29 May 2014 07:33
To: EVANS, Kim
Subject: Answer the questions.

Hi Ms Evans,

the problem is Ms Evans is that you never answer the questions which have been posed and you contradict yourself.

You say that there has been extensive consultation with the trade ?

Please be good enough to tell us how many representatives from the trade you have met with and who they are ? We have formed the Cheshire East Taxi Group which will encompass the three towns involved and none of the members (about a 100 on the first day) has any recollection of being invited to a meeting to discuss these proposals nor have we nominated any person to represent our views.

Did you invite certain persons to consult with you ?

I am forwarding an email to you reference a meeting that took place on the 26th April 2014.

You say that this was widely debated in the council so how come that at least five active councillors knew nothing about these proposed increases ?

You say that the public were aware of the proposed increases by way of information on your website. How many people do you think would look on your website to see if their taxi fares were going to rise ?

You say that these tariff rises are to create harmonisation yet you have added another tariff band ?? You are proposing to alter the double time timings on Xmas and New Year yet the general public do know and accept that that has been the case .

Again I repeat the question WHY are you proposing to scrap waiting time when no other council in the UK has ever considered or proposed such a thing ?

In your email you say that we can charge less than the meter price ?

On the Taxi Fares sheet which we display in the cabs it says " The fare shown on the meter is the fare to be paid "

That will cause more dis- harmony with passengers as they will almost certainly think that you can charge more than the meter as well . This is hardly standardisation is it ?

Are you saying that in the unlikely scenario of you rail roading these changes through we can keep our meters as they are now if we want to ? If so your're pursuing a pretty pointless exercise.

You fail to answer the the precise question put to you in a previous email. What are the actual costed savings of these proposals and have they clearly been demonstrated to the Licensing committee and the leader of the council. Can we see these figures ? Do they exist ?

Were these proposed changes your idea or one particular licensing committee member ?

I am not sure how many people from the trade support these ideas but I am assuming that as a democratic country if the number of objectors exceeds those in favour then the proposals will not be carried ? Or is this purely arbitrary on the Councils part and you can do what you like ?

We are a hundred strong and growing.

We have representatives from each of the three towns and insist that to give you a true reflection of the trade's views we meet with you, the licensing committee or both ?

I have asked David Rutley to arrange a meeting between ourselves and Michael Jones.

Please Ms Evans answer the questions honestly and fully and look at your diary.

Regards,

Tim Sumner

EVANS, Kim

From: Tim Sumner [mailto:tim@hackney.gov.uk]
Sent: 01 June 2014 22:04
To: 'Milly, Ben / my / Pauline' <[mailto:Benjamin.Milly@hackney.gov.uk];
Anita M. [mailto:Anita.M@hackney.gov.uk]; 'John, David' <[mailto:David.John@hackney.gov.uk];
'John, David' <[mailto:David.John@hackney.gov.uk];
Subject: Re: article

Ms Evans,

you continue to tell us this is about harmonisation yet nothing could be further from the truth.

You say that these rates would help help the public understand better !!

I have not had one person in the 4 years I have been doing this look at a tariff card !!

What they obviously do Ms Evans is look at the meter and they understand that " the fare on the meter is the fare to be paid " but you have even confused this issue now by telling us in your last email that we can have our meters with our own individual tariffs !

How can the public trust such inconsistencies ?

The public does understand that rates go up at 11-30 to time and a half.

The public does understand that Xmas and New Year are at double time.

Your proposed change to 20% after 9pm will come as a shock to passengers and those people who have been on shots prior to being taken to clubs etc will be a problem for us. The private hire operators will benefit from this immensely as it will force business their way.

Your business naivety shows through when you say that because a person hold a joint private hire/ hackney badge your consultations are relevant.

Rubbish. The true Hackney drivers work the ranks have flag-downs and build there own customer base. They do not pay over a £ 100 per week to the likes of Silvertown etc which because of this arrangement means they are beholding to that operator.

Upset the boss and get your radio taken away. That will hardly give them an impartial view when your consulting with them.

An experienced licensing officer would never have put themselves in a position such as you did at Westfields.

I wonder if the police are aware of some of the consequences of removing waiting time or have you thought about them.

If we can't charge waiting time do you think drivers will be the same on the roads. I don't know . Would their driving habits change ?

Have you made the police aware of the difficulties that will arise when in the early hours of the morning a passenger wants to stop for whatever reason and the cabbie says you will have to pay now and get another cab. Is it unreasonable for a driver to wait for an indeterminate amount of time for nothing. How

long would you suggest he waits before reporting the incident to the police as a non payer. Have you consulted with the police on these issues. I would suggest you do.

Similarly what do we do with older people who maybe go shopping , collect their prescriptions etc. Ask them to pay and order another cab ?

People picking their kids up from Schools nurseries and it's raining " can you wait 10 mins driver " No you will have to get another cab .

These are scenarios which we deal with everyday and whilst the waiting time is not a lot (and a lot less than Congleton) the drivers do deal with these situations sympathetically.

Back to this wonderful word Harmonisation enabling the fare paying public to understand the tariffs better.

When you took over this role I came to see you to talk about the issues that were of common interest to both the drivers and licensing enforcement.

I suggested that at the earliest opportunity you would make yourself known to the rank by visiting it on a Friday or a Saturday night to learn first hand what goes on. To my knowledge you have not done so. What a golden opportunity missed to form a working relationship with us. We do have the same goals Ms Evans. A well regulated rank gives the public peace of mind in terms of safety and fair prices.

You say you feel the tariffs would be easier to understand. Have you physically been on the street talking to people who use taxis ? That's the way to understand what the public thinks. I invite you, sometime in the next few days to spend some time with me talking to ALL sectors of the Boroughs council tax payers ? This is the real world !

Nearly finally. You have still not provided what the actual cost benefit is to the Council. Has this information been logged with the Chief Finance officer or is it as we all suspect just

HAVING THE SAME WALLPAPER IN EVERY ROOM

Stop the implementation of these proposals and meet with us properly in October and we will have proper proposals for you.

After all Ms Evans you have had since 5th November 2012, with all the resources of Cheshire East at your disposal and access to fine minds and still managed to come up with a DOG'S BREAKFAST OF A PROPOSAL.

BOTH THE PUBLIC AND THE DRIVERS WILL BE WORSE OFF WITH THIS PROPOSAL AND YOU HAVE STILL NOT EXPLAINED WHAT THE BENEFIT IS TO CHESHIRE EAST. IT MUST BE MINIMAL AND CAN NOT BE WORTH DOING. YOU HAVE NOT CONSULTED PROPERLY .

NOBODY WANTS THE SAME WALLPAPER IN EVERY ROOM

Regards

Tim Sumner

Cheshire East Taxi Group

EVANS, Kim

From: LICENSING (Cheshire East)
Sent: 16 May 2014 14:16
To: EVANS, Kim
Subject: FW: Kim evans

From: Christopher Hall [mailto:chall@cheshireeast.gov.uk]
Sent: 16 May 2014 14:14
To: LICENSING (Cheshire East)
Subject: Kim evans

I object to the new proposed tatiff as its unfair on drivers no waiting time and a big reduction in wages

TOM ASHDOOTH

19/05/2014

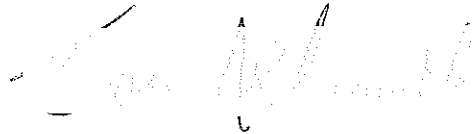
19/05/2014

To Licensing committee East Cheshire

I strongly object to the proposals for changes to the Taxi tariff for Cheshire East in particular to the abolishing of waiting time something that is operated in every other borough in the country and I wish this objection to be noted.

I also object to the allowing of Taxis from other boroughs being allowed to operate in our area.

Yours sincerely



JD 0296

**Miss Kim Evans
Licensing Team Leader
Cheshire East Council
Municipal Buildings
Crewe
CW1 2BJ**

Dear Miss Evans,

Re: The proposed Table of Fares @ Macclesfield Zone.

I agree with the proposal with the exception of the omission of a waiting time charge.

I presume this to be a clerical error as no waiting charge would not be acceptable.

Waiting should reflect at least the minimum wage per hour and the standing cost of a Taxi per hour.

Yours sincerely



PAT GILLICK

Pat Gillick, Team Leader

Cheshire East Council

Crewe

01273 834444

Date: 22-05-2014

EVANS, Kim

From: Patrick Gillick [mailto:patrick.gillick@sparetime.co.uk]
Sent: 30 May 2014 13:48
To: EVANS, Kim

Dear Kim

Re: Waiting time charge. This charge should reflect standing costs and the "at least" the national minimum wage. The amount required to fulfil this is £18 per hour pro rata.

Regards

Pat Gillick
Sparetime

EVANS, Kim

From: John Hanmer [mailto:john.hanmer@silvertown.co.uk]
Sent: 30 May 2014 13:32
To: EVANS, Kim
Subject: Proposed tariff increase

Hi Kim I agree with the proposed tariff increase but the only two things missing is the waiting time which should be around the £18 per hour. The other thing is the 4 seats + should be Fare + 50% saving customer 50% as they would need two Taxi's.

regards John Hanmer @ Silvertown

Macclesfield

Radio

Cars

100 - 1000
1000 - 10000
10000 - 100000
100000 - 1000000

1000000 - 10000000

Attn Kym Evans

30TH May 2014

East Cheshire Council
By Email Only

Dear Ms Evans

We write with reference to the recent proposals for changes in the local taxi tariffs and would like to put on record our acceptance of the new proposed terms, with the exception of the waiting time which appears to have been omitted. With regard to this we would expect to charge around £20.00 per hour on a pro rata basis.

Yours sincerely

Bob Cooper
Partner

EVANS, Kim

From: Becky Hilton
Sent: 30 May 2014 13:03
To: EVANS, Kim
Subject: Re: Re changes to taxi tariff

Hi,

Thank you for your response.

We would like to see the waiting time reinstated to the rate pre October 2011, £18.00 per hour or 30p per minute.

We are satisfied with all other proposals and would like to distance ourselves from the approach of Mr Sumner.

Please could you forward to me a copy of the report to committee that asked for waiting time to be removed and the minutes of that meeting. I've looked on the Cheshire East web site and it doesn't seem to be there.

Regards
Becky Hilton & Graham Trevena,
GT Tours Ltd.

Sent from my iPhone

> On 30 May 2014, at 09:54, "EVANS, Kim" <Kim.Evans@cheshireeast.gov.uk> wrote:

>

> Dear Miss Hilton

>

> Thank you for your enquiry regard the proposed amendments to the Table of Fares. I can confirm that the omission of waiting time is not a clerical error.

>

> However, we have received several consultation responses requesting that waiting time be reinstated and the decision-maker has the opportunity to consider those suggestions and vary the proposals. If you have an suggestions at what level you think waiting time should be set at you can provided those during the consultation process.

>

> Regards

> Kim Evans

>

> -----Original Message

> From: Becky Hilton

> Sent: 29 May 2014 12:01

> To: EVANS, Kim

> Subject: Re changes to taxi tariff

>

> Hi Kim,

>

> Please could you clarify whether the omission of waiting time on the proposed new tariff is merely a clerical error or intended.

>

> Regards,

> Becky Hilton, GT Tours Ltd

> *****

> Confidentiality: This email and its contents and any attachments are intended only for the above named. As the email may contain confidential or legally privileged information, if you are not the above named person or responsible for delivery to the above named, or

suspect that you are not an intended recipient please delete or destroy the email and any attachments immediately.

>

> Security and Viruses: This note confirms that this email message has been swept for the presence of computer viruses. We cannot accept any responsibility for any damage or loss caused by software viruses.

>

> Monitoring: The Council undertakes monitoring of both incoming and outgoing emails. You should therefore be aware that if you send an email to a person within the Council it may be subject to any monitoring deemed necessary by the organisation from time to time. The views of the author may not necessarily reflect those of the Council.

>

> Access as a public body: The Council may be required to disclose this email (or any response to it) under the Freedom of Information Act, 2000, unless the information in it is covered by one of the exemptions in the Act.

>

> Legal documents: The Council does not accept service of legal documents by email.

> *****

>

PROPOSAL FROM WILMSLOW ON TABLE OF FARES

TARIFF 1	TARIFF 2	TARIFF 3	TARIFF 4
DAY TIME	NIGHT RATE	SUNDAY,	CHRISTMAS DAY
MONDAY - SATURDAY	11-30PM - 7-00AM	BANK HOLIDAY	BOXING DAY
7-00 AM - 11-30PM		RATES	NEW YEARS DAY
FIRST MILE 3-60	FARES STAY AT THE SAME RATES AND PRICES THEY ARE AT NOW	7-00AM - 11-30PM	7-00PM 24 DEC
FLAG DOWN			- 7-00AM 27 DEC
FIRST 1280 YARDS 2-80			7-00PM 31 DEC
EACH SUBSEQUENT 160 YARDS -20			- 7-00AM 2 JAN
WAITING TIME PER HOUR 18-00			FARES STAY AT THE SAME RATES AND PRICES THEY ARE AT NOW
FOR EACH PERSON IN EXCESS OF ONE -20			
USE OF LUGGAGE SPACE -10			
PASSENGERS BETWEEN 5-8 PEOPLE 2-00			
WHEEL CHAIRS NO			
GUIDE DOGS CHARGE			
SOILAGE CHARGE 50-00			

Appendix 5

Trade Organisation Responses

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Cheshire East Licensed Vehicle Association

Cheshire East
Licensing Dept.
Westfields
Sandbach
CW11 1HZ
22nd May 2014

Dear Kim,

Proposed Variation to the Hackney Carriage Table of Fares.

The members met on Monday evening to discuss the above proposals. They voted unanimously to reject them.

We would ask that the increase be brought in over a numbers of years to dilute the effect the proposals will have on customers. The 20% increase between 9.00 and 12.00 pm was also rejected.

However, it was noted that waiting time was proposed to be axed and we would ask for that be reinstated.

Yours sincerely,

For and on behalf of the members of CELVA

Objection Slip

Cheshire East Taxi Group

Cheshire East Council have decided, on the basis of standardising tariffs across the three towns of Macclesfield, Congleton and Crewe to increase your taxi fares.

A majority of drivers across the borough oppose this move as neither the general public nor ourselves have been consulted properly.

Indeed a number of councillors were unaware that there was a proposed tariff increase !!

If you object to Cheshire East council bringing in fare rises without proper extensive consultation please tick the box.

Name

Simon [unclear]

Postcode

CW12 1EG

Signature



[Handwritten signature]

Thank you for your support

Cheshire East Taxi Group
Formed 28/5/14

Appendix 6

Public Responses

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22. 5. 2014

Swaledale Ave
Buglawton
Congleton
CW12 2BY

Dear Sir / Madam

I write to you in total disgust at the new charge for taxi fares, do you realise that there is no longer a bus service on a Saturdays to town from Buglawton. Have we pensioners no right to enjoy whatever is going on in town on a Saturday

Do you think any pensioner on basic pension can afford £7.00 taxi fare! get in the real world!

And this is only for one way

Yours disgustedly

W. M. D. 1

Kennedy Avenue
Macclesfield

SK10 3DE

May 28 2014

PAO Kim Evans
Cheshire East Council

RECEIVED

30 MAY 2014

I am writing to request the Council to reconsider the very steep increases proposed in taxi fares from June 4.

The increases will hit elderly and other non-drivers who use taxis when lugging heavy shopping from town, attending doctors, hospital etc appointments when unwell, visiting friends not on a convenient bus route etc.

I personally also use a taxi when returning from an evening function in town now that many of the later evening buses no longer operate. I'm sure others do too.

The higher taxi fares may well increase the temptation to drink-drive and are also likely to encourage elderly drivers to continue driving longer than perhaps they should.

)

Appendix 7










Petitions

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Objections to the Proposed Variation to the Hackney Carriage Table of Fares

(Published in the Congleton Chronicle Public Notices on 15th May 2014)

I object to Cheshire East's "Proposed Variation to the Hackney Carriage Table of Fares" by placing my signature and address/postcode on this form, as I feel the minimum fare of £2.90 rising by 60p to £3.50 is just too much in a single increase.

Name	Address and/or Post Code	Signature
	 Norfolk road Congleton, cheshire CW12 1PA	
	 AUDLEY RD ALSAGER ST7 2QN.	
	 Moorhouse Avenue Alsager ST7 2DH.	
	 THE WESTLANDS CW12 4EH	
		
	 WEST ROAD CONGLETON CW12 4HH	
	 Birch Road Congleton CW12 4NR	
	 Orme Road Newcastle under Lyme ST5 2PD	
	 Biddulph Rd Congleton	

Name	Address and/or Post Code	Signature
[REDACTED]	Tetton court congleton Cheshire CW12 1SE	
[REDACTED]	Lower Heath congleton cheshire CW12 1WS	
[REDACTED]	Paddocks New house Ln. Squerrod	
[REDACTED]	PARK LANE CONGLETON	
[REDACTED]	[REDACTED] Honey Road Bramhall	
[REDACTED]	BOUNDARY LANE CONGLETON CHESHIRE CW12 3JF	
[REDACTED]	WEST END COTTAGES CONGLETON CHESHIRE	
[REDACTED]	Shakenby Ave. Congleton CW12 3HR	
[REDACTED]	Jackson Road CW12 1NT	
[REDACTED]	Vandres Green 29, Vandres Green	

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Name	Address and/or Post Code	Signature
	████ CEDAR COURT CONGLETON	
	████, Cocksmoss Lane, North Road, SK11 9HU	
	MAIN ROAD GOOSTREY CW4 8NH	
	SMALLWOOD CLOSE WATERHAYS VILLAGE NEWCASTLE STAFFS. ST5 7SF	
	CW12 3DU	
	ENNERDALE DRIVE CONGLETON CHESHIRE CW12 4FT	
	Wesley Street Wood Lane Stoke-on-trent ST7 8PQ	
	████ MOORINGS CONGLETON CW12 3KF	

[illegible]

[illegible]

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Name	Address and/or Post Code	Signature
	████████ Astbury Street Congleton	
	████████ Gordon St Congleton	
	████████ ST PETERS RD CONGLETON	
	████████ HANPURN ST	
	████████ Ivy Gardens CW12 4GA	
	████████ Sandbach Rd Congleton	
	████████ Havannah Street.	
	████████ SANDBACH RD CONGLETON	

[illegible]

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Name	Address and/or Post Code	Signature
	 CWILTON	
	 Canal Canal Street	
	 BZELN G-Rove SANDSTON	
	 MATTHEWS PEACE	
	 TUNNEL HUBBINS	
	 Canal Road Congleton	
	 R/c Rd Congleton	
	 both St	

Name	Address and/or Post Code	Signature
	<div data-bbox="635 255 730 331" style="background-color: black; width: 60px; height: 34px; display: inline-block;"></div> Woolston Avenue Congleton CW12-3EF	
	<div data-bbox="596 443 730 510" style="background-color: black; width: 84px; height: 30px; display: inline-block;"></div> Borough Rd Congleton CW12 4FH	

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Name	Address and/or Post Code	Signature
	BUXTON ROAD CONGLETON CHESHIRE CW12 2DY	
	CLAYTON AVE CONGLETON CHESHIRE CW12 2AY	
	LOWER HEATH CONGLETON	
	PARSON ST CONGLETON	
	PARSON ST CONGLETON	
	CHARLESWORTH PLACE CONGLETON	
	DALE CRESCENT CONGLETON	
	BOROUGH ROAD CONGLETON	

[illegible]

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Name	Address and/or Post Code	Signature
	██████████ ST JOHN'S RD BUGLAWTON	
	██████████ OVERTON CLOSE CONGLETON	
	██████████ G. ROSVIEW RD CONGLETON	
	" " " "	
	" " " "	
	EW 12 2BB	

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Name	Address and/or Post Code	Signature
	<div style="background-color: black; width: 50px; height: 15px; margin-bottom: 5px;"></div> Woolston Avenue Congleton Cheshire CW12 3EJ	
	<div style="background-color: black; width: 150px; height: 15px; margin-bottom: 5px;"></div> KEY GREEN BUGLAWTON CONGLETON CW12 3PZ	
	<div style="background-color: black; width: 50px; height: 15px; margin-bottom: 5px;"></div> THAMES Close Congl CW12 3RL	
	<div style="background-color: black; width: 50px; height: 15px; margin-bottom: 5px;"></div> Thames Close Conglton CW12 3RL	
	<div style="background-color: black; width: 50px; height: 15px; margin-bottom: 5px;"></div> GOOSTEY COURT Congleton CW12 1ST	
	<div style="background-color: black; width: 50px; height: 15px; margin-bottom: 5px;"></div> Zetara Close Congleton CW12 3RL	
	<div style="background-color: black; width: 50px; height: 15px; margin-bottom: 5px;"></div> Davenport Street Congleton Cheshire CW12 4DU	
	<div style="background-color: black; width: 50px; height: 15px; margin-bottom: 5px;"></div> Cornation Road Congleton Cheshire CW12 3HA	

Name	Address and/or Post Code	Signature
	Cwz 3DZ	
	CITANES WORTH P. CONGLTON	
	Parsas Street Congleton Cheshire	
	Armoston Court Congleton CW12 6U	
	CHATSWORT DRIVE WEST HEATH	
	Fern cresent	
	Fern cresent	
	Heath Road	
	Tall ash and Buglawton	
	Tall ash and Buglawton	

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Name	Address and/or Post Code	Signature
	████, BANKHOUSE DRIVE CONGLETON	
	FLAT █████ WEAVERS COTTAGES MILL ST CONGLETON	
	████ SOLY CRESCENT CONGLETON	
	████ Dale Place Congleton	
	████ Bradwell Congleton	
	████ Bradwell Congleton	
	████ Trinity St Congleton	
	████ Parsons S Street	


Name	Address and/or Post Code	Signature
D	CW 12 15 W — W —	
	CW12 6BP	
	CW12 8XZ	
	Edinburgh Rd Congleton Cheshire CW12 3XZ	
	Waggs Rd CONGLETON	
	Waseby Rd Congleton	
	Cranage Court Congleton	
	Cranage Court Congleton	
	Poolwood Cottage 5	
	Coronation Road Congleton	

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Name	Address and/or Post Code	Signature
	ELVINGTON CLOSE	
	Brooklands Road Congleton CW12 4LU	
	CHESTNUT DR CONGLETON CW12 4UB	
	CW12 4LB	
	CW12 4LB	
	CW12 4QR	
	CW12 4TS	
	CW12 1JZ	

Name	Address and/or Post Code	Signature
	 CHORCHILL CROSE CONGLETON CW12 4QU.	
	CW12 4SL	
	CW12 4SL	
	CW12 4NR	
	CW12 4QH.	
	CW12 4PN.	
	CW12 3AY	
	CW12 4PB	
	CW12 3DS	
	CW12 4BP	

51118012

Objections to the Proposed

30 MAY 2014 11:34

Variation to the Hackney Carriage Table of Fares

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Name	Address and/or Post Code	Signature
	■ Silver clovis Birnough	
	■ Wallworths bank Congleton	
	■ Tudor Way CONGLETON	
	■ Tudor Way CONGLETON	
	■ Borough Rd Congleton	
	■ BRIDGE ST CONGLETON.	
	■ WEST ST. CONGLETON.	
	■ Little Loss Scholarship	

[illegible]

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Name	Address and/or Post Code	Signature
	<div> <div></div> <p>Quezon Rd Congleton Cheshire</p> </div>	
	<div> <div></div> <p>Malvern Ct Congleton</p> </div>	
	<div> <div></div> <p>Beatty Dr Congleton</p> </div>	
	<div> <div></div> <p>Woolgate Place</p> </div>	
	<div> <div></div> <p>Malvern Close Congleton</p> </div>	
	<div> <div></div> <p>Borough Rd</p> </div>	
	<div> <div></div> <p>Burns Rd Congleton</p> </div>	
	<div> <div></div> <p>Burns Rd</p> </div>	

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Name	Address and/or Post Code	Signature
	ST JAMES AVIE CONGLETON CW12 4DY	
	CANAL ROAD CONGLETON CHES CW12 3AA	
	CLAYTON AVENUE CONGLETON CW12 2AY	
	CHARLOTTOWN PLACE CONGLETON	
	WAGGS RD CONGLETON CHESHIRE CW12 4BH	
	MALHAMDALE RD CONGLETON	
	MALHAMDALE RD CONGLETON	
	BAILEY CRESCENT	










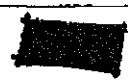
Name	Address and/or Post Code	Signature
	[REDACTED] St James Ave Congleton	
	[REDACTED] Dale Cres Congleton	
	[REDACTED] Galbraith Close Congleton	
	[REDACTED] Park Street Congleton	
	[REDACTED] Fern Crescent Congleton	
	[REDACTED] DALE CRES CONGLTON	
	[REDACTED] Greenwood Congleton	
	[REDACTED] Greenwood Congleton	
	[REDACTED] Parnell Sq	
	[REDACTED] BANKY FIELDS CRESCENT	

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Name	Address and/or Post Code	Signature
	<div style="display: flex; justify-content: space-between;"> <div>  Yeworth Ave CW12 2VV </div> <div></div> </div>	
	<div style="display: flex; justify-content: space-between;"> <div>  Buxton Old Rd 120 </div> <div></div> </div>	
	<div style="display: flex; justify-content: space-between;"> <div>  BRUNSWICK ST CW12 1PF </div> <div></div> </div>	
	<div style="display: flex; justify-content: space-between;"> <div>  Bankhouse drive CW12 2BH </div> <div></div> </div>	
	<div style="display: flex; justify-content: space-between;"> <div>  Gaintswood CW12 2HG </div> <div></div> </div>	
	<div style="display: flex; justify-content: space-between;"> <div>  Pockney Lane CW12 4LP </div> <div></div> </div>	
	<div style="display: flex; justify-content: space-between;"> <div>  GRAYS CROSS SCHOLAR GREEN ST 40B </div> <div></div> </div>	
	<div style="display: flex; justify-content: space-between;"> <div>  Buxton Old Road CW12 2ES </div> <div></div> </div>	

Name	Address and/or Post Code	Signature
	 Shakerley Avenue CW12 3TR	
	 Woolstan Avenue CW12 3DZ	
	 Bankyfield CW12 4BZ	
	 ANTROBUS ST CW12 1HE	
	 Dale Crescent CW12 3EP	
	 Heath View Congleton	
	 HAWORTH AVG CW12 2BB	
	 Harper goodie CW12 1NE	
	 DALE CRES CONGLETON	
	 RAYTON RD FIVE VUE CONGLETON	

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Name	Address and/or Post Code	Signature
	CW12 3LG	
	CW12 3DZ	
	CW12 1QW	
	CW12 3ER	
	CW12 3ER	
	CW12 3ER	
	CW12 3ER	
	CW12 3DZ	

Name	Address and/or Post Code	Signature
	1: CW12 3DZ	
	CW12 1QW	
	CW12 4EH	
	" "	
	" "	
	" "	
	" "	
	CW12 3AP	
	" "	
	CW12 2DZ	

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[illegible]

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[illegible]

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Name	Address and/or Post Code	Signature
	Lower Meach Avenue Congleton, cheshire CW12 2HJ	
	The Crescent Congleton Cheshire CW12 4BQ	
	Heath Road Congleton Cheshire	
	BARTON RD CONGLETON CHESHIRE CW12 3HB	
	HOWARTH AVE BUGLAWTON CONGLETON	
	The Crescent Congleton Cheshire CW12 4BQ	
	Fern Crescent Congleton Cheshire CW12 3HF	
	Bromley Rd Congleton Cheshire	










Name	Address and/or Post Code	Signature
	<p>■ BURNS RD CW12 8EE</p>	
	<p>■ The Westlands CW12 8EE</p>	
	<p>■ Gantswood Lane</p>	
	<p>■ England Place CW12 1NG</p>	
	<p>■ Goostrey Court</p>	
	<p>■ WILKINSON AVE CONGLETON</p>	
	<p>■ Fern Crescent Congleton</p>	
	<p>■ TALL Ash</p>	
	<p>■ Kingsley Rd</p>	
	<p>■ ST HONORS Rd</p>	

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Name	Address and/or Post Code	Signature
	THE WRESTLINGS COTEG. CW12 4RH	
	WAGGS ROAD Congleton CW12 4BT	
	[REDACTED] Binglanton. CW12 2ES	
	astbury street congleton CW12 4EA	
	ST JOHNS RD CONgleton CW12 2BD	
	Parson Street CW12 4ED	
	WOOLSTON AVE. CW12 3EL	
	WOOLSTON AVE CW12 3EG	

Name	Address and/or Post Code	Signature
	 Vaudery Crescent CW12 3HL	
	 ST MARYS RD NANTWICH CW5 5NU	
	 Dale Cres Gngeld CW12 3ER	
	Queens Head Hotel Park Lane. Congleton CW12 3DE	
	 Heath View Congleton CW12 4BB	
	 Parshy Fields CW12 4AQ	
	 Wiltshire Drive Lower Heath Congleton CW12 1NX	
	 BRUNSWICK ST CONGLETON CW12 1QE	
	 Parnell Square Congleton CW12 3EQ	
	 - Woodston Ave Congleton	










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Name	Address and/or Post Code	Signature
	■ Kirkstone Court, Congleton, CW12 4JW	
	■ Dale Crescent Congleton Cheshire CW12 3ER	
	■ Coronation Rd Congleton Cheshire	
	C12 3HP	
	CW12 4N4	
	■ Dovedale Clos	
	■ Tudor Way	
	CW12 300	

[illegible]

Name	Address and/or Post Code	Signature
	 TETTON COURT CONGLETON SW12 1SP	
	 Biddulph RD Congleton	
	 Dale Crescent Congleton	
	 Thames Close Congleton	
	 Mill G.	
	 Road Hill Congleton	
	 Fern Cms	
	 Essex QR	
	 Essex DV	

0117 212 1212

Objections to the Proposed

0117 212 1212

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Name	Address and/or Post Code	Signature
	CW12 3TB	
	CW12 3HQ	
	CW12 3BQ	
	CW12 2EA	
	CW12 2JX	
	CW12 3HU	
	CW12 1BT	

Name	ID No.	Address and/or Post Code	Signature
		CW12 4EA	
		CW12 4EA	
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		CW12 4EA	

Objections to the Proposed Variation to the Hackney Carriage Table of Fares

(Published in the Congleton Chronicle Public Notices on 15th May 2014)





I object to Cheshire East's "Proposed Variation to the Hackney Carriage Table of Fares" by placing my signature and address/postcode on this form, as I feel the minimum fare of £2.90 rising by 60p to £3.50 is just too much in a single increase.

Name	Address and/or Post Code	Signature
	CW12 4LT	
	CW12 1HA	
	CW12 1SB	
	CW12 2HN	
	CW12 4BG	
	CW12 3EQ	
	CW12 4EQ	
	SK11 9JF	


Objections to the Proposed Variation to the Hackney Carriage Table of Fares

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Name	Address and/or Post Code	Signature
	 Nardig Lane Congleton	
	 Bridgford Lane Congleton	
	 Bridgford Lane Congleton	
	CW12	
	CW12	
	 Ruskin Rd Congleton CW12 4EA	
	ST86PE	
	CW12 1QE	

Name	Address and/or Post Code	Signature
	CW12 1QE	
	CW12 1QE	
	CW12 3RL	
	CW12 1NT	
	CW12 4EQ	
	CW12 4EQ	
	CW12 3HX	
	CW12 3RL	
	CW12 2AE	
	CW12 2HP	
	CW12 2HP	

Name	Address and/or Post Code	Signature
	 BANK HOUSE DRIVE CONGLINGTON	
	CW12 2B11	
	CW12 4EM	
	CW12 4EB	
	CW12 4PS	
	ST8 7PQ	
	Tetton Court	
	CANAL ST	
	CW12 2H14	
	John St	


21040912

Objections to the Proposed

1302

Variation to the Hackney Carriage Table of Fares(Published in the Congleton Chronicle Public Notices on 15th May 2014)

I object to Cheshire East's "Proposed Variation to the Hackney Carriage Table of Fares" by placing my signature and address/postcode on this form, as I feel the minimum fare of £2.90 rising by 60p to £3.50 is just too much in a single increase.

Name	Address and/or Post Code	Signature
	 GHELFORD RD CW12 4QD	
	CW12 4EH	
	CW12 4EH	
	CW12 2HH	
	CW12 2AE	
	CW12 2AE	
	SMALL THORN	
	LOWE AVE	

36.44

(Published in the Congleton Chronicle Public Notices on 15th May 2014)

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[illegible]

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Name	Address and/or Post Code	Signature
	BARTON ST CONGLETON	
	EDINBOUGH ROAD CONGLETON	
	BARTON RD CONGLETON	
	WILLOW ST BUGLAUTON CONGLETON CHESHIRE	
	WILLOW ST BUGLAUTON CONGLETON	

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PETITION BY THE HACKNEY CARRIAGE DRIVERS OF MACCIESFIELD ZONE
(Objection to Variation to the Hackney Carriage Table of Fares)

To: Miss Kim Evans, Licensing Team Leader, Cheshire East Council, Municipal Building, Crewe, CW1 2BJ

The undersigned persons, being Hackney Carriage Drivers of Macclesfield Zone of Cheshire East Council hereby petition council to:

The proposed Hackney Carriage Table of Fare structure over looked Hackney Carriage Driver's and Taxi User's interest, which can cause dispute between Drivers and Taxi Service users, there for this Proposed Table of Fare should not come into effect at all.

EACH PETITIONER by signing this petition certifies that he or she is a Hackney Carriage Driver of Macclesfield Zone of Cheshire East Council.

Signature of Hackney Carriage Driver	Name of Hackney Carriage Driver	Badge Number of Hackney Carriage Driver	Date
	S. HUSSAIN	ORV 4761	16-5-14
	M. BAINES	JD0165	16-5-14
	SHAHID TARAFDAR	DO 751	16/5/14
	S. RUTHVEN	ORV 4131	16/5/14
	Nabil Kabbi	DRV 4662	16/05/14
	Muhammad Zohair	JD 0091	16/05/14
	NIGEL PARKINSON	DRU 4146	16/05/14
	Marks FAIRHURST	JD 0376	16/05/14
Bm	Brian Sutton	JD 0498	16/05/14
W	HASHIM KHAN DURRANI	DRV 4797	16-5-14
W	MICHAEL HARDING	JD 0339	16-5-14
	ANDY RATHWILL	JD 0192	16-5-14
A	AMRAN SHAHID	JD 0222	16-5-14
	IRFAN MIAN	DRV 4721	16-5-14
	MUHAMMAD PAKHUR ASLAM	JD 0172	17-5-14
	MOHAMMED SHAMSUDDIN KHAN	DRV 228	17.05.14
	ADNAN GHAZANFAR	DRV 4034	17/05/14
f	Anita Walker	ORV 4122	17/05/14
	G.R. LEES	JD 0447	17/5/14
	N. J. JONES	DRV 4618	17/5/14

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Signature of Hackney Carriage Driver	Name of Hackney Carriage Driver	Badge Number of Hackney Carriage Driver	Date
	Misba Uddin Ahmed	DRV 4735	16/05/14
	KEVIN WHITTE	DRV 0075	16/05/14
	YASIR OMER	DRV 4771	16/05/14
/	JAMES WYATT	JD 0351	16/5/14
	STEPHEN HOLLAND	JD 0251	16/5/14
	STUART COLLINS	JD 0395	16/05/14
<	BRIAN POWELL	JD 0533	16/05/14
✓	D STENNETT	JD 0502	16-5-14
	A WORSLEY	DRV 4067	16-5-14
	A. MEHMOOD	DRV 8020	16-05-14
	A. HUSSAIN	DRV 8074	16-05-14
	M.N. Horia Kheil	Dr 3760	16-05-14
	Muhammads Aboob	JD 0034	16/05/14
/	ROGER EASTWOOD	DRV 4781	16.5.14
	CHERIEF YAHYA	0458	16.05.14
✓	MD CHOWDHURY	DRV 4029	16/05/14
	M. A. NAWAZ	DRV 4712 FY 5322	16/05/14
	M. SAQIB RIAZ	JD 0333	16/05/14
	ABDULLA ALI	DR 4064	16/05/14
✓	Tim Powell	JD 0418	16/5/14

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Signature of Hackney Carriage Driver	Name of Hackney Carriage Driver	Badge Number of Hackney Carriage Driver	Date
	Mohammed. Nadeem. Ali		17-5-14
	MUHAMMAD USMAN ALI	DRV 4695	17-5-14
	FAISAL ASHRAF	JD 0475	17-5-14
	Haroon Azhar	DRV 4685	17-5-14
	Sohail NAVEED	DRV 4816	31/03/2017
	MID - A SALAM	DRV - 3055	18.05.14
	T. KASHMIRI	JD 0083	18/5/14
	ABDUL-ZAHIR RAJA	JD 0260	19-5-14
	Steve Hall	DRV 4050	19.5.14
	Mahmood Osman	DRV 4777	19.5.14
	NIGEL VALLEY	JD 0046	21/5/14
	Michael Cosgrave	JD 0151	21/5/14
	STEPHEN CLEARER	JD 0420	21/5/14
	ANDREW JARVIS	JD 4633	21/5/14
	JASON DUNKLEY.	DRV 4724	21/5/14
	KEITH CARLSON		21.5.14.
	SIMON RUSSELL	JD 0290	21/5/14
	ANTHONY ANDERSON	DRV 4019	21-5-14
	M C MARTIN	JD 0209	21-5-14
	Geoff Leeson		21.5.14

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Signature of Hackney Carriage Driver	Name of Hackney Carriage Driver	Badge Number of Hackney Carriage Driver	Date
	Anthony Cotton	JD 0245	16.5.14
	Peter Howard	JD0438	16/5/14
	ZAKARIA QURESHI	JD0477	16/5/14
	DAVE GODALE	JD0505	16/5/14
	ROD TAYLOR	JD0503	16/5/14
	Chris. J. Hall	JD0501	16/5/14
	PAUL	JD0386	16-5-14
	LEWIS	JD 0170	16/5/14
	D. Slater	JD0111	16/5/14
	C. SMITHurst	DRV 4613	16/5/14
	F-TAXI	DRV. 0178	16/5/14
	TARIC TAXI	DRV. 4621	16/05-14
	A. Carter TAXI	JD0265	16/5/14
	M. Siddique	DRV 4790	16/5/14
	M. FURRY	JD 0275	16/5/14
	Kamran Zaher	DRV 4015	16-5-14
	ALAN BURGER	DRV 229	16-5-14
	FAISAL NAWAZ	JD 0194	16-5-14
	ROD HOK	DRV 4733	16-5-14
	M. AL. MALLAK	DRV 4020	16-5-14

The undersigned persons, being Hackney Carriage Drivers of Macclesfield Zone of Cheshire East Council hereby petition council to:

EACH PETITIONER by signing this petition certifies that he or she is a Hackney Carriage Driver of Macclesfield Zone of Cheshire East Council.

Signature of Hackney Carriage Driver	Name of Hackney Carriage Driver	Badge Number of Hackney Carriage Driver	Date
	RAFIQUE AHMED	JD 0181	16/5/2014
	BARBOO A HUSSAIN	DRV 4794	16/5/2014
	MD. A. SALAM.	DRV:-3055	16/5/2014
	MOHAMMAD SHARAF AZHAR	JD 0500	16/5/2014
	I. A. SHEWAN	JD 0325	17/05/14
	J ROBERTSON	JD 0263	11/11
	P. HARDING	DRV 4865	
	T. KASHMIRI	JD 0083	17/5/14
	D. SCANLON	DRV 4040	17/5/14
	J. SINGH	DRV 4073	17/5/14
	W. DOWLING	DRV 4081	
	B. WARBURTON	JD 0340	19.5.14
	S. SORATHI	JD 0494	20.5.14
	PETER DOLAN	JD 0007	20/5/14
	Simen Bernsild	DRV 4774	20/5/14

[illegible]

CELVA as at 30/4/2014

List of Celva Members

$\frac{1}{2}$

Fareways Taxis

John Anders

Autocruise

Blackcat Private hire

First Class PH

D Tax

Baz Taxis

Siatax

Beartown Taxis

Congleton 1st Choice

AB Private Hire

M TAX

Ace Travel

County Cheshire Private Hire

J M Cars

Que Cabs

Bren Cabs

Gerrards Private Hire

My Tax

John Anders Sandbach

AK private hire

M& J Private Hire

3d'S Taxis

Congleton 1 Cab

Fastax

Cheshire Taxis

Dave Taxi

Riverside Taxis

Cabtax

Kenkar

Hackney Carriage Tables of Fare**Tariff 1** – Monday to Saturday 7am to 9pm

Zone	Flag Rate	Half Mile Rate	One Mile Rate	Two Mile Rate
All CEC	£3.50	£3.50	£3.50	£5.70
Current				
Congleton	£2.90	£2.90	£2.90	£4.90
Crewe and Nantwich	£2.40	£3.40	£4.20	£6.20
Macclesfield	£2.70	£2.70	£3.30	£5.30

Tariff 2 - Monday to Saturday 9pm to Midnight (Tariff 1 + 20%)

Zone	Flag Rate	Half Mile Rate	One Mile Rate	Two Mile Rate
All CEC	£4.20	£4.20	£4.20	£6.84
Current				
Congleton	£2.90	£2.90	£2.90	£4.90
Crewe and Nantwich	£2.40	£3.30	£4.20	£6.40
Macclesfield	£2.70	£2.70	£3.30	£5.30

Tariff 3 - Monday to Saturday Midnight to 7am, Sundays, Public/Bank Holidays (including Good Friday, Easter Monday, and Boxing Day etc), Christmas Eve and New Year's Eve 6pm to Midnight (Tariff 1 + 50%)

Zone	Flag Rate	Half Mile Rate	One Mile Rate	Two Mile Rate
All CEC	£5.25	£5.25	£5.25	£8.55
Current				
Congleton	£4.35	£4.35	£4.35	£7.35
Crewe and Nantwich	£2.40	£3.30	£4.40	£6.40
Macclesfield	£4.05	£4.05	£4.95	£7.95

Tariff 4 - Christmas Day and New Year's Day (Tariff 1 + 100%)

Zone	Flag Rate	Half Mile Rate	One Mile Rate	Two Mile Rate
All CEC	£7.00	£7.00	£7.00	£11.40
Current				
Congleton	£5.80	£5.80	£5.80	£9.80
Crewe and Nantwich	£3.50	£4.60	£5.90	£8.50
Macclesfield	£5.40	£5.40	£6.60	£10.60

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The regulation of licensed taxi and PHV services in the UK

November 2003

OFT676

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1 SUMMARY AND CONCLUSIONS

Introduction

- 1.1 This market study has looked at the regulatory framework affecting licensed taxis and private hire vehicles (PHVs).

Background

- 1.2 There are two types of vehicle that operate in this market:
- licensed taxis can ply for hire on the streets or at ranks and can also be pre-booked, generally over the telephone
 - PHVs, on the other hand, cannot ply for hire but can only be pre-booked.
- 1.3 The licensed taxi and PHV services market in the UK is large and growing with an annual turnover of at least £2.2 billion.¹ Turnover has risen 43 per cent in real terms since 1994, although it has fallen slightly in the last couple of years.
- 1.4 Taxis provide an important service for the public generally and especially those on lower incomes who are most reliant on them. On average, people in the lowest 20 per cent of incomes use taxis and PHVs 40 per cent more often than those in the highest 20 per cent. Adults living in households without a car made 30 trips a year on average compared with nine for those in households with a car.²

¹ National Statistics, *Consumer Trends, Quarter 1 2003*. This is the expenditure of UK households in 2002. Spending on taxis by business and tourists are excluded. This figure is therefore an under-estimate of the true size of the UK taxi and PHV market.

² Department for Transport: Travel by taxi and PHV in GB, January 2003. All the figures refer to the years 1999-2001.

- 1.5 Approximately 8.6 million people in the UK are disabled, and it is estimated that five per cent of these use a wheelchair at least some of the time.³ Taxis and PHVs are used more frequently by disabled people (67 per cent more) than non disabled people.⁴ The same survey also concluded that disabled people find taxis and PHVs the easiest mode of transport to use because of their flexibility.

The regulatory framework

- 1.6 The licensed taxi and PHV market is highly regulated. The regulations are generally applied by local licensing authorities (LAs). The application of the regulations varies from area to area but falls into three broad categories:

- **quantity regulation** – LAs can limit the supply of taxis by imposing a cap on the number of licences for taxi vehicles. Some LAs do this; others do not. These regulations do not apply to PHVs
- **quality and safety regulation** – LAs also regulate quality in terms of service, safety and technical efficiency, both for taxis and for PHVs
- **fare regulation** – LAs can regulate the fares charged by taxis by specifying either a mandatory or a maximum fare. Again, these regulations do not apply to PHVs.

Summary of findings

- 1.7 In summary, we have concluded that the overall quality of taxi services could be enhanced by reforming elements of the regulatory framework. While some aspects of regulation are entirely sound, other aspects can be **improved**, and in particular quantity regulation should be **removed**.

³ Grundy, E., Ahlburg, D., Ali, M., Breeze, E. and Sloggett, A. (1999), Disability in Great Britain: Results from the 1996/97 Disability Follow-Up to the Family Resources Survey, DSS Research Report 94 and the Employers Forum on Disability. The figure for the number of disabled people in the UK represents those aged 16 – 75 in Great Britain and is based on a definition of disability derived from the World Health Organisation: 'the inability, due to impairment, to perform activities in typical and personally desired ways in society'. The 8.6 million figure roughly equates to those who would be covered by the Disability Discrimination Act 1995. The five per cent figure is commonly used by disability commentators although there is no reliable data on UK wheelchair users.

⁴ Attitudes of Disabled People to Public Transport, MORI 2002, undertaken for the Disabled Persons Transport Advisory Committee.

- **quantity regulation** – limiting the number of taxis reduces availability and lowers the quality of service to the public. These restrictions should therefore be lifted
- **quality and safety regulation** – there are compelling reasons to regulate to safeguard driver and vehicle standards. But there are questions about whether quality regulation always achieves its goals proportionately
- **fare regulation** – there are sound reasons to regulate taxi fares, for example, to protect consumers in vulnerable situations. But there could be greater freedom for beneficial price competition below regulated fare caps.

The benefits to consumers

1.8 Acting on our recommendations will benefit consumers by:

- putting more taxis on the road – removing quantity restrictions could increase the number of taxis in affected areas by 30 per cent
- making journeys safer – removing quantity restrictions and increasing the number of licensed taxis will reduce the need for illegal taxis where neither the driver or vehicle have been subject to appropriate quality and safety checks. Last year around 1.8 million people used an illegal taxi, exposing themselves to potentially serious safety risks
- reducing passenger waiting times – removing quantity restrictions will save an overall 2.5 million hours across the UK
- creating more choice – removing quantity restrictions could put an extra 15,000 taxis on the road. This will substantially increase peoples' choice of transport modes when deciding how to reach their destination
- promoting best practice in LAs' application of quality and safety controls to ensure the needs of local people are met and that individuals and businesses are not deterred from supplying taxi services
- protecting people in vulnerable situations from overcharging, while encouraging the benefits of fare competition.

Quantity regulation

- 1.9 Forty-five per cent of UK LAs restrict the number of taxi vehicle licences granted. This represents 52 per cent of all licensed taxis in the UK outside London. The majority of LAs applying quantity controls are urban (72 per cent of urban LAs have quantity controls while only 18 per cent of rural authorities do so).
- 1.10 LAs without quantity controls have on average 30 per cent more taxis per head of population than those that do not. This is true for both urban and rural LAs.
- 1.11 Because a large number of LAs control taxi numbers and a large number do not, there is rich evidence to compare the experience of the public in each situation. From our analysis of the evidence we have concluded that these quantity controls are detrimental to consumers. They mean that consumers have limited access to services they desire, and the regulations also impede potential new entrants wanting to set up a taxi business.
- 1.12 Consumers suffer through:
- **reduced availability of taxis** - quantity controls, on average, reduce the number of taxi vehicles by about 25 per cent and in some cases by much more than that. For example, since removing quantity controls Sheffield now has 52 per cent more taxis
 - **increased waiting times** - quantity controls increase the amount of time that people have to wait for a taxi. Overall, our research shows that restricting quantities increases average waiting times. At certain times of day, such as peak times, waiting times increase on average 10 per cent
 - **reduced choice** – the lower availability of taxis in LAs with quantity controls reduces transport options for consumers. These consumers use other forms of transport to make their journey
 - **reduced safety** – a shortage of licensed taxis on the streets, especially during the evening, encourages the use of illegal taxis, potentially exposing consumers to serious safety threats.⁵ This is a significant

⁵ In our survey people were asked if they had used an illegal taxi in the last year. An illegal taxi is a totally unlicensed vehicle.

problem. We estimate that approximately 1.8 million people have taken an illegal taxi at least once in the past 12 months.⁶ Limited supply of taxis can also contribute to difficulties faced by the police in clearing city centres or public places in the evenings.

1.13 Quantity regulations also restrict those wanting to set up a taxi business from entering the market to meet the demands of consumers. They do this by:

- **creating a premium on taxi licences** – in areas where licences are limited in number they have themselves become valuable commodities typically ranging from £12,000 to £50,000. This creates a sizeable entry barrier
- **delaying market entry** – areas with quantity controls have a waiting list for people wanting to set up taxi businesses. In some areas the number of people on the waiting list exceeds the number of licences already in circulation, indicating that there are more people wanting to enter the market than are currently serving it.

1.14 Overall therefore these quantity restrictions serve neither consumers nor potential entrants. There is no clear rationale for maintaining these regulations.⁷ We have nonetheless explored potential rationales which have been put forward to justify the regulation, and found none to be convincing.

1.15 The main arguments which could be offered in favour of quantity controls are:

- that there is no excess demand for taxis. **We reject this as our research shows that demand is there but is not being met**
- that they ensure the quality and safety of the fleet in terms of vehicles and drivers. **We believe that effective quality regulation, rather than restricting taxi numbers, is the reliable way to ensure this**

⁶ TNS: Taxis and PHV Omnibus Consumer Survey 2003 (annexe K). Our survey recorded that 57 per cent of adults use taxis each year and seven per cent of them had used an illegal taxi in the last year. The total number of adults who have used an illegal taxi is therefore 0.57 multiplied by 45,435,000 (the number of adults in the UK) multiplied by 0.07 = 1.8 million.

⁷ The origins of quantity controls date back to Royal Proclamations by Charles I in the 1630s. Controls were introduced in London following complaints about hackney carriages causing street congestion and petitions by the Company of Watermen who feared that this new form of hired transport would deprive them of their livelihoods.

- that they ensure a supply of taxis outside peak times. **We reject this as our study shows that when quantity controls are removed taxi supply increases across all times of day, and**
- that they can be used by LAs to control congestion and pollution levels and encourage public transport use. **Our view is that applying quantity controls will not achieve these aims and that there are more effective ways of meeting these goals.**

1.16 **We therefore recommend that the legislative provisions allowing licensing authorities to impose quantity controls should be repealed. In the meantime, we recommend that LAs with quantity controls remove them.**

Quality and safety regulation

1.17 All LAs that license taxis and PHVs apply quality and safety controls. These cover:

- **vehicles** – regulations can specify the type of vehicle (it may have to be wheelchair accessible); age limits on vehicles (a maximum age is stipulated in 45 per cent of LAs – the average limit is nine years); vehicle testing at regular intervals (this is required in 90 per cent of LAs, mostly six monthly); vehicle identification (mainly relating to the provision of a roof sign); fitting of taximeters (this is required in 93 per cent of LAs); specification of minimum engine size (this occurs in 48 per cent of authorities).⁸ Twenty-five per cent of LAs apply the same quality conditions to PHVs although, for the majority, vehicle conditions are less onerous than for taxis and mainly concern the basic characteristics of the vehicle and its roadworthiness
- **drivers** – regulations can include a criminal record check (required by all LAs); a medical examination (this is required by 95 per cent of LAs); a geographical knowledge test (this is required by 60 per cent of authorities, although they vary greatly in scope); minimum driver age limits (56 per cent of LAs require drivers to be 21 or over). There are fewer differences between licence conditions for taxi and PHV drivers and around 56 per cent of LAs operate a dual licensing scheme, covering both

⁸ OFT Survey of Licensing Authorities 2002 (annexe B).

- **operators** – for PHV operators only. Generally this only involves a criminal record check though other conditions can be attached (e.g. on the type of premises used).
- 1.18 We believe that there is a strong case for regulating quality and safety both for taxis and PHVs. First, consumers cannot judge certain standards such as the safety of the vehicle and the competence of the driver when getting into a taxi or PHV. These regulations therefore provide essential protection for consumers. Secondly, taxi services can have a role to play in broader social welfare policy such as ensuring greater accessibility or environmental improvements and LAs should consequently be able to apply quality and safety regulations to suit their needs.
- 1.19 Nonetheless, it is important that these regulations are applied in a proportionate manner. Our analysis has highlighted substantial variation across LAs. An example of this is the application by some LAs of the Metropolitan Conditions of Fitness (MCF) which set out detailed specifications for taxi vehicles such as a maximum turning circle, a maximum step height and wheelchair accessibility to certain specifications. These were written expressly to meet the needs of London but have been adopted by other LAs so that they cover 44 per cent of taxi vehicles in the UK. Only certain models of vehicle currently meet these requirements. These are significantly more expensive than the saloon cars and wheelchair accessible vehicles allowed by many LAs. There is a danger that the additional cost of MCF compliant vehicles may raise prices and deter entry to the market thus limiting supply and leading to a poorer service for consumers.
- 1.20 We believe that local quality and safety regulation should match local requirements and think that LAs, when deciding on quality specifications for vehicles, should consider the needs of consumers and the effect of the proposed specifications on the availability of taxis and PHVs. LAs should try to ensure that any quality and safety specifications set do not go beyond what is required to achieve this policy aim.
- 1.21 **We therefore recommend that the Department for Transport promote and disseminate local best practice in applying quality and safety regulations involving the Scottish Executive and the Department of the Environment (NI) in this process. The purpose of this would be to assist LAs to apply standard quality and safety attributes in a proportionate manner.**
- 1.22 In applying quality and safety regulation LAs should carefully consider the needs of disabled consumers. Part V of the Disability Discrimination Act

1995 (DDA95), which has yet to be implemented, is intended to help ensure that disabled people, including those who wish to remain in their wheelchairs, can get into and out of, and travel in, licensed taxis in safety and reasonable comfort. The Department for Transport (DfT) has recently announced its proposals and timetable for implementing the taxi accessibility requirements in Part V DDA95.⁹ Prior to implementation, the power to regulate taxis and PHVs in a way that meets the needs of disabled passengers remains with LAs. Our research has shown large differences in the way LAs address disability issues with regard to taxis. A minority of LAs require their taxis to be wheelchair accessible and an even smaller number require taxi drivers to undergo disability awareness training.

- 1.23 Those LAs which have required vehicles to be wheelchair accessible have primarily followed the specifications laid down by the MCF. These vehicles, however, are not necessarily the most accessible for those with impaired mobility who do not use a wheelchair.
- 1.24 In setting quality and safety controls LAs should closely consult with disability groups to ensure their needs are correctly recognised.
- 1.25 We also note that if quantity restrictions apply to vehicles suitable for disabled passengers, those restrictions may be particularly detrimental to disabled groups.

Fare regulation

- 1.26 Approximately 95 per cent of LAs regulate fares for taxis.¹⁰ The extent of regulation varies across the country. In England and Wales, according to case law, fares set by LAs are maximum fares. The exception to this is London where a mandatory tariff is set.¹¹ In Scotland too the fares fixed under legislation are maximum rates. In Northern Ireland the LA has the power to set both maximum and minimum fares, although in practice these are set at the same level, creating a mandatory tariff.

⁹ These regulations will not apply to PHVs.

¹⁰ The five per cent that do not are rural or semi rural with most of the work coming from telephone bookings.

¹¹ Although taxis are allowed to depart from this tariff on occasion, for example if a passenger has had their money stolen. This judgement must be made on a case by case basis. There is no blanket discretion.

- 1.27 There is a strong case for regulating the maximum level of fares for taxis in order to protect the interests of consumers. The way that taxi services are purchased on the street or at ranks can put consumers in a weak position, and setting maximum fare levels is justified in order:
- **to address a lack of price competition** – when hiring from ranks or on the street consumers cannot shop around for the best price. They are unlikely to turn down a taxi because it is too expensive as they face uncertainty over how long they must wait for the next taxi to pass and how much it will cost when it arrives
 - **to protect vulnerable consumers** – certain consumers are likely to be in a particularly weak bargaining position when they hire a taxi on the street or at a rank rather than pre-booking a taxi or PHV. For example, disabled passengers may be less able to take alternative forms of transport, and tourists may not be sufficiently well informed, or have the necessary linguistic skill, to negotiate the fare.
- 1.28 We have balanced these arguments against the costs of regulation; in particular the potential difficulties in setting fares at the correct levels, and the inflexibility created by regulation, but have concluded that there remains a good case for retaining these regulations.
- 1.29 We note, however, that the rationale for fare regulation for taxis points to fare caps – i.e. fixed fares being the maximum that can be charged.
- 1.30 **We recommend that throughout the UK LAs should only set fare tariffs which represent the maximum that can be charged, and not set fixed or minimum fares. It should be made clear to consumers that they are able to negotiate on fares, for example, when ordering a taxi over the telephone. We also recommend that, where possible, LAs actively facilitate more price competition in the market, particularly in the rank and hail sectors of the market.**

2 INTRODUCTION

Introduction

- 2.1 This market study, which was launched on 21 August 2002, has been carried out under section 2 of the Fair Trading Act 1973 and, since they came into force this year, similar duties contained in the Enterprise Act 2002. The study was undertaken as part of our remit to look at regulations and their impact on a particular market and whether any changes should be recommended.
- 2.2 We looked at:
- the nature and structure of the taxi and PHV market
 - the regulatory framework and the impact the existing regulations have on the market for taxis and PHVs, and
 - the effectiveness of competition in the market.
- 2.3 In carrying out this study we:
- consulted key stakeholders within the taxi and PHV market including taxi driver groups and manufacturers of taxi vehicles
 - consulted with groups representing users of taxi services including consumer groups, disability groups and groups representing older people
 - consulted with the Department for Transport, the devolved administrations, licensing authorities including the Public Carriage Office, and the Local Government Association
 - carried out surveys of licensing authorities and consumers, and
 - commissioned research into the impact of taxi licensing regulations at local authority level together with an international study looking at taxi licensing in other countries.
- 2.4 Throughout this report reference is made to 'taxis' and 'PHVs' – private hire vehicles. By taxis we mean vehicles that are licensed to ply for hire on the street or at ranks and can also be booked in advance. PHVs must be pre-booked and cannot ply for hire. While our original remit was to look at the regulations applying to taxis we broadened the terms of reference of our study to include PHVs due to the interrelated nature of the services provided (for example, some firms provide both taxi and PHV services).

- 2.5 The following chapters provide background to the UK taxi and PHV market, outline the evidence and the market problems we found and propose remedies where we think they are appropriate. At the end of this volume we have included a glossary and list of acronyms, together with our bibliography and references.
- 2.6 Details of our methodology, research and relevant legislation can be found in the annexes to this report. The studies we commissioned are the responsibility of the authors concerned and any views expressed in them are those of the authors and not necessarily of the OFT. The views of the OFT are expressed in this report, which has been written with the benefit of having seen these studies.

3 THE UK TAXI AND PHV SERVICES MARKET

Introduction

- 3.1 This chapter explains the UK taxi and PHV services market to provide background to our study. Section 1 sets out the scope of our study, section 2 looks at the market and section 3 looks at the existing legal framework for taxis and PHVs. Chapters 4 to 7 look more closely at the impact of particular categories of licensing legislation on the UK market for taxi and PHV services.

Section 1: the scope of our study

- 3.2 The taxi and PHV services market in the UK is large and growing with an annual turnover of at least £2.2 billion.¹² Turnover has risen 43 per cent in real terms since 1994, although turnover has fallen slightly in the last couple of years. Almost 60 per cent of people use a taxi or PHV at least once a year. We make, on average, 12 trips per person per year. Taxi and PHV use is also greatest amongst people in low income groups. Those with incomes in the lowest 20 per cent make around 50 per cent more trips than across the population as a whole.¹³
- 3.3 This study looks at taxis and PHVs and the regulations surrounding them. We have considered both taxis and PHVs because the two offer comparable services.
- 3.4 Taxis and PHVs are vehicles that can be licensed to carry a maximum of eight passengers. We have not considered the regulations relating to buses, referred to in legislation¹⁴ as ‘public service vehicles’.¹⁵ These fall into a separate regulatory regime which is outside the remit of our study.
- 3.5 In our research we have looked at how the regulations governing taxis and PHVs within LAs across the UK affect the supply of taxi services to consumers. Our intention throughout has been to review the existing

¹² National Statistics, *Consumer Trends, Quarter 1 2003*. This is the expenditure of UK households in 2002. Spending on taxis by business and tourists are excluded. This figure is therefore an under-estimate of the true size of the UK taxi and PHV services market.

¹³ Department for Transport: Travel by taxi and PHV in GB, January 2003. All the figures refer to the years 1999-2001.

¹⁴ The Public Passengers Vehicles Act 1981.

¹⁵ These are distinct from public service vehicles (PSVs) as defined by legislation in Northern Ireland. In Northern Ireland PSVs include taxis which are within the scope of our study.

regulatory structure, with our focus being on the benefits and burdens that regulation can create – in this case for LAs, the industry and consumers. Where burdens have been imposed, we have examined them to see what impact they have on the operation of the market. Our aim has been to establish whether or not the regulations give rise to an unnecessarily detrimental impact on competition and consumers.

Section 2: market overview

Taxi and PHV usage

- 3.6 Taxis and PHVs are the fastest growing transport sector in the UK. The use of taxis and PHVs in the UK has increased by over 350 per cent in the last 25 years. The average person now travels 61 miles by taxi or PHV each year.¹⁶ Private car usage has increased by 61 per cent over the same 25 year period. There has been a more modest increase in rail travel and a fall in the distance travelled by local bus.
- 3.7 Table 3.1 shows taxi and PHV journeys per year broken down by age and sex. As can be seen, between 1999 and 2001, taxi and PHV use averaged 12 trips per person. Around 60 per cent of people reported using a taxi or a PHV at least once a year. Women use taxi and PHV services marginally more than men: 11 per cent of men and 13 per cent of women said they used a taxi or PHV at least once a week.

TABLE 3.1: AVERAGE TAXI AND PHV JOURNEYS PER YEAR BY AGE AND SEX: 1999/2001

	< 16	16-20	21-29	30-59	60-69	70+	All ages
Male	6	19	19	10	6	7	10
Female	6	36	29	13	7	16	14
All	6	28	24	12	7	12	12

Source: Department for Transport, Travel by taxi and PHV in GB, January 2003

¹⁶ Department for Transport: Travel by taxi and PHV in GB, January 2003.

- 3.8 People in low income groups make most trips. On average, people in the lowest 20 per cent of incomes make 17 trips by taxi or PHV a year compared with 12 in the highest 20 per cent. Adults living in households without a car made 30 trips a year on average compared with nine for those in households with a car.
- 3.9 Taxi and PHV services are used mainly on the weekend with 18 per cent of trips on Fridays, 21 per cent on Saturdays and 13 per cent on Sundays. Patterns of use vary by the day of the week. Weekdays have peaks of trips starting from eight to nine a.m. (six per cent of the day's trips), trips starting from three to four p.m. (eight per cent) and trips starting from 11 p.m. to midnight (eight per cent).¹⁷

Spending on taxi and PHV services

- 3.10 Expenditure on taxi and PHV services by households in the UK was £2.2 billion in 2002.¹⁸ Spending increased rapidly in the late 90s (by as much as 18 per cent in 1997) but has fallen in the last two years. The 2002 figure remains 43 per cent higher in real terms than that recorded in 1994.
- 3.11 Expenditure was greatest in London (almost 70 per cent higher per household than the UK as whole).¹⁹ The other areas with above-average expenditure are generally in the UK regions with the lowest household incomes. Households in the North West, North East, Northern Ireland and Scotland all spend more than the UK average on taxis and PHVs.

The taxi and PHV services market

- 3.12 Taxis are allowed to ply for hire on the street or at ranks and to make pre-booked journeys. PHVs can only be pre-booked (usually by telephone). Around 30 per cent of all journeys are from a rank, 10 per cent are hailed on the street and 60 per cent are pre-booked.²⁰ Unfortunately, this data source does not separate taxi and PHV journeys in the telephone segment of the market but the figures for rank and hail

¹⁷ Department for Transport: Travel by taxi and PHV in GB, January 2003.

¹⁸ National Statistics, *Consumer Trends, Quarter 1 2003*. This is the expenditure of UK households. Spending on taxis by business and tourists are excluded. This figure is therefore an under-estimate of the true size of the taxi and PHV market.

¹⁹ National Statistics, *Family Spending*, 2001-02.

²⁰ Halcrow: Impact of Regulation on Taxi Markets – Consumer Survey, July 2003 (annexe A).

show that taxis account for at least 40 per cent of all journeys made by taxi and PHV.

- 3.13 There are around 75,500 licensed taxi vehicles in the UK with 20,700 in London alone.²¹ There are almost twice as many licensed taxi drivers (146,100) as vehicles. The ratio of drivers to vehicles is considerably higher outside London. There are two main reasons why there are more drivers than taxis. First, in LAs that impose quantity restrictions not all licensed drivers can get a taxi vehicle licence and drivers will use taxis owned by other licence holders. The second reason is that drivers will often share the costs of running a taxi.
- 3.14 There are an estimated 105,000 PHVs, 18,000 private hire operators and 157,000 PHV drivers.²² Again, shared use of vehicles or PHV operators renting vehicles to drivers accounts for the difference between numbers of drivers and vehicles.
- 3.15 The number of licensed taxi vehicles has increased roughly in line with the higher usage observed over time. In 2002, there were around 50 per cent more licensed taxi vehicles than there were ten years ago.²³

Section 3: an overview of the current legal framework

- 3.16 The UK taxi and PHV services market is highly regulated. Annexe A provides a detailed description of the legislation surrounding taxi and PHV licensing. The following is a brief overview of the relevant legislation and how it is applied.

Geographical areas

- 3.17 There are four distinct geographical areas for the licensing of taxis and PHVs in the UK: London; England and Wales outside London; Scotland; and Northern Ireland. All allow for the licensing of vehicles and drivers.
- 3.18 England (including London), Wales and Scotland operate a two tier licensing system. There is a legal distinction between a taxi and a PHV in

²¹ OFT: Statistical Analysis 2002 (annexe B).

²² Note that PHVs in London are not yet fully licensed and this UK-wide figure is an estimate based on the ratio of drivers to vehicles outside London.

²³ Department for Transport: Taxi and Private Hire Vehicles in England and Wales, 2001 – 2002. The increase is a combination of increasing numbers of taxis in LAs without quantity controls, more LAs removing quantity controls and the limited release of licences in LAs with quantity controls.

these parts of the UK and both forms of vehicle are subject to a separate licensing regime. Taxis are licensed to 'ply for hire' whereas PHVs are not. This means that taxis can pick up passengers from the street or at a taxi rank and make a contract there and then to carry a passenger, whereas PHVs can only pick up passengers who have pre-arranged a journey by making a booking either by telephone or at an operator's office. Taxis may also accept pre-arranged bookings.

- 3.19 In Northern Ireland there is a single licensing regime that applies to all 'public service vehicles', which includes vehicles used for public and private hire and buses. However, there are two main types of vehicle licence in the taxi and private hire sector: a 'public hire taxi licence'²⁴ and a 'private hire taxi licence'. A 'public hire taxi' is permitted to ply for hire in the same way as a licensed taxi in the rest of the UK. A 'private hire taxi' offers the same services as a PHV in the rest of the UK. There are additional byelaws to allow conditions to be attached to public hire licences in the City of Belfast only.
- 3.20 In practice, the distinction between the two types of 'taxi' in Northern Ireland has the same effect as the distinction between taxis and PHVs in the rest of the UK. For simplicity, where appropriate, references to taxis in this report should be read as including Northern Irish public hire taxis and references to PHVs should be taken to include Northern Irish private hire taxis.

Types of licence

- 3.21 For taxis there are two types of licence: a vehicle licence and a driver's licence. The vehicle licence is issued to the owner of the taxi, and in England and Wales outside London it can be transferred to a new owner on the sale or other transfer of the vehicle, as long as the new owner's name is registered with the LA²⁵. In London, Scotland and Northern Ireland such transfer is not permitted save in exceptional circumstances,

²⁴ There are two categories of public hire licence: one for operating within the City of Belfast (a Belfast Public Hire licence); and one for operating outside Belfast only (a Restricted Public Hire licence).

²⁵ This was established in the case of **Weymouth BC ex p. Teletax (Weymouth) Ltd** [1947] 1 All ER 779.

but vehicle licences still change hands by other mechanisms.²⁶ There is no separate requirement for an operator's licence to be held by the person that runs a taxi business. Furthermore, the owner of a taxi vehicle and the licensed driver can be separate people.

- 3.22 For PHVs, in England (including London) and Wales there are three types of licence: a vehicle licence, a driver's licence and an operator's licence. The operator is the person that accepts bookings and with whom the customer makes a contract for carriage. The actual services can be provided either by licensed PHV owners who are also licensed drivers or by licensed drivers who rent a licensed vehicle. Consequently the operator may be a different person from the driver.
- 3.23 In Scotland and Northern Ireland there are two kinds of PHV licence: a vehicle licence and a driver's licence. There is no requirement for a PHV operator's licence.

Levels of regulation

- 3.24 In England and Wales outside London and in Scotland there are two levels of regulation: primary enabling legislation grants LAs licensing powers subject to certain conditions; LAs then set more detailed requirements in byelaws and/or licence conditions. In England outside London the LAs are district councils and unitary councils. In Wales they are county councils and county borough councils, and in Scotland they are councils. For simplicity this report refers throughout to LAs rather than to local authorities of a particular type.
- 3.25 In London, separate statutes contain the main provisions relating to taxis, and detailed licensing conditions are set out in London Cab Orders issued by Transport for London (TfL), which is the LA.²⁷ A PHV licensing regime was introduced in London in 1998.²⁸ Regulations under this Act have been put in place which set out detailed licensing conditions.
- 3.26 In Northern Ireland, the licensing regime is set out in Orders and Regulations that apply only in Northern Ireland. Licensing is carried out centrally by the Department of the Environment.

²⁶ For example by using a company as the licence holder for the vehicle, or through negotiation with the LA.

²⁷ Transport for London is the integrated body responsible for London's transport system.

²⁸ By the Private Hire Vehicles (London) Act 1998.

Categories of regulation

3.27 There are three broad categories of regulation applying to the UK market for taxi and PHV services: quantity regulation, quality and safety regulation and fare regulation.

Quantity regulation

3.28 Quantity regulation applies to taxi vehicle licences. It does not apply to taxi driver's licences or to any of the three kinds of PHV licence. The application of quantity controls across the geographic areas in the UK is as follows:

- **England and Wales outside London** – LAs can, but do not have to, limit the number of taxi licences they issue.²⁹ Fifty-five per cent of LAs (accounting for 51 per cent of taxi vehicles) do not use quantity controls.³⁰ If an LA wishes to limit the number of taxis in its area, it must satisfy itself that there is 'no significant demand for the services of [taxis within its licensing area] which is unmet'.³¹ To meet this requirement, those district councils that limit taxi numbers carry out 'unmet demand surveys'. The law does not place any requirements on LAs wishing to remove limits on taxi numbers – they are free to do so at any time.
- **London** – there is no quantity restriction of taxis as TfL does not have any express power to limit the number of taxi vehicle licences.
- **Scotland** – under primary legislation,³² the grant of a taxi licence may be refused by a licensing authority for the purpose of limiting the number of taxis in respect of which licences are granted by them if, but only if, they are satisfied that there is no significant demand for taxis in their area which is unmet'.³² Forty-six per cent of LAs (accounting for 35 per cent of taxi vehicles) do not restrict the

²⁹ Under section 37 Town Police Clauses Act 1847 as amended by section 16 Transport Act 1985.

³⁰ OFT: Statistical Analysis 2002 (annexe B). This is a reduction from about 74 per cent in 1985. Goe, GA (1986), 'The taxi and hire care industry in GB in 1985', Transport and Road Research Laboratory Research Report 68.

³¹ Section 37 Town Police Clauses Act 1847 as amended by section 16 Transport Act 1985.

³² Under section 10(3) Civic Government (Scotland) Act 1982 as amended by the Transport Act 1985.

number of taxis in their area. These are predominantly rural authorities.

- **Northern Ireland** – there is no quantity regulation of taxis, as the Department of the Environment does not have the power to refuse taxi vehicle licences in order to restrict taxi numbers.

Quality and safety regulation

3.29 Quality and safety regulation applies to drivers (both of taxis and PHVs), to vehicles (both taxis and PHVs) and to PHV operators.

3.30 For drivers:

- **England and Wales outside London** – LAs may only license taxi drivers³³ and PHV drivers³⁴ on condition that they are satisfied that applicants are ‘fit and proper’ and that they have held a valid driving licence for at least twelve months. LAs set their own conditions of ‘fitness’. These commonly include holding valid insurance, satisfying a criminal records check and any age and health requirements).
- **London** – TfL can (and does) prescribe conditions for the granting of taxi driver’s licences.³⁵ Applicants must satisfy TfL that they are ‘of good character and fit to act as a cab driver’.³⁶ TfL is in the process of introducing PHV licensing in London.³⁷ PHV driver licensing began in April 2003, but is in a transitional phase. TfL is required to grant a PHV driver’s licence if the applicant is over the age of 21, has held a driving licence for at least three years and ‘is a fit and proper person to hold a London PHV driver’s licence’;³⁸ TfL may set out further licensing conditions in administrative rules.
- **Scotland** – LAs can only grant taxi and PHV driver’s licences to applicants who have held a driving licence for at least 12 months, and may require applicants to submit to medical examinations. For taxi driver’s licences, LAs can require tests of knowledge and other matters relating to the operation of a taxi.³⁹

³³ Under section 46 Town Police Clauses Act 1847 and section 59 Local Government (Miscellaneous Provisions) Act 1976.

³⁴ Under section 51 Local Government (Miscellaneous Provisions) Act 1976.

³⁵ Under section 8 Metropolitan Public Carriage Act 1869.

³⁶ Paragraph 25, London Cab Order 1934.

³⁷ Under the Private Hire Vehicles (London) Act 1998.

³⁸ Under section 13(2) Private Hire Vehicles (London) Act 1998.

³⁹ Under section 13 Civic Government (Scotland) Act 1982.

- **Northern Ireland** – the Department of the Environment must not license drivers of taxis and PHVs unless they have held a driving licence for at least 12 months and are ‘fit and proper’⁴⁰. Under separate regulations applicants must submit medical certificates and the Department of the Environment can refuse a licence if the applicant is not ‘of good character.’⁴¹

3.31 For vehicles:

- **England and Wales outside London** – LAs may attach to the grant of a taxi vehicle licence such conditions as they consider ‘reasonably necessary’.⁴² For PHVs, LAs are required not to grant a licence unless they are satisfied that the vehicle is suitable in type, size and design for use as a PHV, is not of such design and appearance as to lead any person to believe that it is a taxi, is in suitable mechanical condition, safe, and comfortable and covered by a suitable insurance policy.⁴³
- **London** – TfL can (and does) prescribe conditions for the grant of taxi vehicle licences.⁴⁴ TfL can refuse a taxi vehicle licence if the applicant fails to satisfy TfL that his vehicle conforms to the conditions of fitness set by TfL⁴⁵, known colloquially as the ‘Metropolitan Conditions of Fitness’. Licensing of PHV vehicles in London has not yet begun, but TfL plan to introduce it in early 2004. When it does, TfL will be able to refuse a licence on the grounds relating to vehicle design, vehicle condition, and valid insurance.⁴⁶ The detail of the licensing framework for PHV vehicles is still being developed by TfL.
- **Scotland** – LAs must license taxi and PHV vehicles if they are satisfied that they are of suitable design, safe and covered by a suitable insurance policy.⁴⁷

⁴⁰ Under article 79A(3) Road Traffic (Northern Ireland) Order 1981.

⁴¹ The Public Service Vehicles Regulations (Northern Ireland) 1985.

⁴² Under section 47 Local Government (Miscellaneous Provisions) Act 1976. Section 68 of the Town Police Clauses Act also allows district councils to regulate how taxis ‘are to be furnished or provided’ by byelaw.

⁴³ Section 48 Local Government (Miscellaneous Provisions) Act 1976.

⁴⁴ Under section 6 Metropolitan Public Carriage Act 1869.

⁴⁵ Under paragraph 7(3) of the London Cab Order 1934.

⁴⁶ Section 7(2) Private Hire Vehicles (London) Act 1998.

⁴⁷ Under section 10 Civic Government (Scotland) Act 1982.

- **Northern Ireland** – the Department of the Environment must license taxi and PHV vehicles.⁴⁸ There are statutory requirements relating to the fitness, equipping and use of the vehicles.⁴⁹

3.32 For operators:

- **England and Wales outside London** – PHV operators must be ‘fit and proper’, and LAs can attach to the grant of a licence ‘such conditions as they may consider reasonably necessary’.⁵⁰
- **London** – prior to granting a PHV operator’s licence TfL must be satisfied that the applicant is a ‘fit and proper person’ to hold the licence.⁵¹ There are further licensing conditions set by regulation, relating e.g. to insurance and previous convictions.⁵²
- **In Scotland and Northern Ireland** – there is no power to licence PHV operators.

Fare regulation

3.33 All four regimes allow fares to be regulated:

- **England and Wales outside London** – LAs are empowered to set fares for taxis, but not for PHVs;⁵³ According to case law, the fares set by LAs in this way are maximum fares – it is open to taxi drivers to set lower rates if they wish.⁵⁴
- **London** – TfL can, with the Mayor’s approval, fix rates and fares for taxis by means of a London Cab Order.⁵⁵
- **Scotland** – LAs must fix and review scales for the fares and other charges in connection with the hire of a taxi.⁵⁶

⁴⁸ Under article 60 Road Traffic (Northern Ireland) Order 1981.

⁴⁹ The Public Service Vehicles Regulations (Northern Ireland) 1985 and the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995.

⁵⁰ Under section 55 Local Government (Miscellaneous Provisions) Act 1976.

⁵¹ Under section 3(3) Private Hire Vehicles (London) Act 1998.

⁵² Under the Private Hire Vehicles (London) (Operators’ Licences) Regulations 2000.

⁵³ Section 68 Town Police Clauses Act 1847 empowers district councils to use byelaws to fix fares for taxis by time and/or distance. Section 65 of the Local Government (Miscellaneous Provisions) Act empowers district councils that have adopted its provisions to fix rates or fares on a time and/or distance basis, and all other charges in connection with the hire of a vehicle, by means of a table of fares.

⁵⁴ **R v Liverpool City Council ex p. Curzon Limited** 12 November 1993 CO/1338/91 QBD, unreported.

⁵⁵ Section 9 Metropolitan Public Carriage Act 1869.

⁵⁶ Under section 17(2) Civic Government (Scotland) Act 1982.

- **Northern Ireland** – the Department of the Environment can make byelaws to fix the maximum and minimum fares to be charged by taxi and PHV drivers for passengers and luggage.⁵⁷ Byelaws only fix fares for taxis in Belfast.

⁵⁷ Under section 65 of the Road Traffic (Northern Ireland) Order 1981.

4 REVIEW OF QUANTITY REGULATION

Introduction and summary

- 4.1 This chapter examines the effect that quantity controls have on the supply of taxi services. PHVs are not subject to quantity controls anywhere in the UK. Taxis are. Our analysis therefore looks only at taxis.
- 4.2 The historical origin of quantity controls lie in Royal Proclamations by Charles I in the 1630s.⁵⁸ One of the purposes of these proclamations was to restrict the number of hackney carriages in London following complaints that they caused street congestion and petitions by the Company of Watermen who feared that this new form of hired transport would deprive them of their livelihoods.⁵⁹
- 4.3 Quantity controls on taxis in England and Wales currently have their basis in the Town Police Clauses Act 1847 and were likely introduced as a form of traffic restraint – to avoid streets becoming congested by coaches and horses. As amended by the Transport Act 1985 they allow LAs in England and Wales outside London to limit the number of taxi vehicle licences issued. In Scotland, the Civic Government (Scotland) Act 1982 gives LAs equivalent powers. Neither TfL in London nor the Department of the Environment in Northern Ireland has powers to restrict the number of taxi vehicle licences issued.
- 4.4 A fuller explanation of the legislation surrounding taxi and PHV licensing is at annexe A.
- 4.5 To assess the effect of the regulation we have looked at the impact quantity controls have on consumers. At present, 45 per cent of UK LAs restrict the number of taxi vehicle licences granted.⁶⁰ In carrying out our assessment we have, therefore, been able to compare taxi services in areas with and without restrictions. We have also been able to study the experience of LAs that have removed quantity controls and to examine international examples where regulations have been liberalised.

⁵⁸ The first of these was 'A Proclamation for the restraint of excessive carriages to the destruction of the High Wayes' [1 November 1635], Proclamations, II Chronological Series, Charles I. [1625 – 1649].

⁵⁹ Pratt, E., A. *A History of Inland Transport and Communication in England*, Kegan Paul, Trench, Trubner & Co Ltd. London, 1912.

⁶⁰ OFT Statistical Analysis 2002 (annexe B).

- 4.6 The research we commissioned to aid us in this assessment is at annexes C, D, H, I, J and K.
- 4.7 In summary we have found that, all other things being equal, applying quantity controls has the following effects on the supply of taxis:
- there are fewer taxis per head of the population
 - people wait longer for taxis
 - people often have to use less suitable transportation as an alternative to taxis. This has safety implications
 - a shortage premium on taxi vehicle licences is often created, and
 - waiting lists to acquire a taxi vehicle licence can be long.
- 4.8 This has led us to conclude that quantity controls do not serve the best interests of consumers. They restrict them from securing the services they want and also impede those wanting to become taxi drivers from doing so.
- 4.9 **We therefore recommend that the legislative provisions allowing licensing authorities to impose quantity controls should be repealed. In the meantime, we recommend that licensing authorities with quantity controls remove them.**
- 4.10 This chapter looks at these issues in more detail. Section 1 looks at the extent to which quantity controls are currently applied. Section 2 examines the effect quantity controls have on supply. Section 3 looks at the effect quantity controls have on the users of taxis, section 4 looks at the effect on suppliers of taxi services, and section 5 looks at some of the arguments put forward in favour of quantity controls. Section 6 gives our conclusions and recommendations.

Section 1: the application of quantity controls

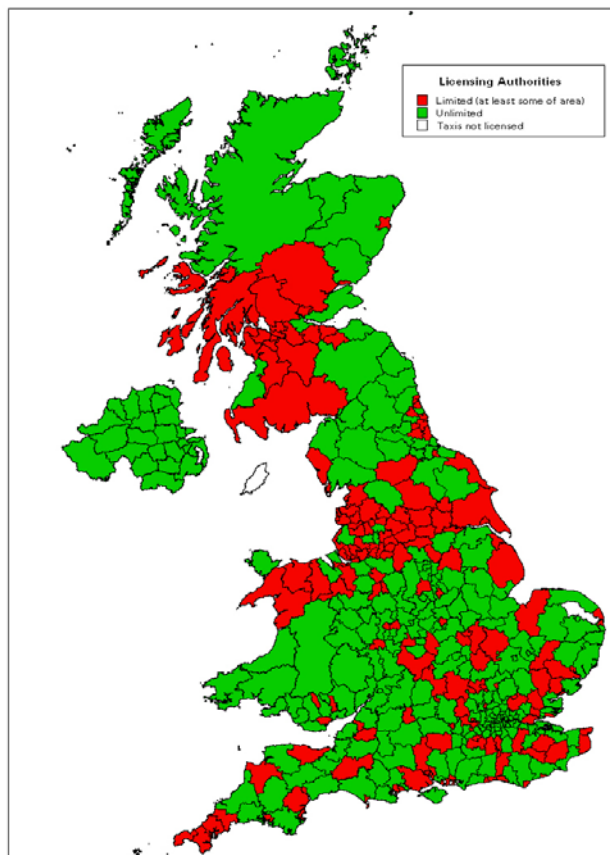
Who applies quantity controls?

- 4.11 In England and Wales outside London and in Scotland the decision whether or not to restrict taxi numbers is taken by the local LA, and practice varies considerably across the country. The breakdown of the proportion of LAs applying quantity controls in urban, rural and mixed urban and rural areas is set out at table 4.1. The geographical distribution of these LAs is shown at figure 4.1.

TABLE 4.1: PERCENTAGE OF LAS WITH QUANTITY CONTROLS, BY TYPE, 2002

	Urban	Rural	Mixed	Total
Unrestricted	28	82	53	55
Restricted	72	18	47	45
Total	100	100	100	100

Source: OFT, Statistical Analysis 2002 (annexe B)

FIGURE 4.1: DISTRIBUTION OF QUANTITY RESTRICTIONS ON TAXI VEHICLE NUMBERS IN UK LICENSING AUTHORITIES⁶¹

⁶¹ OFT Statistical Analysis 2002 (annexe B); Department for Transport, Taxi and Private Hire Vehicles in England and Wales 2001-02, June 2003.

- 4.12 At present, 45 per cent of UK LAs restrict the number of taxi vehicle licences granted. This represents 52 per cent of all licensed taxis in the UK outside London.⁶² The majority of LAs applying quantity controls are urban: 72 per cent apply quantity controls compared to only 18 per cent of rural LAs. There are no clear systematic regional differences in the proportion of LAs that apply quantity controls.

Unmet demand studies

- 4.13 If LAs are to refuse to issue further taxi licences they must first go through a process aimed at establishing that there is no 'significant demand that is unmet'.⁶³ They generally do this by carrying out an 'unmet demand' survey, on average every two to four years. The survey mainly involves observation at ranks of the demand for taxis, carried out over a representative period. If a survey suggests an unmet demand then the LA must issue the number of plates that the survey deems is required to meet the shortfall.
- 4.14 As a part of this study we have had access to data from a number of these surveys. We have also commissioned two similar surveys of our own to aid our analysis.⁶⁴

Section 2: the effect of quantity controls on the supply of taxis

- 4.15 This section looks at the impact that quantity controls have on the supply of taxis and the relationship between taxi and PHV numbers as a result of these controls.

Taxi provision per head of population

- 4.16 Areas with quantity controls generally have significantly fewer taxis than those without.
- 4.17 Table 4.2 compares taxi and PHV provision per 1000 head of the population broken down into different types of LA.

⁶² OFT Statistical Analysis 2002 (annexe B).

⁶³ Under section 16 Transport Act 1985.

⁶⁴ OXERA: Modelling the Effects of Taxi Regulation (annexe H).

TABLE 4.2: AVERAGE NUMBER OF TAXIS AND PHVS PER 1,000 OF THE POPULATION

Type of LA		Restrictions on taxi numbers		
		Unrestricted	Restricted	Total
All	Taxis	1.22	0.94	1.08
	PHVS	1.01	2.01	1.46
	All vehicles	2.21	2.93	2.53
	Ratio PHVs to Taxis	0.83	2.14	1.35
Urban	Taxis	1.51	1.14	1.23
	PHVS	1.43	2.42	2.17
	All vehicles	2.94	3.52	3.38
	Ratio PHVs to Taxis	0.95	2.12	1.76
Rural	Taxis	1.09	1.00	1.05
	PHVS	0.66	0.93	0.73
	All vehicles	1.71	1.93	1.75
	Ratio PHVs to Taxis	0.61	0.93	0.72
Mixed	Taxis	1.25	0.75	1.01
	PHVS	1.22	1.90	1.52
	All vehicles	2.47	2.65	2.53
	Ratio PHVs to Taxis	0.98	2.53	1.5
London	Taxis	2.88	-	2.88

Source: OFT Statistical Analysis 2002 (annexe B)

Note: The number of taxis and PHVs per head does not sum exactly to the total number of vehicles because a small number of LAs did not provide data for both taxis and PHVs.

- 4.18 LAs without quantity controls have on average 30 per cent more taxis per head of population. This is true both for urban and rural LAs. In LAs with quantity controls the shortfall in taxi services gives rise to increased provision of PHVs. For example, Leeds (an authority with quantity

controls) has 402 taxi vehicles but around 3,000 PHVs whilst Liverpool (now restricted but effectively de-restricted for many years) has 1,417 taxis but only 900 PHVs.⁶⁵ The reason behind the higher proportion of PHVs is that where taxi numbers are artificially limited and demand outstrips supply, PHVs come in to fill part of the gap. However, because PHVs cannot ply for hire in the street they cannot substitute for all taxi services.

- 4.19 The finding that quantity controls reduce the supply of taxis is strongly supported by the more detailed case studies, looking at areas over time which have removed quantity controls. For example, in the four years since the removal of quantity controls, Cambridge's licensed taxi fleet has grown by 46 per cent and Sheffield's has grown by 52 per cent. This has been accompanied by a drop in PHV numbers of around 25 and 20 per cent respectively.
- 4.20 Waiting lists for taxi vehicle licences are generally made up of licensed PHV owners or drivers and licensed taxi drivers who do not yet have a vehicle licence.⁶⁶ Removing quantity controls generally stimulates members of the PHV trade to move over to driving taxis. This can often mean that there is only a small increase in the total fleet of licensed taxis and PHVs when taxi limits are lifted. For example, although the number of taxis in Bristol increased by over 150 per cent following removal of quantity controls, the combined fleet of taxis and PHVs increased by only four per cent.⁶⁷ The total number of vehicles in Cambridge and Sheffield

⁶⁵ Halcrow: Impact of Regulation on Taxi Markets – Case Study Analysis, July 2003 (annexe D).

⁶⁶ OFT: Statistical Analysis 2002 (annexe B). Around two thirds of those on a waiting list for vehicle licences already hold a taxi driver licence, 44 per cent hold a PHV vehicle licence and 53 per cent hold a PHV driver licence – note that some hold both PHV vehicle and driver licences.

⁶⁷ Halcrow: Impact of Regulation on Taxi Markets – Case Study Analysis, July 2003 (annexe D).

following de-restriction also barely changed. As PHVs are more limited than taxis in the service they offer, the overall service to consumers improves, particularly in plying for hire.⁶⁸ This is examined in the next section.

Section 3: the effect of quantity controls on the users of taxis

4.21 Fewer taxis per head of population can impact consumers in a number of ways. In particular:

- those wanting to take taxis have to wait longer for the service
- it restricts choice and may force consumers into taking alternative, less suitable, modes of transport
- it increases public safety concerns.

Passenger waiting times

4.22 Consumers facing restricted supply of taxis in quantity controlled areas might, instead of opting for alternative modes of transport, find themselves having to wait longer for a taxi.

4.23 Waiting times are affected by a number of factors in addition to regulation, such as time of day, population density, and overall economic activity. In order to separate out the impact of quantity controls on waiting times we commissioned a study of waiting times to take account of these factors.⁶⁹

4.24 Data on average passenger delay from consumer surveys and an indicator of excess demand from on-street unmet demand surveys were used as measures of waiting time.⁷⁰ The quantitative analysis made allowance for the circumstances in which the taxi was hired, such as the time of day and whether it was booked by phone or hailed in the street, and the socio-demographics (economic activity and population age and density) of the LA.

⁶⁸ It should be noted that whilst there is a short term decrease in PHVs serving the telephone booking market the number often begins to rise again within a relatively short time. In Dublin, following the removal of quantity controls, PHV numbers dropped initially but were back to almost pre-deregulation levels within two years whilst taxi numbers steadily increased.

⁶⁹ OXERA: Modelling the Effects of Taxi Regulation (annexe H).

⁷⁰ The excess demand indicator shows the proportion of hours (across all major ranks in the LA) for which more than two people were waiting for a taxi in any one hour.

Analysis of waiting times

- 4.25 The central finding of this research, which accords with common sense, is that consumers wait longer for taxis in LAs with quantity controls. It also found that the stricter the entry control the higher the waiting time (some LAs with quantity controls issue a small number of licences each year while others may not issue a single licence for many years).
- 4.26 A straight comparison of waiting times in quantity controlled and uncontrolled areas, aimed at providing background on taxi usage, found that waiting times in restricted areas were 30 per cent lower than in unrestricted areas.⁷¹ Further analysis by us indicated that this was largely explained by the fact that quantity controlled areas tended to be urban, rather than by the existence of quantity controls per se.⁷²
- 4.27 So the straight comparison has to be adjusted statistically. The result was that, all other things being equal, in areas without quantity controls waiting times were between two and seven per cent lower than in those areas with quantity controls. At peak times the reduction in waiting time is even greater (10 per cent). These reductions, when considered in terms of the total number of journeys made each year, are considerable. A five per cent fall in waiting times amounts to around 2.5 million hours saved each year by UK consumers.⁷³ This gain does not include the gains of those who were deterred from waiting, in the expectation of not finding a taxi, in the first place.

Case studies

- 4.28 In addition to the econometric research, we also looked in detail at two LAs, Sheffield and Cambridge, where we conducted two new unmet demand studies. These LAs have recently removed quantity controls. We compared the results of the new studies with existing unmet demand

⁷¹ Halcrow: Impact of Regulation on Taxi Markets – Consumer Survey (annexe C). At ranks only.

⁷² The data from quantity controlled LAs was also based on a small sample number – only six out of 58 LAs sampled had no quantity controls. The waiting times in one of these LAs, Worcester, based on consumer self reported times, were extremely large, despite contradictory evidence from a rank based study and from the local licensing officer.

⁷³ This number is obtained by applying the reduction in waiting time to the average passenger delay in restricted areas from the Halcrow consumer surveys (7.52 minutes) times the number of trips per person per year from the National Travel Survey (12) times the UK population living in LAs with quantity controls (25.5 million).

studies for these areas that had been carried out when the limits were still in place. This enabled useful comparisons of waiting times and customer satisfaction before and after removing quantity controls.

- 4.29 In Sheffield, removing quantity controls led to the number of taxis rising from 300 in 1998 to 457 in 2003. This resulted in a drop in passenger waiting times. The proportion of people waiting over five minutes for a taxi at ranks fell from 27 percent in 1998 to nine per cent in 2003. The overall average waiting time fell from 1.47 minutes to 1.23 minutes over the same period. Although this is a small decrease for individual journeys, if we take it across all journeys from ranks it equates to 4,420 hours of saved waiting time per year.⁷⁴
- 4.30 In Cambridge, where the number of taxis increased from 147 in 1999 to 215 in 2003, passenger delay also decreased. The proportion of people waiting over five minutes at a rank for a taxi fell from 20 per cent in 1999 to six per cent in 2003. In 2003 the average passenger delay fell to 1.67 minutes from 2.29 minutes in the 1999 study. This equates to over 6,300 saved hours.⁷⁵

Reduced choice

- 4.31 If there are fewer taxis available, consumer choice is restricted as to the type of transport they can use. Consumers who otherwise would have taken a taxi may have to opt for other, less preferred and less suitable, modes of transport.⁷⁶ Removing quantity restrictions could put an extra 15,000 taxis on the road.⁷⁷
- 4.32 In a survey conducted by our consultants 15 per cent of consumers in all LAs said high waiting times were the main reason for not using taxis or PHVs.⁷⁸ This suggests that, were waiting times to drop, consumers who do not currently use taxis or PHVs would begin to. This was the case in

⁷⁴ Calculated by taking the number of weekly passenger departures from ranks (21,250) observed by the 2003 Halcrow unmet demand survey.

⁷⁵ Some caution should be noted with regard to the results from the Cambridge survey since the 2003 exercise was conducted outside of University term time and a considerably lower number of journeys were observed.

⁷⁶ Aside from direct consumer detriment it may be argued that there are issues relating to the environment and traffic congestion. These are discussed later in the chapter.

⁷⁷ Estimated by calculating how many more taxi vehicles there would be if the number of taxis per head in authorities with quantity controls rose to the same level as those without numerical limits (as measured by the OFT Survey of Licensing Authorities, 2002 (see annexe B).

⁷⁸ OXERA: Consumer Survey Report, September 2003 (annexe I).

Sheffield where removal of quantity controls resulted in the numbers of passenger journeys from ranks increasing by eight per cent after de-restriction and waiting times dropping by 16 per cent (the number of taxis rose by 34 per cent).

- 4.33 Our case studies have shown that following the removal of quantity controls there has been a change in consumers' preferred use of taxis and PHVs. In particular, there has been a substantial increase in the proportion of passengers hailing a taxi in the street as opposed to ordering it by telephone. The proportion of respondents hailing taxis in the street increased from seven per cent to 44 per cent in Sheffield and from nine per cent to 30 per cent in Cambridge. The proportion pre-ordering taxis by telephone fell substantially and rank usage increased.

TABLE 4.3: METHOD OF TAXI AND PHV HIRE FOR LAST TRIP

	Sheffield		Cambridge	
	1998	2003	1999	2003
Hail in street	7%	44%	9%	30%
Rank	34%	20%	27%	37%
Telephone	59%	36%	64%	33%
All	100%	100%	100%	100%

Source: Halcrow, Impact of Regulation on Taxi Markets - Case Study, table 4.5 (annexe D)

- 4.34 Overall, therefore, the case studies strongly support the proposition that consumers value and use the greater choice opened up by removing quantity controls.

Consumer safety

- 4.35 Restricting the supply of licensed taxis raises issues of public safety. As a part of our study we have spoken to and received submissions from several UK police authorities. Anecdotal evidence from some of these authorities suggest that a shortage of safe transport, particularly taxis available to ply for hire from the street or ranks, during the late evening contributes to difficulties faced by police in clearing city centres or public

places.⁷⁹ The inability to clear these areas can be a contributory factor to violence and public disorder.

- 4.36 Licensing officers, police authorities and the taxi trade press that we have spoken to have also highlighted concerns about the safety issues surrounding consumers' use of illegal taxis and PHVs that are not licensed to ply for hire, especially during evening peak times.⁸⁰ When there is a lack of available taxis consumers have tended to use alternative methods to make their journey and this can include illegal taxis. We conducted a survey which showed that seven per cent of consumers who had taken some form of taxi or PHV in the last 12 months had used an illegal taxi or a PHV not licensed to ply for hire at least once.⁸¹ This equates to approximately 1.8 million people per year.⁸²
- 4.37 A large number of people are therefore placing themselves in danger from drivers who may not have undergone a police check and vehicles that may be unsafe.
- 4.38 Some consumers have also said that they have used PHVs which have been illegally plying for hire where a taxi was unavailable. PHVs illegally plying for hire invalidate their insurance, limiting means of redress in the event of an accident. Again, this creates a consumer protection problem.
- 4.39 We believe that the availability of more taxis, and strong enforcement of the licensing regulations, would help address these issues.

Section 4: the impact of quantity regulation on the supply side

- 4.40 Quantity controls also constrain individuals or businesses wishing to enter the market to serve consumers. Two sources of evidence from areas where quantity restrictions apply point to this conclusion: firstly, the unofficial premium value attached to taxi vehicle licences when taxi vehicles are sold; and secondly, the waiting lists for taxi vehicle licences. We now consider each of these in turn.

⁷⁹ Lothian and Borders Police, Transport Operational Command Unit of the Metropolitan Police, Northumbria Police and Sussex Police.

⁸⁰ By illegal taxis we mean vehicles that are completely unlicensed.

⁸¹ TNS: Taxi and PHV Omnibus Consumer Survey 2003 (annexe K).

⁸² TNS: Taxis and PHV Omnibus consumer Survey 2003 (annexe K). Our survey recorded that 57 per cent of adults use taxis each year. The total number of adults who have used an illegal taxi is therefore 0.57 multiplied by 45,435,000 (the number of adults in the UK) multiplied by 0.07 = 1.8 million.

Taxi vehicle licence shortage premiums

- 4.41 As a result of their limited supply in areas where quantity restrictions apply, taxi vehicle licences have acquired an unofficial ‘street’ value when licensed taxi vehicles are sold. This value is unrelated to the administrative fee charged by the LA to cover the cost of issuing the licence – a fee which averages £170 for the initial application and £65 for renewals⁸³. If taxi proprietors are willing to pay a premium to enter the market, this suggests that they consider that they can make sufficiently high profits to justify the shortage premium, whether because there is a ready supply of consumers waiting for services or because LAs have to set fares at a higher rate to reduce high waiting times. The precise level of the vehicle licence shortage premium is determined by a range of factors but the key one is quantity control.
- 4.42 Shortage premiums exist in spite of a free PHV market as PHVs cannot serve the rank and hail market. Premiums should only exist in areas where quantity restrictions apply in England and Wales outside London and in Scotland.
- 4.43 In our survey of UK licensing authorities we asked LAs to estimate the value of vehicle licence shortage premiums. The average estimated licence shortage premium (where it exists) for a licensed vehicle is around £16,500 (in addition to the cost of the taxi itself). The estimated values obtained are as high as £50,000 in Woking and Wycombe and £40,000 in Crawley, but more generally 50 per cent of estimated vehicle licence shortage premiums are between £7,500 and £25,000.⁸⁴
- 4.44 It should be noted that these premiums are paid through private transactions between taxi proprietors and taxi drivers or others wishing to purchase a vehicle with its vehicle licence. The LA does not charge or receive the premium price when issuing a vehicle licence.

⁸³ OFT Statistical Analysis 2002 (annexe B).

⁸⁴ Halcrow: Valuation of Hackney Carriage Licence Figures, July 2003 (annexe E). Documentary evidence of the exact size of premiums is seldom available because these are private transactions. However licensing officers are reasonably confident of their estimates due to their close working proximity with the taxi trade.

Taxi vehicle licence waiting list

- 4.45 In half of the LAs with quantity controls, individuals applying for a taxi vehicle licence are placed on a waiting list and have to wait until they reach the top of the list before getting a licence (although some LAs have a ballot system to prevent taxi vehicle licences from being concentrated in the hands of one or two large fleet owners).⁸⁵ They remain on this waiting list until either more licences are issued or they are able to purchase a licensed taxi from someone leaving the trade. Some LAs, for example Woking, do not maintain a waiting list since they do not intend to issue new licences in the foreseeable future.
- 4.46 In LAs that apply quantity controls and have a waiting list there are, on average, 78 people waiting for taxi vehicle licences. In 10 per cent of LAs the number waiting for a vehicle licence exceeds the number of licences currently in circulation (table 4.4 shows the longest waiting lists by LA).

TABLE 4.4: LONGEST WAITING LISTS FOR VEHICLE LICENCES BY UK LOCAL AUTHORITY

Local Authority	Number of Licensed Taxis	Applicants on waiting list for a Taxi Vehicle Licence
Manchester	814	750
Dundee	507	400
Hull	170	376
Sunderland	284	279
Watford	63	205
Stoke	89	200
Crawley	79	170

Source: OFT: Statistical Analysis 2002 (annexe B)

- 4.47 Almost all applicants on the waiting list are currently part of the licensed taxi or private hire trade. About two thirds of those on waiting lists for taxi vehicle licences already hold a taxi driver licence, 44 per cent hold a PHV vehicle licence and 53 per cent hold a PHV driver licence.⁸⁶

⁸⁵ OFT Statistical Analysis 2002 (annexe B).

⁸⁶ OFT Statistical Analysis 2002 (annexe B).

Section 5: arguments in favour of quantity controls

- 4.48 Our conclusion is that there is a strong case for removal of quantity controls. On the basis of the evidence, service to consumers is poorer with quantity controls. These controls stop consumers getting the service they prefer and they also stop potential entry by firms wishing to provide those services.
- 4.49 There is no clear economic rationale for quantity controls which appear to have been introduced in the 1630s primarily to prevent street congestion.
- 4.50 Notwithstanding this, in the course of this study we have come across a number of arguments which could potentially be put in favour of quantity controls. These are discussed below.

There is no significant unmet demand

- 4.51 One argument which has been put to us is that unmet demand tests ensure that quantity controls do not result in under supply to the market. We do not accept this argument for three reasons:
- it is not an argument to justify quantity controls, but one which says, at most, that they do not have a detrimental effect. If it cannot be shown that quantity controls serve a useful purpose the presumption should be that they are unnecessary
 - our evidence shows that, despite unmet demand tests, there is considerable unmet demand
 - we have looked carefully at unmet demand studies as part of our research, and do not consider that they accurately measure unmet demand for taxis.
- 4.52 Unmet demand studies do not properly assess latent demand (i.e. the passengers who would choose to go by taxi if more were available or waiting times were lower). Fifteen per cent of consumers in all LAs said high waiting times were the main reason for not using taxis or PHVs. In Sheffield, removal of quantity controls resulted in the numbers of passenger journeys from ranks increasing by eight per cent as the number of taxis increased by 34 per cent and waiting times dropped by 16 per cent.
- 4.53 Unmet demand studies focus heavily on unmet demand at ranks. They do not measure actual waiting times, or demand, from consumers hailing taxis in the street (some survey evidence attempts to do this by asking consumers to report from memory how long they waited for a taxi on the

street, but more reliable observational data is not collected). Our study of both Sheffield and Cambridge LAs showed that after quantity controls were removed the proportion of passengers hailing a taxi in the street increased substantially.

Maintaining the quality of service

- 4.54 It is argued that without any limit on the quantity of vehicle licences the quality of both taxi vehicles and drivers will fall. Therefore consumers will receive a poorer quality of service.
- 4.55 As regards vehicles, the argument is that a rise in taxi numbers will cause vehicle quality to fall as the only proprietors to survive would be those which run lower quality vehicles and skimp on maintenance at the expense of safety. With drivers, although removing quantity controls may lead to more entry into the profession it is felt that it might also lead to more exit if there is an oversupply of taxis, leading to the loss of experienced drivers.
- 4.56 We reject these arguments on the basis that quality specifications and quantity limits are regulated separately. Given this, if quality controls are maintained, there is no evidence to show, and no reason to suppose, that the removal of quantity restrictions impact on quality. Our discussion of quality regulation is in chapter 5.
- 4.57 Our international study has shown that following the simultaneous removal of quantity **and** quality controls, fleet quality sometimes decreases as a consequence. Sweden is a prime example of this. It removed both quantity and quality regulations and saw a sharp rise in the number of taxis on the road, both substandard vehicles and those that would have previously met quality requirements. In 1995 the authorities reintroduced quality requirements and teams to enforce them which led to a plateau in taxi numbers and an increase in the quality of vehicles within the fleet. The Swedish experience shows risks of simultaneous quality and quantity de-restriction but not of quantity de-restriction alone.
- 4.58 In the UK a number of LAs have removed quantity controls while concurrently increasing fleet quality. When Cambridge removed quantity controls it introduced more stringent controls on age of vehicles and accessibility and saw overall quality of vehicles improve. Birmingham introduced wheelchair accessible vehicles and increased tightness on emission controls while removing quantity controls.

- 4.59 Neither does controlling the number of taxi vehicles guarantee driver experience or knowledge of the local area. LAs can manage driver quality directly through setting particular requirements for driver licensing, for example a geographical knowledge test appropriate to the locality.
- 4.60 In any event, and not only after the removal of quantity controls, the key to maintaining quality in the market is to ensure that both driver and vehicle (and PHV operators) are subject to sound quality controls that are backed up by robust enforcement.
- 4.61 The cost savings from removing the apparatus of quantity control (including unmet demand surveys) can boost the resources that LAs may have available for the enforcement of quality controls.

To ensure an adequate supply of taxis

- 4.62 Another potential argument is that, if drivers are unable to earn enough from taxi work, operators will take on other jobs and only undertake taxi work at evenings and weekends, when it is most profitable, leading to a lack of availability of taxis outside these periods.
- 4.63 Our analysis leads us to reject this argument, as does the experience of LAs that have de-restricted. When quantity controls are removed taxi supply increases. The evidence on waiting times shows that availability increases at all times of day. In any event it would run counter to common sense for the lifting of quantity controls to result in less supply.

To prevent drivers working longer hours

- 4.64 It is argued that increasing the number of taxis may lead to a fall in the revenue of drivers. Drivers must therefore work longer hours to maintain the same income which may have public safety implications.
- 4.65 The key argument here is that drivers may put themselves and passengers at risk if they work excessively long hours. In fact there is no statistically significant difference, when allowing for the type of LA, in the number of taxi accidents between areas where no quantity controls exist and areas where they do (see table 4.6).⁸⁷

⁸⁷ OFT: Statistical Analysis 2002 (annexe B). This is the number of taxi road traffic accidents involving personal injury, as a proportion of total accidents in LAs, including a correction for whether the licensing authority is urban or rural.

TABLE 4.6: TAXI ACCIDENTS AS A PERCENTAGE OF ALL ROAD TRAFFIC ACCIDENTS, 2001

Type of LA:	Restriction		Total (%)
	Unrestricted (%)	Restricted (%)	
Urban	2.4	2.8	2.7
Rural	0.9	0.6	0.8
Mixed	1.3	1.4	1.4
London	2.5	-	2.5
Total	1.3	1.9	1.6

Source: OFT analysis of Department for Transport Road Traffic Data (annexe B)

- 4.66 While there is no clear evidence of a problem in the UK this has been a concern in some international markets and a number of measures have been put into place specifically to prevent drivers working excessive hours following the removal of quantity controls.⁸⁸ For example, New Zealand controls driver rest periods through the use of a log book. In Sweden, the authorities log driver hours with an on-board computer.
- 4.67 It should also be noted that the Working Time Regulations 1998⁸⁹ apply to employed taxi and PHV drivers (who are classed as 'mobile workers') and impose a limit of an average working week of 48 hours (unless drivers agree to work longer) and adequate rest periods. These rules do not apply to self-employed taxi and PHV drivers.
- 4.68 To conclude, we do not consider that maintaining quality controls to protect drivers' incomes and hours of working is a valid argument on the facts. There are, in any case, alternative regulatory methods of preventing drivers working excessive hours to ensure driver and passenger safety.

⁸⁸ TOI: Impact of Taxi Market Regulation, an International Comparison, May 2003 (annexe J).

⁸⁹ S.I. 1998/1833, as amended by the Working Time (Amendment) Regulations 2003 to implement Council Directive 2000/34/EC (OJ No. L195, 1.8.2000, p.41).

To prevent overcrowding at ranks

- 4.69 Where the amount of rank space provided is limited, it is argued that removing quantity controls would lead to rank overcrowding and illegal parking. This could especially be the case in urban centres or LAs where the market is centred on focal points such as railway stations and when little space is available for expansion.
- 4.70 There is limited evidence to indicate that overcrowding has been a problem in LAs after the removal of quantity controls. Our case studies, however, show that where this is an issue, the market often adjusts with a smaller proportion of taxis waiting at ranks and a greater proportion plying for hire on the street or expanding to serve different areas. In Bristol, after the removal of quantity controls, it was noted that taxis were serving more residential areas which had previously not had any service.
- 4.71 While we accept that potential rank overcrowding is an issue for LAs without quantity controls, in our view it can be managed. For example new ranks or temporary ranks to cover weekend and evening peaks may be created. Marshals could also be used at peak times to help speed up traffic flow.

To reduce traffic congestion, air pollution and encourage public transport use

- 4.72 Another set of arguments is that limiting the supply of taxis encourages use of public transport, and reduces congestion and air pollution.
- 4.73 Again we do not find these arguments supportable:
- our consumer research shows that if consumers are unable to get a taxi, they will generally not switch to public transport, nor to environmentally friendly and congestion reducing modes of transport, but would tend instead to use their car
 - congestion and pollution caused by motor vehicles is a huge problem of which taxis are only a small part. These problems are already dealt with directly through fuel taxation and through initiatives such as congestion charging and pedestrianisation of city centres. Since taxis are often used in conjunction with other public transport (for example at the start and end of train journeys) or at times when other public transport is not available, restricting taxis could even decrease other public transport use.

- 4.74 Our evidence and analysis suggest that limiting taxi numbers will not effectively address these issues.

To protect licence shortage premiums

- 4.75 Past experience in the UK and elsewhere has shown that when quantity restrictions are removed in an area, the privately traded value of shortage premiums on taxi vehicle licences falls away. Vehicle licences become readily available provided that applicants and their vehicles meet quality and safety conditions, and the unofficial scarcity value that previously existed in the licence (over and above the licence fees charged by the LAs to cover administrative costs, and the value of the vehicle) disappears. In practice this means that taxi vehicle licence holders who privately purchased a licensed taxi before quantity restrictions were lifted cannot recoup the cost of the licence shortage premium when they sell their licensed taxis after the quantity restrictions have been lifted⁹⁰. As noted in paragraph 4.43 above, in the UK the average licence shortage premium in areas where quantity restrictions apply is estimated at £16,500.
- 4.76 It is argued that lifting quantity restrictions is unfair on those licence holders who have paid a licence shortage premium to enter the taxi market during times when quantity restrictions were in place, as they bear the burden of being unable to recoup this cost when they exit the market.
- 4.77 We have considered this view and conclude that protection of taxi vehicle licence shortage premiums does not justify retaining quantity controls. In economic terms the premium value attached to vehicle licences in quantity restricted areas is an artificial one, created by the constraints on the market caused by regulation. The premium value does not relate to any effort of the licence holder to improve service levels and quality, and therefore the licence holder has not 'earned' it. Moreover, it is unofficial – it is unrecognised by statute, and legal ownership of the licence, and the licence plates attached to the taxi vehicle, remains at all times with the LA that issued them.

⁹⁰ This issue will not arise for licence holders who were licensed directly by the LA prior to the lifting of quantity restrictions, rather than purchasing a licence with a licensed vehicle and having the licence holder details changed. Direct licensees will not have paid any shortage premium to acquire the licence.

- 4.78 Since section 16 of the Transport Act 1985 came into force on 6 January 1986, LAs in England and Wales outside London and in Scotland have been permitted to restrict taxi licence quantities only if they reasonably consider that there is no significant unmet demand for taxis within their areas. LAs may lift quantity restrictions whether or not there is unmet demand for taxis, and must lift quantity restrictions (whether permanently or temporarily) if there is significant unmet demand. In 1985 the Department of Transport, the Scottish Development Department and the Welsh Office suggested ⁹¹ that LAs should consider lifting quantity restrictions. As we have already noted, quantity restrictions are now only in place in 45 per cent of UK LAs, and several LAs have lifted quantity restrictions since the Transport Act 1985 came into force. Taxi licence holders in areas where quantity restrictions apply have therefore been aware for some time that these could be lifted at any time by their LA.
- 4.79 In our view the protection of certain taxi licence holders from a one off loss of rental value that could lawfully occur under existing legislation does not justify maintaining the market inefficiencies caused by taxi licence quantity restrictions.
- 4.80 It has been suggested in the past⁹² that if quantity restrictions are lifted, this should be phased in to offer some protection for existing licence holders enjoying licence shortage premiums in areas where quantity restrictions apply. We considered this as a possibility and rejected it on the basis that:
- phasing in does not address the competition problems in the market place quickly enough

⁹¹ In a 4 December 1985 joint circular on the Transport Act 1985, the Department of Transport, the Scottish Development Department and the Welsh Office stated: 'District councils may wish to review their policy on the control of taxi numbers in the light of [section 16 Transport Act 1985]. Limitation of taxi numbers can have many undesirable effects – an insufficiency of taxis, either generally or at particular times or in particular places; insufficient competition between the providers of taxi services, to the detriment of their customers; and prices for the transfer of taxi licences from one person to another which imply an artificial restriction of supply.' Circular3/85 Department of Transport, Circular 32/85 Scottish Development Department, Circular 64/85 Welsh Office, paragraph 27.

⁹² See, e.g. the Fourth Report of the House of Commons Transport Committee on Taxis and Private Hire Vehicles, Volume I, Report and Minutes of Proceedings, Session 1993-94, 30 March 1994, paragraph 140.

- there is no economic justification for quantity controls or licence shortage premiums, and it is more appropriate to remove them altogether than to allow them to continue in a modified form
- it will be difficult for LAs to carry out a fair selection of new licensees when limited numbers of new licences are issued during the phasing in period.

4.81 We are aware of an unsuccessful legal challenge⁹³ brought by an individual taxi licence holder who suffered loss of the value of the licence shortage premium he had paid to acquire his licensed taxi when his LA deregulated quantity controls.⁹⁴ We believe that the long term benefit to society of lifting quantity restrictions, in terms of lower waiting times, improved safety and lower costs of market entry, outweigh the short term interests of existing taxi licence holders in maintaining the artificial value of taxi licences. In reaching this conclusion, our function has been to report primarily on the competition effects of taxi regulation and its effect on the welfare of consumers of taxi services. We have not considered the social welfare effects of lifting quantity restrictions on particular licence holders or classes of licence holder. When deciding whether to follow our recommendation, Government will no doubt weigh in the balance any social welfare issues for particular licence holders or classes of licence holder that come to light in any consultation that may be held.

Section 6: conclusion and recommendations

4.82 Comparing licensing areas with quantity restrictions with those without, we conclude that quantity controls have a clear detrimental impact on the public which shows up in the following ways:

- shifting consumers onto less preferred and/or suitable modes of transport
- increasing waiting times
- compromising public safety.

4.83 We have found no cogent rationale for quantity controls to balance against these detriments. Nonetheless, we have examined a number of

⁹³ **R (Royden) v Metropolitan Borough of Wirral** [2002] EWHC 2484. This was a challenge, in part, under Article 1 of the First Protocol to the European Convention on Fundamental Rights and Freedoms.

⁹⁴ Further information on this case and on the basis of the challenge is set out in Annex A.

arguments which have been advanced in the course of our study. We find each of these arguments to be unsupported by the evidence and/or outweighed by the clear benefits of de-restriction.

- 4.84 In our view, the existence of quantity controls causes consumer detriment and does not address any problems in the market that cannot be more effectively addressed by other means. We therefore conclude that the removal of quantity controls will benefit consumers, particularly through the higher availability of taxis and lower waiting times. In our view, the best service to consumers will be achieved by enabling consumer demand, rather than regulations, to determine a level of taxi service supply that meets the needs of the public.

Recommendation based on this assessment

- 4.85 **We therefore recommend that the legislative provisions allowing licensing authorities to impose quantity controls should be repealed. In the meantime, we recommend that LAs with quantity controls remove them.**

5 REVIEW OF QUALITY AND SAFETY REGULATION

Introduction

- 5.1 This chapter reviews the regulations relating to quality and safety controls. LAs have the power to regulate quality and safety in relation to the issue of taxi vehicle and driver licences and PHV vehicle, driver and operator licences.
- 5.2 In addition, the implementation of section 32 of the DDA95 will impose further quality regulation by requiring disabled access to certain licensed taxi vehicles.
- 5.3 To assess the impact of quality and safety regulations we have:
 - looked at the rationale behind quality and safety controls and the protection they afford consumers
 - looked at the effect quality and safety controls have in practice
 - looked at what consumers expect in the way of quality and safety
 - consulted with groups representing older people and the disabled and considered the particular needs of these consumers.
- 5.4 We have found that consumers value quality and safety controls for vehicles and drivers which address matters that are difficult for them to judge when hiring a taxi (e.g. the technical safety of the vehicle and the competence of the driver). Quality and safety controls are considered necessary to ensure passenger safety and security. Our central conclusion is, therefore, that quality and safety controls should be maintained and effectively enforced.
- 5.5 However, it is important that quality and safety requirements are applied proportionately to avoid unnecessary barriers to competition. In this regard we have some concerns about the inconsistent application of quality and safety specifications by LAs. We believe that local regulation should match local requirements and when deciding quality and safety specifications, LAs should consider the needs of consumers and the effect of the proposed specifications on the availability of taxis and PHVs. LAs should try to ensure that any quality and safety specifications set do not go beyond what is required to achieve this policy aim.
- 5.6 For example, the Metropolitan Conditions of Fitness (MCF), where applied by an LA, set detailed vehicle specifications such as a maximum turning circle, a maximum step height and wheelchair accessibility to certain specifications. The MCF were written expressly to meet the needs of

London but have been adopted by other LAs so that they cover 44 per cent of taxi vehicles in the UK.⁹⁵ Only certain models of vehicle currently meet these requirements. These are significantly more expensive than the saloon cars and wheelchair accessible vehicles allowed by many LAs. There is a danger that the additional cost of MCF compliant vehicles may raise prices and deter entry to the market thus limiting supply and leading to a poorer service for consumers.

- 5.7 Our view is that the appropriateness of quality and safety controls in the UK taxi and PHV services market is best decided at the local level. LAs would be better placed to decide on proportionate levels of quality and safety control if they had access to more information about common experience and best practice.
- 5.8 **We therefore recommend that the Department for Transport promote and disseminate local best practice in applying quality and safety regulations involving the Scottish Executive and the Department of the Environment (NI) in this process. The purpose of this would be to assist LAs to apply standard quality and safety attributes in a proportionate manner.**
- 5.9 In applying quality and safety regulation LAs should carefully consider the needs of disabled consumers. Part V of the DDA95, which has yet to be implemented, is intended to help ensure that disabled people, including those who wish to remain in their wheelchairs, can get into and out of, and travel in, licensed taxis in safety and reasonable comfort. The DfT has recently announced its proposals and timetable for implementing the taxi accessibility requirements in Part V DDA95.⁹⁶ Prior to implementation, the power to regulate taxis and PHV in a way that meets the needs of disabled passengers remains with LAs. Our research has shown large differences in the way LAs address disability issues with regard to taxis. A minority of LAs require their taxis to be wheelchair accessible and an even smaller number require taxi drivers to undergo some form of disability awareness training.
- 5.10 Those LAs which have required taxis to be wheelchair accessible have primarily followed the specifications laid down by the MCF. These

⁹⁵ OFT Statistical Analysis 2002 (annexe B).

⁹⁶ These regulations will not apply to PHVs.

vehicles, however, are not necessarily the most accessible for those with impaired mobility not needing a wheelchair.

- 5.11 In setting quality and safety controls LAs should closely consult with disability groups to ensure their needs are correctly recognised.
- 5.12 We would also note that if quantity restrictions apply to vehicles suitable for disabled passengers, then those restrictions may be particularly detrimental to the supply of taxis to disabled people.
- 5.13 The rest of this chapter looks at these issues and the background to our recommendation in more detail. Section 1 looks at the rationale behind quality and safety regulations, section 2 looks at existing quality and safety regulations, section 3 assesses the impact of quality and safety regulations, section 4 looks at issues surrounding disabled access to taxi services and the potential impact of the DDA95 and section 5 gives our conclusions.

Section 1: why regulate quality and safety?

The aims of quality regulation

- 5.14 In the 1993 Green Paper⁹⁷ the Department for Transport (DfT) stated that any regulation relating to taxis and PHVs needed to be justified against one or more of four specific objectives:
 - **the safety and security of passengers, drivers and others on the road** - it is not unreasonable for passengers to expect the vehicles in which they travel to be safe and for the driver be competent and a fit and proper person to hold a licence. In addition to these basic safety requirements, LAs may also wish to impose regulations to improve the quality of service provided to the travelling public, for example stipulations on the size and design of the vehicle
 - **consumer protection** – many of these important aspects of safety and security cannot be judged by passengers when hiring a taxi or PHV. Regulations ensure that consumers are protected
 - **accessibility** – especially for those with impaired mobility (including those disabled passengers who use and wish to remain in their wheelchairs) so as to ensure they can get into and out of, and travel

⁹⁷ Department for Transport: Taxis and Private Hire Vehicles: A Consultation Paper on the Future of taxi and Private Hire Vehicle Services in England and Wales, 1993.

in, taxis in reasonable safety and comfort. Without quality regulations vehicle licence holders and applicants may not choose to purchase wheelchair accessible vehicles because they are unable to derive extra income to compensate them for their additional investment

- **environmental protection** – to control emissions. It may be possible to reduce these through specific methods such as fitting oxidation catalysts or converting taxis to run on LPG, but, given the general improvements in fuel efficiency in cars over time, levels of taxi vehicle emissions are most often controlled through limits on vehicle age.

The rationale for quality regulation

- 5.15 The public care a great deal about the quality of service provided to them. Our survey showed that passengers rate the quality and safety of the driver and vehicle as the most important features of service ahead of the fare they are charged.⁹⁸
- 5.16 When hiring a taxi or PHV passengers are unable to judge important aspects of the quality of either cars or drivers and must, in effect, take them on trust. For example, on entering a taxi (except in limited cases) a passenger is unlikely to be in a position to establish the roadworthiness of the vehicle or whether the driver has valid insurance or, indeed, a criminal record.
- 5.17 In a market with no quality regulation and where the level of repeat business is not high, the fact that passengers cannot determine many aspects of quality and safety could create the incentive and the opportunity for operators or drivers to skimp on quality and safety, particularly if acquiring a particular level of quality and safety involves extra cost. An example of this is geographical knowledge of an area. When hiring a taxi or a PHV consumers are unable to judge whether a driver has a good geographical knowledge or not. A driver must often pay to obtain this knowledge by studying for and taking knowledge tests. In a situation where passengers cannot immediately determine the level of a driver's knowledge a driver might decide not to incur the costs of training. Thus consumers would be worse off.

⁹⁸ OXERA: Consumer Survey Report (annexe I).

- 5.18 We believe that there are strong reasons for regulating quality and safety to ensure that these important, but usually imperceptible, standards are maintained.

Section 2: existing quality and safety controls

Regulatory powers of licensing authorities

- 5.19 Quality and safety controls apply to taxi vehicle and driver licences, and to PHV vehicle, driver and operator licences. Aspects of quality that are regulated generally fall within the areas of service, safety and technical efficiency. Fuller details on the regulatory controls are given at annexe A.
- 5.20 LAs have considerable regulatory flexibility in applying quality and safety controls and this flexibility is reflected in the differing levels of control in different LAs. Even so, our research has shown common areas of regulation (although the strictness of the regulation can vary from LA to LA). The rest of this section looks at the application of quality and safety controls to taxi vehicles and drivers and to PHV vehicles, drivers and operators.

Quality regulation of the licensed taxi trade

Vehicles

- 5.21 Our study has shown that the following quality and safety controls are commonly applied to vehicles:
- **age limits** – a maximum age is stipulated in 45 per cent of LAs that responded to our survey – the average limit is nine years ⁹⁹
 - **vehicle testing at regular intervals** – this is required in 90 per cent of LAs, mostly six monthly
 - **vehicle identification** – mainly relating to the provision of a roof sign for taxis
 - **fitting of taximeters** – this is required for taxis in 93 per cent of LAs
 - **specification of minimum engine size** – this occurs in 50 per cent of LAs.
- 5.22 Twelve per cent of LAs (covering approximately 44 per cent of all taxis) stipulate that all licensed taxi vehicles in their area should comply with

⁹⁹ OFT: Statistical Analysis 2002 (annexe B).

the MCF.¹⁰⁰ The conditions prescribe, for example, wheelchair access, a turning circle of 7.62 metres, a partition separating passenger from driver, a maximum step height, door height and a maximum width and height of the vehicles. Only two manufacturers currently produce vehicles that meet all these specifications.

- 5.23 Fourteen per cent of LAs (covering approximately 50 per cent of taxis) have a fully wheelchair accessible taxi fleet. The appropriateness of a vehicle for use as a wheelchair accessible taxi tends to be judged at a local level on a case by case basis. There are companies operating in the UK that specialise in adapting vehicles to operate as licensed taxis. All are wheelchair accessible though none meet all the provisions for the MCF. They do, however, supply vehicles in those LAs that have not adopted the MCF or have not required all the provisions of the MCF to be met.

Drivers

- 5.24 There is a duty on LAs¹⁰¹ only to grant licences to drivers who are 'fit and proper'. As with vehicles, whilst there are considerable variations in application, there are a number of common regulations imposed on licensed taxi drivers including:
- **a criminal record check** – required by all LAs that license taxis
 - **a medical examination** – required by 94 per cent of LAs
 - **a topographical knowledge test** – required by 60 per cent of LAs, although they vary greatly in scope
 - **minimum driver age limits** – 56 per cent of LAs require drivers to be 21 or over.

¹⁰⁰ Department for Transport: Taxi and Private Hire Vehicles in England and Wales, 2001-02

¹⁰¹ This is the case for LAs in England and Wales outside London and in Northern Ireland. In London, TfL has a **power**, rather than a duty, not to license applicants if it is not satisfied that they are 'of good character and fit to act as cab drivers' (under paragraph 25 London Cab Order 1934). In Scotland, LAs can require tests of knowledge and other matters relating to the operation of taxis.

Quality regulation of the private hire trade

Vehicles

- 5.25 The vehicle standards applied by LAs in the private hire trade are generally less onerous than for taxis. Having said this, 25 per cent of (predominantly rural) LAs apply quality conditions for PHVs that are similar to those for taxis (with the exception of signage – the difference between taxis and PHVs must be visibly apparent).
- 5.26 The conditions attached to PHVs generally concern the basic characteristics of the vehicle (e.g. that it should have four doors) and its roadworthiness. As with licensed taxi vehicles, around half of LAs have an age limit for PHVs.¹⁰²

Drivers

- 5.27 There are fewer differences between the taxi and PHV driver licensing regimes, with around 56 per cent of LAs in England and Wales having a dual licensing scheme - albeit often with different topographical knowledge tests - for taxi and PHV drivers.¹⁰³ A dual licensing scheme either means that there is one licence which entitles the holder to drive both a taxi and PHV or that there are separate licences but the conditions, apart from a knowledge test, are identical.
- 5.28 Knowledge tests are required for PHV drivers in 48 per cent of LAs, compared with 60 per cent for taxi drivers. Where the test is mandatory for both taxi and PHV drivers, the required level of knowledge is higher for taxi drivers in 22 per cent of LAs and the same for taxi drivers and PHV drivers in the remaining 78 per cent of authorities. All LAs require taxi and PHV drivers to undergo criminal record checks.

Operators

- 5.29 The granting of an operator's licence in England and Wales (operator's licences do not exist in Scotland and Northern Ireland) is conditional on the applicant being a fit and proper person to hold a licence. This generally includes a criminal record check.
- 5.30 Other requirements LAs commonly place on the licence holder include detailed requirements for maintaining records of journeys booked and

¹⁰² NATPHLEO: Taxi Regulation in England, 2000

¹⁰³ Department for Transport :Taxi and Private Hire Vehicles in England and Wales, 2001-2

vehicles used, proof of planning permission and radio transmission licences where appropriate and, in the case of operators who invite the public to make bookings in person, that the operator's premises are suitable for carrying out a private hire business.

Section 3: assessment of the current system

- 5.31 As mentioned above, a key rationale for quality regulation is the safety and security of passengers, drivers and others on the road. Our research suggests that quality and safety controls are generally working well in this regard though it is important they are supported by effective enforcement. While we have some anecdotal evidence of individual failings we have no systematic evidence that taxi or PHV vehicles are unsafe or that drivers do not undergo police checks when licences are issued.
- 5.32 However, it is important that quality and safety controls are applied in a proportionate manner. Our study has highlighted substantial variation across LAs. In some LAs potential drivers may face a topographical knowledge test, an enhanced driving test and regular health checks. In other LAs any or all of these may not apply. For vehicles, differing age limits are allowed, depending upon the LA. These sorts of variations can easily occur in neighbouring authorities. For example, the maximum age for re-licensing a taxi in East Hertfordshire is 15 years. In North Hertfordshire it is seven years.
- 5.33 While we believe that local regulation should match local needs there is a question over whether quality and safety controls are striking the right balance between consumer protection and the costs incurred in satisfying the quality and safety requirements.
- 5.34 An example of this is the MCF. As mentioned above, these were written expressly to meet the needs of London but have been adopted by other LAs so that they cover 44 per cent of taxi vehicles in the UK. Only certain models of vehicle currently meet these requirements. These are significantly more expensive than the saloon cars and wheelchair accessible vehicles allowed by many LAs.¹⁰⁴ There is a danger that the

¹⁰⁴ For example, a new London-style black cab costs approximately £28000 while a modest new four-door saloon costs between £8000 and £14000.

additional cost of MCF compliant vehicles may raise prices and deter entry to the market thus limiting supply and leading to a poorer service for consumers.

- 5.35 An example where the requirements set are possibly too low are topographical knowledge tests. Results from our consumer survey indicate that passengers in taxis and PHVs consider it important that their driver has a good geographical knowledge of the area,¹⁰⁵ yet a knowledge test forms part of the licence procedure in only 60 per cent of LAs for taxi drivers¹⁰⁶ and 52 per cent of LAs for PHV drivers.¹⁰⁷

Section 4: disabled access to taxis and phv services

- 5.36 This section looks at the issues surrounding disabled access to taxi and PHV services and the impact that quality regulation can have in this area.

Access for disabled people

Taxi usage by disabled people

- 5.37 Taxis and PHVs are used more frequently by disabled people (67 per cent more) than non-disabled people, according to a MORI survey.¹⁰⁸ The same survey also concluded that disabled people find taxis and PHVs the easiest mode of transport to use because of their flexibility. However serious problems remain for some disabled people.¹⁰⁹
- 5.38 Approximately 8.6 million people in the UK are disabled,¹¹⁰ and it has been estimated that five per cent of these use a wheelchair some of the time.¹¹¹

¹⁰⁵ OXERA: Consumer Survey Report, September 2003 (annexe I).

¹⁰⁶ OFT: Statistical Analysis 2002 (annexe B).

¹⁰⁷ NATPHLEO: Taxi Regulation in England, 2000.

¹⁰⁸ Attitudes of Disabled People to Public Transport, MORI 2002, undertaken for the Disabled Persons Transport Advisory Committee.

¹⁰⁹ In using the term 'disabled' we have taken the meaning as given in section 33 of the DDA95 which defines a disabled person as someone with 'a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities.'

¹¹⁰ Aged 16 – 75 in Great Britain. Source: Grundy, E., Ahlburg, D., Ali, M., Breeze, E. and Sloggett, A. (1999), Disability in Great Britain: Results from the 1996/97 Disability Follow-Up to the Family Resources Survey, DSS Research Report 94. This figure is based on a definition of disability derived from the World Health Organisation, as 'the inability, due to an impairment, to perform activities in typical and personally desired ways in society'. The 8.6 million figure roughly equates to those who would be covered by the DDA95.

¹¹¹ There is no reliable data on UK wheelchair users, though the Employers Forum on Disability estimate that five per cent of disabled people use a wheelchair some of the time.

- 5.39 Across the UK the provision of taxis and PHVs for disabled people varies between LAs with the rural areas having the lowest level of provision. Where provision is made, some LAs will subsidise journeys made by disabled people who meet certain criteria. This can have the effect of increasing taxi and PHV demand and usage.
- 5.40 The DfT is encouraging LAs to develop their own accessibility policies. At the end of 2002, six per cent of LAs required taxi drivers to undergo disability awareness training¹¹² and 14 per cent of LAs required their licensed taxis to be wheelchair accessible.¹¹³ LAs that require all their taxi fleet to be wheelchair accessible primarily follow the specifications laid down by the MCF and tend to be in urban areas.

How disabled people use taxis and PHV services

- 5.41 Disabilities vary and what is an accessible vehicle to one person may not be to another. In relation to travel a disabled person's preferred mode of transport may not be just a preference but the only way to get from A to B. Access to a particular type of taxi or a PHV vehicle might be the only means of getting on with daily life.
- 5.42 There is a limited amount of data available on the preferred method of taxi travel for disabled persons. However, a survey from Brighton and Hove shows that, for those who expressed a preference, 53 per cent of disabled people prefer to use saloon cars rather than wheelchair accessible taxis (see Table 5.1).¹¹⁴

TABLE 5.1: DISABLED PEOPLE'S VEHICLE PREFERENCE FOR TAXI JOURNEYS IN BRIGHTON AND HOVE

	%
Wheelchair accessible cab	22
Saloon car	53
No preference	25
Total	100

¹¹² Department for Transport: Taxi and Private Hire Vehicles in England and Wales 2001-2, 2003

¹¹³ OFT: Statistical Analysis 2002 (annexe B).

¹¹⁴ Table 4, page 8, Vehicle Preference for Taxi journeys. Taxi Users: Their views in Brighton and Hove, Geraldine Petterson, June 1999.

- 5.43 As disabled consumers have different needs, several vehicle types are needed to satisfy varied requirements.
- 5.44 Disabled consumers use taxi and PHV services differently when compared to the UK population as a whole. Disabled people are more likely to use these services for the essential activities of life. Where they can afford to do so, the research from Brighton and Hove suggests that 80 per cent of disabled people will use taxi and PHV services for shopping or to attend medical appointments.¹¹⁵ This is in contrast to usage patterns for the UK population as a whole. These show that the most common purpose of their last taxi or PHV trip was for leisure reasons (50 per cent) while only 21 per cent last used a taxi or PHV for shopping and seven per cent last used a taxi or PHV to attend medical appointments.¹¹⁶

Views of disability groups

- 5.45 According to a MORI survey on a range of public transport services, disabled people were very satisfied with the services provided by taxis and PHVs. This could be due to the personal service that some disabled people receive from local taxi/ PHV firms.¹¹⁷
- 5.46 The MORI survey indicated that disabled people had less satisfaction with the quality of services provided by local councils. The Disability Rights Commission advises that LAs do not give sufficient consideration to the diverse needs of disabled passengers. Disability groups hope that implementation of the DDA95 will give LAs a national benchmark against which to set accessibility requirements for taxi services for their disabled population.

¹¹⁵Table 2, page 5, Respondents' Use of Taxis. Taxi Users: Their views in Brighton and Hove, Geraldine Petterson, June 1999.

¹¹⁶ Halcrow: Impact of Regulation on Taxi Markets – Consumer Survey, July 2003 (annexe C)

¹¹⁷ Attitudes of Disabled People to Public Transport, MORI 2002, undertaken for the Disabled Persons Transport Advisory Committee.

- 5.47 RADAR, an umbrella organisation representing 450 disability groups, has stated that disabled people require good workable regulations from the DDA95 to achieve a nationwide transport network. In relation to taxi services this means regulations that allow for personal choice according to an individual's needs. RADAR only see this being possible if a range of vehicle types can co-exist under the DDA95, each vehicle type complying with one aspect of the DfT regulations, meeting the needs of specific disabilities.¹¹⁸
- 5.48 Because of the usage patterns of taxis and PHVs by disabled people, disability groups view both taxis and PHVs as public transport. However, as PHVs are not licensed for immediate hire they are not covered in Part V of the DDA95. When pre-booking a journey disabled consumers may specify what type of vehicle they wish to travel in, but along with other consumers they may have no way of knowing if their journey will ultimately be in a licensed taxi or a PHV.
- 5.49 There are also concerns amongst disability groups that the goals of Part V DDA95 could be jeopardised if taxi and PHV drivers are not required to have general disability awareness training and specific training in how to use vehicle wheelchair ramps and secure wheelchairs.

The Disability Discrimination Act 1995 (DDA95)

- 5.50 Section 32 of the DDA95, in part V of the Act, gives the Government power to make taxi accessibility regulations. These provisions have not yet been implemented, but their purpose is to help ensure that disabled people have the same flexibility and choice in their use of taxis as the rest of the travelling public. Under section 32 of the DDA95 PHVs will not have to be wheelchair accessible.
- 5.51 The DfT has recently announced its proposals and timetable for implementing the taxi accessibility requirements in Part V DDA95. It plans to start by applying the taxi accessibility regulations only to a listed number of 'first phase' LAs. The intention is to target those areas where accessible taxis will make the biggest impact on meeting the needs of disabled people and where the additional cost will not have a major effect. The proposed time scale is to introduce the DDA95 regulations in

¹¹⁸ RADAR plans to survey its members' taxi and PHV preferences in the spring of 2004.

these areas over a 10 year period from 2010 to 2020. LAs in the ‘first phase’ have been selected because they meet one or more of the following criteria:

- a LA population of at least 120,000 people
- a major transport interchange
- a major tourist attraction, or
- an existing mandatory policy resulting in 100 per cent accessible vehicles.¹¹⁹

5.52 LAs not meeting any of the above would not be subject to DDA95 in the first instance though the DfT intends to issue voluntary guidance to these LAs on establishing an appropriate mix of vehicles and on vehicle design. How these LAs introduce accessible vehicles will then be monitored by the DfT to see if the guidance is effective. The DfT will then decide whether to extend the taxi accessibility regulations to these LAs. The DfT intend to publicly consult on these proposals for England and Wales. DDA95 implementation in Scotland and Northern Ireland is a devolved matter so they will carry out their own separate consultations on implementation.¹²⁰

Impact of the DDA95

5.53 Fourteen per cent of LAs, covering approximately 50 per cent of taxis, currently have a fully wheelchair accessible fleet. However, the implementation of the DDA95 will impact on the licensed taxi fleets of all LAs. All taxis in LAs in the ‘first phase’ will need to meet the vehicle specifications for wheelchair accessible taxis that will be set out in the proposed regulations, and all LAs outside the ‘first phase’ will need to consider the proposed DfT voluntary guidance.

¹¹⁹ A LA stipulating that its taxis meet the Metropolitan Conditions of Fitness.

¹²⁰ Subject to the current arrangements during the suspense of devolution in Northern Ireland

Section 5: conclusions

5.54 We believe that there is a strong case for regulating quality and safety both for taxis and PHVs for the following reasons:

- consumers cannot judge certain standards such as the safety of the vehicle and the competence of the driver when getting into a taxi or PHV. Quality and safety regulation provides essential protection to consumers
- taxi services have a role to play in broader social welfare policy such as helping to ensure greater vehicle accessibility or improving environmental protection, and LAs should consequently be able to apply such regulations to suit their needs.

5.55 We therefore conclude that quality and safety controls should be maintained and should be supported by effective enforcement. Quality and safety controls are only one aspect of taxi and PHV regulation and it is important that these controls work effectively with the rest of the regulatory system. This is particularly important if LAs remove quantity controls on taxis. International experience has shown that the simultaneous removal of quantity and quality controls can sometimes reduce fleet quality. In the UK, certain LAs that have removed quantity controls have also raised vehicle specifications.¹²¹

5.56 That said, it is important that quality and safety requirements are applied in a proportionate manner. Our analysis has highlighted substantial variation across LAs.

5.57 We believe that local regulation should match local requirements but think that LAs, when deciding on quality and safety specifications, should consider the needs of consumers and the effect of the proposed specifications on the availability of taxis and PHVs. LAs should try to ensure that any quality and safety specifications set do not go beyond what is required to achieve this policy aim.

5.58 Our view is that the appropriateness of quality and safety controls in the UK taxi and PHV services market is best decided at the local level. LAs would be better placed to decide on proportionate levels of quality and

¹²¹ This is discussed in more detail in paragraphs 4.54 to 4.61.

safety control if they had access to more information about common experience and best practice.

- 5.59 **We therefore recommend that the Department for Transport promote and disseminate local best practice in applying quality and safety regulations involving the Scottish Executive and the Department of the Environment (NI) in this process. The purpose of this would be to assist LAs to apply standard quality and safety attributes in a proportionate manner.**
- 5.60 In applying quality regulation LAs should carefully consider the needs of disabled consumers. Requirements in the future DDA95 regulations on taxi accessibility will form part of the quality controls that some LAs will have to apply to taxis. For those LAs outside the 'first phase' DfT guidance will give assistance in providing an accessible taxi fleet. At present there are large differences in the way LAs address disability issues with regard to taxis, so in addition to following DfT guidance, we would like to see them consult with local disability groups before introducing changes in vehicle specification.

6 REVIEW OF FARE REGULATION

Introduction and summary

- 6.1 This chapter reviews the regulation of taxi fares. To assess the impact of fare regulation we:
- looked at the rationale behind fare regulation and the protection it affords consumers
 - considered the impact that fixing fares has on the market for taxis
 - took into account the experiences of international markets that have deregulated fares.
- 6.2 The research we commissioned to inform this assessment is at annexes D and J.
- 6.3 We have found that, whilst there are some arguments for removing fare regulation, the case for retaining controls is much stronger. The nature of the rank and hail sector of the taxi market makes it almost impossible for consumers to exercise choice on price as it is very difficult to shop around. Deregulating fares may therefore lead to higher prices. This is particularly important, for example for disabled consumers (who may not have access to alternative forms of transport), for those concerned about their safety (for example if they are catching a taxi late at night), or for those who do not know the local area. In these and other instances, fare regulation protects consumers from being overcharged.
- 6.4 However, there are measures that could be taken to introduce further competition on price into the market.
- 6.5 **We recommend that throughout the UK LAs should only set fare tariffs which represent the maximum that can be charged, and not set fixed or minimum fares. It should be made clear to consumers that they are able to negotiate on fares, for example, when ordering a taxi over the telephone. We also recommend that, where possible, LAs actively facilitate more price competition in the market, particularly in the rank and hail sectors of the market.**
- 6.6 This chapter looks at these issues and the background to the recommendations in more detail. Section 1 looks at the background to fare setting in the UK. Section 2 deals with the effects of these regulations on the market. Section 3 assesses a number of different

approaches to fare regulation and section 4 gives our conclusions and recommendations.

Section 1: background to fare setting

- 6.7 LAs can regulate fares for taxis but not for PHVs. Ninety-five per cent of LAs that responded to our survey regulate fares.
- 6.8 In England, Scotland and Wales outside of London fares set by LAs represent the maximum that can be charged¹²². This allows taxis to compete on price by offering lower fares to consumers. However only 25 per cent of those LAs responding to our survey make this clear on their fare tariff cards. In London, a mandatory tariff is set which does not allow taxis to give discounts to consumers on a regular basis.¹²³ In Northern Ireland the LA has the power to set both maximum and minimum fares, although in practice these are set at the same level, creating a mandatory tariff.
- 6.9 In those authorities where fares are set by the LA, taxis tend to use taximeters to measure the distance and/or time involved in a journey. This is often required by the LA as a licensing condition.¹²⁴ In England and Wales outside London PHVs may also use taximeters, but LAs cannot require them to do so. However, if they choose to use taximeters, these must be tested and approved by or on behalf of the relevant LA. There is no clear pattern of taximeter use by PHVs. Our survey of LAs found that in some cases the majority of PHVs have taximeters fitted whilst in others no PHVs have taximeters fitted.
- 6.10 LAs have no powers to set PHV fares.¹²⁵ Fares are set by individual firms or may be negotiated directly with customers. Our survey of LAs found no clear relationship between taxi fares and PHV fares. In some areas licensing officers report that PHV fares are significantly lower than taxi

¹²² This was established in the case of **R v Liverpool City Council ex p. Curzon Limited** 12 November 1993 CO/1338/91 QBD, unreported.

¹²³ Although they are allowed to depart from this tariff on occasion, e.g. if a passenger has had their money stolen. This judgement must be made on a case by case basis. There is no blanket discretion.

¹²⁴ This is not always the case. For example in Dumfries and Galloway the fare is calculated based on the distance shown by taxi's mileometer rather than using a taximeter.

¹²⁵ Apart from the Department of the Environment in Northern Ireland, which may set fares for PHVs as well as taxis but in practice does not do so.

fares, whilst in other areas it is common for PHVs to have taximeters fitted and to charge the same fares as taxis.

Fare regulation in practice

- 6.11 The process for setting taxi fares differs between LAs. Statistics from the DfT show that in 35 per cent of authorities surveyed, the fare tariff is revised following requests from the taxi trade, and in 65 per cent the fare is revised on a regular basis, in most cases yearly.¹²⁶
- 6.12 The decision-making process for changing fare levels also differs widely. In London, a formula for fare increases has been established, based on changes to driver and vehicle costs. Outside London the standard process in many areas is for representatives of the taxi trade to put forward a proposed fare increase to the local council's licensing committee, which is then either approved or rejected. The law requires that any change to the fare tariff must be published in a local newspaper and deposited for inspection at the council offices for a minimum of 14 days. This allows members of the public to complain if they are unhappy with the proposed change. Some licensing authorities go further than this and directly consult with the public through focus groups and citizens' panels to get their views about taxi fares.¹²⁷
- 6.13 Table 6.1 illustrates the wide variety of different taxi tariffs throughout the UK.

¹²⁶ Department for Transport: Taxi and Private Hire Vehicles in England and Wales, 2001-2002.

¹²⁷ For example this practice occurs in Bristol, where a citizens' panel was consulted about the current level of taxi fares.

TABLE 6.1: MOST EXPENSIVE AND LEAST EXPENSIVE TAXI FARES BY LICENSING AUTHORITY:

Most expensive			Least expensive		
1	Luton (Airport)	£6.00	1	Hartlepool	£2.70
2	Vale of White Horse	£5.30	2	Alnwick	£2.80
	Epsom & Ewell	£5.20		Bolsover	£2.80
	Hertsmere	£5.20	3	North East Derbyshire	£2.90
	London	£5.20		North Lanarkshire	£2.90
3	Caradon	£5.10	4	Berwick on Tweed	£3.00
4	Adur	£5.00		Sedgefield	£3.00
	Brighton & Hove	£5.00		Warrington	£3.00
	Maidstone	£5.00	5	Blaenau Gwent	£3.10
	Sevenoaks	£5.00		Inverclyde	£3.10
	Tunbridge Wells	£5.00		North Tyneside	£3.10
				Thanet (Broadstairs)	£3.10

Source: Private Hire and Taxi Monthly, November 2003, based on a standard two mile daytime journey (The average UK fare is £3.93).

- 6.14 The level of fares in each area is likely to depend on a number of local factors including the bargaining power of the taxi trade, the affluence of taxi users in the area and the costs of providing taxi services. There is no obvious geographical pattern to explain the above results. We also have no evidence to suggest that fare levels differ between LAs with or without quantity controls.

Section 2: regulating taxi fares for on-street and rank hiring

- 6.15 This section sets out the rationale for fare regulation for rank and hail. In doing so we present theoretical and empirical evidence that underlies the rationale.
- 6.16 The legislation governing PHVs prevents them from plying for hire on the street or at ranks, so this section relates only to taxis.

Do taxi fares need to be regulated?

- 6.17 Fare regulation is intended to protect consumers from overcharging by taxis. In the 1993 Green Paper on taxis, the DfT stated that ‘ the control of taxi fares is justifiable, if at all, only because the consumer of taxi services at ranks or in the street is in a peculiarly weak position, cannot shop around, and is very vulnerable to overcharging’ .¹²⁸
- 6.18 There are two main arguments given in support of fare regulation:
- the structure of the market and the way it operates provides little incentive for price competition between licensed taxi drivers
 - to protect vulnerable consumers.

Lack of competition in the market

- 6.19 The way taxis are hired from the street and from ranks results in situations where there is little consumer pressure for taxis to compete on price.
- 6.20 Consumers hailing taxis from the street face high and uncertain search costs. Shopping around is not a realistic option. If they choose to turn down a taxi because it is too expensive the waiting time until the next taxi arrives is uncertain, as is the relative price and quality of the next taxi compared to the current one. Moreover, consumers cannot return to the original taxi if they cannot find a cheaper option. The first taxi that the consumer hails effectively makes a ‘take it or leave it’ offer, which the consumer has to assess with very limited information.¹²⁹

¹²⁸ Department for Transport: Taxis and Private Hire Vehicles: A Consultation Paper on the Future of taxi and Private Hire Vehicle Services in England and Wales, 1993

¹²⁹ See Diamond, P. (1971). ‘ A model of price adjustment’ , Journal of Economic Theory 3, p156-168. and Shreiber, C. (1975), ‘ The economic reasons for price and entry regulation of taxi cabs’ , Journal of Transport Economics and Policy 9, p268-279.

- 6.21 Similarly, when consumers hire taxis from taxi ranks they are generally required to take the first cab from the rank. On many ranks this is convention rather than necessity and could be changed, but on some ranks there is simply no room for taxis to pull out from the middle of the rank. Again there is no scope for consumer choice, and so no incentive for taxis to compete on price.
- 6.22 For price competition to occur, taxis need to be able to signal to consumers that they are cheaper and customers need to be able to exercise choice over which taxi they use. As described above, customers hiring taxis from ranks or in the street are usually not able to exercise choice. In contrast, when booking a taxi over the telephone consumers are often in a better position to shop around and find the best price.
- 6.23 Price competition is more likely to occur in situations where firm reputation and repeat business are important. For firms operating in the telephone booking sector the chance of repeat business is higher and taxi firms are able to increase future sales by lowering prices. In this situation price competition is more likely to occur.
- 6.24 Where firms operate in both the phone sector and the hail and rank sector, price competition in the phone booked sector can in theory translate into lower prices in the hail and rank sectors. This may occur where a firm has a recognisable brand and competition in the phone booked sector keeps prices low. Any temptation on the part of firms to increase prices in the hail and rank sector would be tempered by the risk of losing the low price reputation gained in the phone booking sector. However this effect is likely to be limited and there is no empirical evidence to support the theoretical argument.
- 6.25 Overall, the combination of the inherent nature of the on-street taxi service, the first in first out rule at ranks, high search costs and the weak bargaining position of consumers means that taxis operating at ranks and on the street are not constrained by the competitive forces which result from consumers shopping around. As a result there is an incentive to charge high prices in the absence of some form of fare regulation. Where taxis are booked by telephone the scope for consumers to shop around helps to constrain the prices taxis can charge.

Consumer protection

- 6.26 Fare regulation is particularly important for consumers in a vulnerable position where they are more susceptible to overcharging.
- 6.27 First, consumers such as disabled and older people are likely to be in an even weaker bargaining position than other consumers because they are less able to take alternative forms of transport. This means they may be liable to get charged even more than other consumers if fares were not regulated.
- 6.28 This problem also applies to consumers in particular vulnerable situations. For example, those trying to catch a taxi late at night who may be concerned about their personal safety will be in a particularly weak bargaining position and could be charged a high price by an unscrupulous taxi.
- 6.29 The second problem is that some consumers will simply be less well informed than others about the price of taxi services and alternatives to taxis and so will be in a weak bargaining position over the fare. Tourists are a good example of this type of poorly informed consumer.
- 6.30 In the absence of fare regulation, there is no mechanism that will prevent consumers in vulnerable situations being charged excessively for using taxis services.

What happens when fares are deregulated?

- 6.31 Ninety-five per cent of UK LAs responding to our survey who licence taxis also regulate taxi fares, so domestic evidence on fare deregulation is limited. There is some anecdotal evidence from those authorities that do not regulate fares which suggests that consumers are not being charged excessively for taxi services. However, these authorities are mainly in rural or semi-rural areas with the vast majority of work coming from telephone bookings. As explained above, this might have the effect of encouraging price competition.
- 6.32 There is some evidence on the effects of fare deregulation from countries and cities around the world that have deregulated taxi fares. The results of these deregulations are mixed and depend on a number of factors. These include local circumstances such as the structure of the taxi market, the level at which the fare was set prior to deregulation, and other regulatory changes that accompanied fare deregulation. For this reason, the results of fare deregulation outside the UK can only provide

an indication of the potential outcomes from taxi fare deregulation in the UK rather than a definitive answer.

- 6.33 The following, taken from our international study shows what happened in five countries that deregulated fares.¹³⁰ The effects of fare deregulation varied considerably between the five countries. In some cases deregulation has been a success whilst in others fare regulation has been re-introduced. This lack of a strong evidential base in support of fare deregulation is an important result in itself.

Sweden

- 6.34 Taxi fares were deregulated in Sweden in 1990. Fares increased initially in real terms but have since increased in line with inflation. The deregulation of fares coincided with the introduction of a 25 per cent value added tax on fares. The introduction of this tax distorted the immediate effect of price deregulation as a high proportion of the tax increase would have been passed on from taxi firms to consumers, so it is not clear whether the subsequent price increases were due to price deregulation or tax. In the years following price deregulation, fare increases have been smallest in large cities and greatest in rural areas. This may reflect a lack of competition in rural areas or simply higher costs associated with taxi provision in these areas which have been passed on directly to consumers.
- 6.35 Strict rules govern the information on fares that Swedish taxis must display. These include displaying the price of a standard 15 minute trip of 10km on the inside of the vehicle and also on the outside of the vehicle in lettering that is visible at least two metres away.
- 6.36 To encourage price competition between taxis, different ranks charge different fares and consumers can choose between ranks on the basis of their preferences about waiting times, fares and quality of vehicle.

¹³⁰ TOI: The Impact of taxi market regulation - An international comparison (annexe J).

New Zealand

- 6.37 In New Zealand taxi fares were deregulated in 1989. Fares have fallen in real terms in larger cities (by 15 to 25 per cent) while the results in smaller towns were ambiguous. The law requires that maximum fares must be registered with the Secretary of Transport and calibrated on the compulsory taxi meter. Individual taxis are free to set their own fares below this maximum. The fare must be displayed on the inside and outside of the vehicle.

Norway

- 6.38 Uniquely, taxi fares have been deregulated in some larger cities without any accompanying removal of entry controls. Where fares have been deregulated they have increased. Unlike Sweden and New Zealand fare deregulation has not been accompanied by strict rules about providing information on fares to consumers.

The Netherlands

- 6.39 In the Netherlands, since 2000, regulated fares instead of being fixed, have been set at maximum levels. Fares have risen. This is because the licensing authority has increased the maximum fare. Our study shows that there is some evidence of price competition occurring, based on reports of some taxis charging less than the maximum fare.

The United States

- 6.40 During the 1970s and 1980s, a number of US cities deregulated almost all aspects of their taxi services including fares. Following deregulation, fares increased in real terms in almost all cases and fare controls were subsequently re-introduced. Fare increases for street and rank hiring were greater than fare increases in the telephone booking sector. The effect was particularly clear in terms of increased fares at airport ranks.
- 6.41 It is not possible to draw overall conclusions from these international examples. It is clear that fare deregulation has in some cases led to increases in fares. However, it appears that strict requirements on fare setting and providing information to consumers may have contributed to the relative success of fare deregulation in New Zealand.

Potential problems of taxi fare regulation

- 6.42 Notwithstanding the benefits of fare regulation, it needs to be recognised that fixing fares at a particular level can cause problems in the way that the market works.
- 6.43 LAs have very limited information about the taxi market on which to base their fare setting decisions. In many areas of the UK, the taxi industry is highly fragmented so gathering information from firms difficult. If LAs set fares too low, this may lead to long queues of consumers waiting for taxis. If fares are set too high, this may lead to long queues of taxis waiting at ranks or cruising the streets looking for work.
- 6.44 Setting fixed taxi fares also reduces the scope for price changes to act as a signal for matching supply with demand as happens in a normal competitive market. Where fares are fixed rather than set as a maximum, the limited potential for taxi firms to compete on fares is removed completely. In the hail and rank sectors, price competition is likely to be very limited, but in others there is more scope for competition to occur. Examples are ranks that do not require the consumer to take the first taxi on the rank or areas where lots of cruising taxis make search costs lower.¹³¹
- 6.45 Furthermore, if taxis were allowed to charge higher fares at times of peak demand this would encourage more taxis to operate at these times. This would benefit consumers by reducing waiting times during periods of peak demand. LAs can help to reduce waiting times to some extent by setting peak and off-peak fare tariffs that encourage a greater supply of taxis at peak times and less at off peak times. Anecdotal evidence on this point comes from London where the Public Carriage Office and representatives of the Licensed Taxi Drivers Association have told us that recent increases in the fares tariff at night have encouraged more taxis onto the streets at these busy periods.

¹³¹ Halcrow: Impact of Taxi Regulation on Taxi Markets – Case Study (annexe D). For example, in Worcester passengers are not required to take the first cab from the rank. However there was no evidence that this leads to price competition among taxis.

Section 4: assessment of approaches to fare regulation

6.46 In arriving at our recommendations on fare regulation we considered the likely effects that would arise from different degrees of fare deregulation.

Full fare deregulation

6.47 A full fare deregulation option, where consumers negotiate fares with drivers, was rejected due to competition and consumer protection problems in the hailing and rank sectors as outlined above.

Partial fare deregulation

6.48 Another option considered was partial fare deregulation, which would involve taxi firms setting their own maximum fare tariffs and keeping maximum fares at that level for an obligatory minimum period. Firms would be required to display a standard sample fare so that it is visible outside the taxi. Partial fare deregulation has occurred in Sweden and in New Zealand. The strict rules on how companies set and display their fares protect vulnerable consumers from being over-charged.

6.49 Partial deregulation is only likely to be a success in areas where price signalling can be effective and where consumers can actually exercise choice (for example by not being forced to select the first taxi in a rank).

6.50 There are likely to be implementation problems with partial deregulation. For example if the law requires that all taxis display a standard sample fare for a three mile journey on the outside of the vehicle so that potential passengers can compare prices, taxis can set their tariffs so that the fare for a three mile journey is low but the fare for other journeys is higher. Consumers are therefore still faced with uncompetitive high fares for longer journeys. These problems could be overcome, but at a cost of making the information presented more complex and therefore less easy for consumers to understand.

6.51 For these reasons we do not recommend partial fare deregulation for the UK taxi market.

Setting the fare as a maximum

- 6.52 A third option is for LAs to continue setting fares, but instead of setting a mandatory fare that all taxis must charge, the fare should become a maximum and taxis could choose to charge below this maximum.¹³² This will facilitate price competition in the limited number of circumstances where consumers are able to exercise choice. As described above, these include ranks that do not require customers to take the first cab on the rank and areas with a lot of cruising taxis where search costs are lower.
- 6.53 In its 1993 Green Paper on taxi licensing, the DfT concluded that all taxi fares should be set as a maximum rather than a mandatory tariff and that this should be made clear to consumers. The current situation, where not all LAs make it clear in their tariff that the fare is a maximum, is confusing for consumers and is likely to reduce price competition. Only 25 per cent of the LAs that responded to our survey publish a fare tariff that clearly states the metered fare is a maximum – in the other 75 per cent there is no mention of the fact that taxis can charge less than the published tariff.
- 6.54 A potential argument for not allowing taxis to set prices below the published fare is to prevent price competition driving out competition in terms of quality or safety. However evidence from the PHV sector does not support this argument. In the PHV sector prices are not regulated and a wide variety of fare levels and quality levels co-exist, from high-priced chauffeur-driven executive cars to cheaper discount cabs that simply meet the minimum standards required by law. Furthermore, we consider that quality and safety are best controlled directly, through the setting of minimum standards that taxis and drivers must meet.

Section 5: conclusion and recommendations

- 6.55 There are arguments both in favour of and against fare regulation for taxis. The nature of the market means that consumers, particularly vulnerable consumers, derive greater benefit from the existence of fare regulation. Fare regulation protects consumers.

¹³² This is theoretically already possible in the UK except for London and Northern Ireland.

- 6.56 UK LAs should continue to regulate taxi fares. However, there are some measures that can be undertaken to improve competition in the licensed taxi market whilst retaining the benefits to consumers of fare regulation.

Recommendations based on this assessment

- 6.57 **We recommend that throughout the UK LAs should only set fare tariffs which represent the maximum that can be charged, and not set fixed or minimum fares. It should be made clear to consumers that they are able to negotiate on fares, for example, when ordering a taxi over the telephone. We also recommend that, where possible, LAs actively facilitate more price competition in the market, particularly in the rank and hail sectors of the market.**
- 6.58 It is for LAs to decide how this might occur. One method used in other countries involved taxis displaying their fare in the window or the outside of the cab, either in terms of the price for a standardised trip, or a percentage discount off the metered fare.

7 FURTHER ISSUES THAT IMPACT ON THE MARKET

Introduction and summary

- 7.1 While our study has focused on the impact of quantity, quality and safety and fare regulation in the UK taxi and PHV market we have also come across issues that, while they fall outside this remit are still affected by central or local government regulation and merit discussion.

Cross border hiring

- 7.2 Taxis can take passengers from within their licensed area to other LAs but cannot accept bookings for passengers or ply for hire outside the area in which they are licensed. PHVs can take passengers from any point to any other providing the PHV driver, vehicle and operator are licensed in the same area. We believe that the current position on cross border hiring adversely affects consumers and drivers to a limited extent but accept that local licensing and enforcement procedures make cross border hiring difficult to implement.
- 7.3 We note the DfT's intention to clarify/simplify the position on PHV cross border hiring via a Regulatory Reform Order (RRO) and suggest that further thought be given to the position of taxis in this area.

Zoning within one licensing authority

- 7.4 Around five per cent of LAs are divided into two or more licensing zones. These zones exist due to various local authority reorganisations. LAs do not have the power to create or merge zones only (with Secretary of State approval) to remove them completely. Zoning increases the number of cross border hiring problems. It also prevents the supply of LAs in one LA where quantity controls are in operation from responding to changes in demand throughout the day or over time.
- 7.5 We note the proposed DfT RRO which will remove the requirement for LAs to obtain Secretary of State approval to remove zones. We believe that LAs would bring greater clarity to the market if they remove zoning within their districts.

Single tier licensing

- 7.6 While we accept that there are arguments in favour of a single licensing regime, the UK two tier system of taxis and PHVs seems to work well in terms of offering choice to the consumer, particularly disabled and older passengers who require a range of vehicles to suit their individual needs. The current two tier system also allows some competition within the telephone sector and between the street/rank and telephone markets. Therefore we do not advocate moving to single tier licensing at this time. The main drawbacks of the two tier system are that consumers can find it hard to tell the difference between taxis and PHVs and where taxis cannot, or will not, fulfil periods of peak demand PHVs may be tempted to fill the gap by illegally plying for hire. We think that this problem will be reduced with the removal of quantity controls for taxis.

Taxi manufacturing/adapting industry

- 7.7 This industry will be affected by the implementation of Part V of the DDA95. Manufacturers wishing to produce wheelchair accessible vehicles for LAs requiring accessible taxis under DDA95 regulations, will have to meet DfT specifications for such vehicles. As the timetable for DDA95 implementation has slipped there has been an impact on the industry's R&D, and the buying decisions of those wishing to acquire a taxi. We welcome the DfT's recent announcement on the proposals and timetable for implementing the taxi provisions in the DDA95 by 2020 for LAs meeting the DfT's 'first phase' criteria.
- 7.8 The rest of this chapter looks at these issues in more detail. Section 1 looks at existing government policy for taxis, section 2 looks at the cross border hiring issue, section 3 at zoning, section 4 at the arguments for single tier licensing and section 5 at issues affecting taxi vehicle manufacturers and adaptors.

Section 1: government policy

The Department for Transport

1993 Green Paper – Taxis and Private Hire Vehicles

- 7.9 The last DfT policy document on taxis and PHVs was the 1993 Green Paper, 'Taxis and Private Hire Vehicles'. Although the paper was not a statement of DfT intentions it does give some indication of its views through discussion on a number of topics. These included the view that numerical limits on taxis vehicles should be removed, that there should be no age limits on vehicles, that minimum age and experience for drivers should be standardised across the country, and that zoning within LAs should be removed. On many of the key issues raised in the Green Paper, including the issue of numerical limits on vehicles, little action has been taken following the consultation. The exception is the issue of PHV licensing in London, where significant progress has been made since the Green Paper.
- 7.10 Subsequent documents issued by the DfT have either been more general, in terms of overarching transport policy which do not specifically refer to taxis or PHVs (for example 'Transport 2010 – The 10 Year Plan') or have related specifically to the DDA95.

1998 White Paper - A New Deal for Transport a Better Deal for Everyone

- 7.11 This White Paper views taxis as an important part of an integrated public transport system, filling the gaps in the broader transport system. LAs are asked to consider taxis in their local transport plans. The other main issue highlighted for LAs is that they should use their taxi and licensing powers to ensure that taxis and PHVs in their district are safe, comfortable, properly insured and available when and where required.

Disability Discrimination Act 1995

- 7.12 In 1997 the DfT consulted on wheelchair accessible vehicle specifications for implementation of the taxi provisions of DDA95.¹³³ The DfT has now announced a variation to its 1997 proposals and has confirmed that the implementation period for the DDA95 will run from 2010 to 2020 for those LAs meeting its 'first phase' criteria. LAs not

¹³³ Department for Transport: Disability Discrimination Act 1995, The Government's Proposals for Taxis, 1997

meeting this criteria will be issued with voluntary guidance on the vehicle mix and design parameters that they should consider. The DfT will monitor implementation of this guidance before deciding whether to apply the DDA95 taxi accessibility regulations throughout England and Wales. Scotland and Northern Ireland will carry out separate implementation.

Regulatory reform

7.13 The Government's Action Plan 2002 contains a number of proposals to use the streamlined order-making procedure in the Regulatory Reform Act 2001 to amend burdensome primary legislation. The DfT have put forward four actions affecting taxi and PHV regulation (in England and Wales outside London) for completion by Regulatory Reform Order. These are:

- to remove the need for Secretary of State approval for local authority resolutions to amalgamate taxi zones
- to standardise driver and operator licence duration
- to remove local authority powers to restrict taxi licence numbers in their area
- to clarify/simplify the position on PHV hirings across the borders of different licensing authorities.

7.14 As can be seen, the findings of our report agree that these represent areas of concern which we recommend addressing. To date no action has been taken to implement these proposals.

Devolved administrations

7.15 The implementation of DDA95 regulations relating to accessible vehicle specifications is a devolved matter for Scotland and Northern Ireland. They will be holding their own separate consultations on regulation implementation.¹³⁴

7.16 Licensing legislation is also a devolved matter for Scotland and Northern Ireland. Both have recently taken policy initiatives which impact on taxi licensing.

¹³⁴ Subject to the current arrangements during the suspense of devolution in Northern Ireland

Scotland

- 7.17 In 2002 the Scottish Ministers set up an independent task group to review the adequacy of licensing provisions contained in the Civic Government (Scotland) Act 1982 including the provisions relating to taxis and private hire cars (equivalent to PHVs). The Task Group will be reporting to Scottish Ministers shortly.

Northern Ireland

- 7.18 In 2003 the Northern Ireland Office undertook a review of taxi regulation in Northern Ireland. The objective of the review is to examine the principles, mechanisms and practices of the present system. This is with the aim of making recommendations to create an effective and equitable regulatory framework to promote road and public safety and fair competition. Final proposals are expected in late 2003.

Section 2: cross border hiring

- 7.19 A taxi is permitted to take passengers from within the area in which it is licensed to anywhere in the country. Taxis can also, theoretically at least, be hired in the area in which they are licensed to go from anywhere to anywhere in the country. However, the taxi vehicles cannot ply for hire at a rank or in the street outside their own licensing areas. For PHVs the rules are less strict. PHV firms can advertise and supply services anywhere in the country as long as the drivers vehicles and operator are all licensed by the same LA and the operator takes bookings from an office within the area of the LA where it is licensed. It remains unlawful, however, for a PHV operator to take a booking at premises outside the licensed area.
- 7.20 In practice, it is of course more likely that a taxi will be hired to take a passenger to a neighbouring LA, but will not be able to accept a fare that wishes to go from the neighbouring LA into the LA in which the taxi is licensed. Arguably, this has an adverse effect on consumers' freedom to hire taxis and taxis' ability to meet consumer demand.
- 7.21 We recognise that there are strong arguments for restricting the ability of taxis to offer services outside of the area in which they are licensed. Local regulations with regard to quality standards, topographical knowledge and fare levels could be different and enforcement of these conditions by licensing officers would be difficult if cross border hiring was allowed.

- 7.22 Furthermore, there could be problems with drivers abusing the system by registering in an area with low quality standards and then working full time in an area with higher quality standards.
- 7.23 We note the proposal by the DfT in the Government's 2002 Regulatory Reform Action Plan to clarify/simplify the position on PHV hirings across the borders of different LAs. We would like to see further thought given to simplifying the position for taxis as well.

Section 3: zoning within one licensing authority

- 7.24 In around five per cent of LAs the licensing area is divided into two or more zones. These zones exist as a result of various local government reorganisations. If a new authority comprised part of two or more post-reorganisation districts then each of those constituent parts constituted a zone for the purposes of taxi licensing. The LA can overcome this by seeking Secretary of State approval for an extension resolution under the Local Government Act 1972 but the only action that an LA can take is to remove all zones or accept the situation as it is. LAs do not have the power to create zones or to merge individual zones – unless merging zones has the effect of removing all zones.
- 7.25 Since these zones are licensing districts in their own right, they increase the number of cross border problems and again restrict supply from better meeting demand. Some authorities have argued that the removal of zones would mean that drivers would concentrate on those, primarily urban, areas where they can make most profit to the detriment of the, primarily rural, areas where demand is lower. This argument, given an absence of quantity control, does not stand up. Demand in rural areas is unlikely to reduce because zones are removed and if taxis found it was profitable to serve a particular area with zoning, it will be profitable afterwards. If some taxis did migrate to urban areas then others would take their place.
- 7.26 Under current legislation LAs are permitted to remove all licensing zones with approval of the Secretary of State for Transport. This regulation is due to be amended by an RRO which will enable LAs to amalgamate licensing zones without seeking approval from the Secretary of State.¹³⁵

¹³⁵ Cabinet Office: Regulatory Reform. The Government's Action Plan 2002.

- 7.27 We note the intention of the DfT to remove the legislative requirement for LAs to seek permission from the Secretary of State before amalgamating licensing zones. We think that LAs will bring greater clarity to the market if they remove zoning within their districts.

Section 4: Single tier and two tier licensing

- 7.28 Most of the countries examined during the course of our study do not differentiate between licensing those to undertake traditional taxi rank and hail work and those providing PHV type services booked in advance. The UK has a two tier system, where legislation makes for separate licensing requirements for taxis and PHVs.
- 7.29 We have considered, during the course of this study, whether a single tier licensing system would be appropriate for the UK market. There are advantages to a single licensing system. It is easier for passengers to understand and it can be simpler for LAs to administer and enforce. However, we have concluded that, for the present, the existing two tier system should be retained.
- 7.30 The two tier system can cause difficulties. The public often do not find it easy to tell the difference between taxis and PHVs and many consider them both to be taxis. Around a third of consumers surveyed during the course of unmet demand surveys¹³⁶ believe that both taxis and PHVs are allowed to pick up in the streets and at ranks. Of those who said that certain vehicles could not pick up in the street, only 58 per cent could actually demonstrate an understanding of the differences between taxis and PHVs.
- 7.31 In addition, some LAs have a problem with illegal plying for hire, particularly during the late-night peak periods. Sometimes the vehicles involved are licensed PHVs illegally plying for hire. The terms of insurance cover for PHVs mean that any passengers picked up by a PHV in the street without a prior booking arrangement may not be covered by the driver's insurance in the event of an accident. Although it is an offence to ply for hire without a taxi licence under section 45 of the Town Police Clauses Act 1847, police do not often seek to charge the offender. This is, in part, because in the interests of public order the police would rather see the streets cleared than prevent unlicensed plying for hire. Quantity

¹³⁶ Halcrow: Impact of Regulation on Taxi Markets - Consumer Survey (annexe C)

restrictions on the number of taxi vehicle licences can increase the extent of this problem.

- 7.32 However, in other respects the two tier system works well. It allows regulations to be targeted at the parts of the market where they are needed, without distorting the market in sectors where such regulation is unnecessary. Separate regulations for vehicles that only work in the phone-booked sector of the market, where competition and consumer protection issues are less of a problem, allows these vehicles to be subject to only minimal regulation. In contrast, taxis plying on the street and at ranks, where there is more need to protect consumers, are subject to much tighter regulations.
- 7.33 There is a clear difference in the characteristics of the telephone sector and the rank/hail sector. The former is generally served by PHVs although taxis do also operate, and the latter is served exclusively by taxis. The differing characteristics of these two services were the primary reason for the two tier system of taxi licensing that is now in place.
- 7.34 The two tier system also ensures some degree of choice for the consumer, in terms of vehicle type. This is particularly important for disabled and older consumers who will often require a particular type of vehicle, which is not necessarily the traditional, wheelchair accessible black cab. The system also allows some competition and choice on both quality and price in the telephone market and, to a lesser extent, between the rank/hail and telephone markets.
- 7.35 On balance, we believe there are good reasons for maintaining the two tier approach. We therefore do not advocate a move to a single tier licensing system.

Section 5: Taxi manufacturers and adaptors

- 7.36 A number of companies in the UK manufacture and/or supply taxi vehicles. As each LA has different vehicle licensing specifications, most of these models do not meet every authority's requirements. Accordingly most of the manufacturers/suppliers are not able to compete on a national level but instead the boundary of their UK market is set by local vehicle licensing conditions.
- 7.37 The structure of the market for the manufacturing of taxi vehicles has been influenced by wheelchair-accessibility requirements and by vehicles being produced to meet the MCF, set and administered by the Public

Carriage Office. The taxi vehicle supply industry can be split in two groups of companies. One group make purpose built taxis to meet the MCF. These vehicles look like the traditional perception of a 'London Black Cab'. The other group of companies produce vehicles adapted from multi-person vehicles for wheelchair access. These converted vehicles meet European 'M1' safety standards but do not meet all the requirements of the MCF.

- 7.38 Both types of vehicle, whether purpose built or converted, are accessible to those who wish to remain in their wheelchair whilst travelling. As disabled people have a range of different requirements it is important that there is a range of taxi vehicles that are able to meet their varied needs.
- 7.39 The technical specifications of vehicles from both groups of manufacturers will be affected by the implementation of Part V of the DDA95 which will require all taxis to meet certain specifications, including wheelchair accessibility. The DfT is working on the technical specifications that these vehicles will have to adhere to. The DfT has confirmed that the implementation period for the taxi provisions in Part V DDA95 will run from 2010 to 2020 for those LA's meeting its 'first phase' criteria in England and Wales. LAs not meeting these criteria will be issued with voluntary guidance on the vehicle mix and design parameters they should consider applying. The effectiveness of this guidance will be monitored by the DfT before deciding whether DDA95 taxi accessibility regulations should be extended to all LAs in England and Wales. The DfT's proposals will be subject to a full public consultation. DDA95 implementation in Scotland and Northern Ireland is a devolved matter so they will carry out their own separate consultations on taxi accessibility regulations.
- 7.40 We believe that the recent DfT announcement on how it intends to implement the taxi provisions in DDA95 will reduce the uncertainty experienced by the taxi manufacturing industry. This uncertainty has impacted on the manufacturers' long term research and development and the decisions of those wishing to buy a taxi.

- 7.41 In addition, the implementation of the DDA95 taxi accessibility vehicle specifications will provide a national benchmark for LAs when considering access for disabled travellers. The vehicles currently being manufactured as taxis are able to meet a range of the needs of the disabled traveller but, at present, their utilisation within each LA varies according to local policy and taxi licensing conditions.

8 GLOSSARY

Cross border hiring

The act of booking a taxi outside of its licensed area of operation.

Disability Discrimination Act 1995 (DDA95)

Government legislation. Regulations under section 32 in Part V of the DDA95 can set out specifications for a taxi vehicle to ensure the vehicle is accessible for disabled people.

Fare regulation

Regulations that give licensing authorities the power to regulate the fares that licensed taxis charge (but not private hire vehicles). This is done by setting a tariff mandatory (fixed) or maximum fare, or a tariff of maximum and minimum fares.

Hailing

The act by a passenger of flagging down a taxi in the street (private hire vehicles cannot be hailed).

Illegal taxi

A totally unlicensed vehicle being used to ply for hire.

Latent demand

For the purposes of this report we define latent demand as the situation where consumers in areas with quantity controls are discouraged from using taxis by long waiting times and so do even bother to queue for a taxi. This type of demand is hidden because it does not present itself in the form of long queues but it is nonetheless an important source of unmet demand.

Licence shortage premium value

The value that can be obtained when selling a licensed taxi in an area where the licensing authority restricts the quantities of licensed taxis. This value is over and above both the administrative fees charged by licensing authorities that issue and renew the licence and the value of an unlicensed vehicle. The licence shortage premium reflects the value of the licence in areas where quantity restrictions apply.

Licensing authority (LA)

A local authority insofar as it is empowered to issue and regulate licences.

Mandatory fare

A fare tariff set by LAs for taxis which should always be applied.

Maximum fare

A ceiling fare tariff set by LAs for taxis which represents the maximum that can be charged but allows the taxi driver to charge less.

Metropolitan Conditions of Fitness (MCF)

Taxis safety and quality requirements devised by the Public Carriage Office for London.

Operator

A person who is licensed to operate a private hire business by taking bookings for private hire vehicles.

Phone booked sector/ pre-booked sector

A market sector in which vehicles are pre-booked over the phone. This sector includes both private hire vehicles and taxis.

Plying for hire

The action of searching for a passenger on the street or at a taxi rank.

Private hire vehicle (PHV)

A vehicle which is licensed to carry up to eight passengers who have pre-booked but which is not licensed to ply for hire.

Quality regulation

Regulation by LAs of the quality and safety of PHV and taxi owners, drivers, vehicles and in the case of PHVs, operators.

Quantity regulation

Regulation by LAs of the number of taxi (but not PHV) vehicle licences in issue within their licensing areas.

Single tier licensing

A licensing system in which all vehicles are licensed both to ply for hire and to carry passengers who have pre-booked. In a single tier system there is no distinction between taxis and PHVs.

Taxi

A licensed vehicle which can ply for hire and take pre booked fares.

Taxi proprietor

A taxi owner.

Taximeter

An appliance attached to the tachometer in a taxi or PHV vehicle that is used to calculate the total fare for a journey based upon a fare tariff set by reference to time and/or distance.

Two tier licensing

A licensing system in which some vehicles and drivers are licensed only to carry pre-booked passengers and some which are licensed to carry pre-booked passenger and to ply for hire. In the UK this results in two forms of licensed hire vehicle: a taxi and a PHV.

Unmet demand survey

A survey which measures patent unmet demand by observing how long passengers wait for taxis. Often the survey will make some attempt to also capture latent demand through consumer surveys but these are unable to establish the true extent of latent demand.

Wheelchair accessible vehicle

A vehicle which is designed to be accessible to those needing a wheelchair.

Zoning

Where a licensing authority licenses taxis to operate only in a limited are, or zone within the total licensing area. A taxi licensed for one zone cannot lawfully ply for hire outside of that zone.

Acronyms

DDA95 - The Disability Discrimination Act 1995

DfT - Department for Transport

LA - Licensing Authority

LPG - Liquid Petroleum Gas

MCF - Metropolitan Conditions of Fitness

NATPHLEO - National Association of Taxi and Private Hire Licensing and Enforcement Officers

PCO - Public Carriage Office

PHV - Private hire vehicle

RADAR - The Royal Association for Disability and Rehabilitation

R & D - Research and development

TfL - Transport for London

TNS - Taylor Nelson Sofres plc

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**TAXI AND PRIVATE HIRE VEHICLE LICENSING:
BEST PRACTICE GUIDANCE**

March 2010

TAXI AND PRIVATE HIRE VEHICLE LICENSING: BEST PRACTICE GUIDANCE

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INTRODUCTION

1. The Department first issued Best Practice Guidance in October 2006 to assist those local authorities in England and Wales that have responsibility for the regulation of the taxi and private hire vehicle (PHV) trades.
2. It is clear that many licensing authorities considered their licensing policies in the context of the Guidance. That is most encouraging.
3. However, in order to keep our Guidance relevant and up to date, we embarked on a revision. We took account of feedback from the initial version and we consulted stakeholders in producing this revised version.
4. The key premise remains the same - it is for individual licensing authorities to reach their own decisions both on overall policies and on individual licensing matters, in the light of their own views of the relevant considerations. This Guidance is intended to assist licensing authorities but it is only guidance and decisions on any matters remain a matter for the authority concerned.
5. We have not introduced changes simply for the sake of it. Accordingly, the bulk of the Guidance is unchanged. What we have done is focus on issues involving a new policy (for example trailing the introduction of the Safeguarding Vulnerable Groups legislation); or where we consider that the advice could be elaborated (eg enforcement); or where progress has been made since October 2006 (eg the stretched limousine guidance note has now been published).

THE ROLE OF TAXIS AND PHVs

6. Taxis (more formally known as hackney carriages) and PHVs (or minicabs as some of them are known) play an important part in local transport. In 2008, the average person made 11 trips in taxis or private hire vehicles. Taxis and PHVs are used by all social groups; low-income young women (amongst whom car ownership is low) are one of the largest groups of users.
7. Taxis and PHVs are also increasingly used in innovative ways - for example as taxi-buses - to provide innovative local transport services (see paras 92-95)

THE ROLE OF LICENSING: POLICY JUSTIFICATION

8. The aim of local authority licensing of the taxi and PHV trades is to protect the public. Local licensing authorities will also be aware that the public should have reasonable access to taxi and PHV services, because of the part they play in local transport provision. Licensing requirements which are unduly stringent will tend unreasonably to restrict the supply of taxi and PHV services, by putting up the cost of operation or otherwise restricting entry to the trade. Local licensing authorities should recognise that too restrictive an approach can work against the public interest – and can, indeed, have safety implications.

9. For example, it is clearly important that somebody using a taxi or PHV to go home alone late at night should be confident that the driver does not have a criminal record for assault and that the vehicle is safe. But on the other hand, if the supply of taxis or PHVs has been unduly constrained by onerous licensing conditions, then that person's safety might be put at risk by having to wait on late-night streets for a taxi or PHV to arrive; he or she might even be tempted to enter an unlicensed vehicle with an unlicensed driver illegally plying for hire.

10. Local licensing authorities will, therefore, want to be sure that each of their various licensing requirements is in proportion to the risk it aims to address; or, to put it another way, whether the cost of a requirement in terms of its effect on the availability of transport to the public is at least matched by the benefit to the public, for example through increased safety. This is not to propose that a detailed, quantitative, cost-benefit assessment should be made in each case; but it is to urge local licensing authorities to look carefully at the costs – financial or otherwise – imposed by each of their licensing policies. It is suggested they should ask themselves whether those costs are really commensurate with the benefits a policy is meant to achieve.

SCOPE OF THE GUIDANCE

11. This guidance deliberately does not seek to cover the whole range of possible licensing requirements. Instead it seeks to concentrate only on those issues that have caused difficulty in the past or that seem of particular significance. Nor for the most part does the guidance seek to set out the law on taxi and PHV licensing, which for England and Wales contains many complexities. Local licensing authorities will appreciate that it is for them to seek their own legal advice.

CONSULTATION AT THE LOCAL LEVEL

12. It is good practice for local authorities to consult about any significant proposed changes in licensing rules. Such consultation should include not only the taxi and PHV trades but also groups likely to be the trades' customers. Examples are groups representing disabled people, or Chambers of Commerce, organisations with a wider transport interest (eg the Campaign for Better Transport and other transport providers), womens' groups or local traders.

ACCESSIBILITY

13. The Minister of State for Transport has now announced the way forward on accessibility for taxis and PHVs. His statement can be viewed on the Department's website at: <http://www.dft.gov.uk/press/speechesstatements/statements/accesstotaxis>. The Department will be taking forward demonstration schemes in three local authority areas to research the needs of people with disabilities in order to produce guidance about the most appropriate provision. In the meantime, the Department recognises that some local licensing authorities will want to make progress on enhancing accessible taxi provision and the guidance outlined below constitutes the Department's advice on how this might be achieved in advance of the comprehensive and dedicated guidance which will arise from the demonstration schemes.

14. Different accessibility considerations apply between taxis and PHVs. Taxis can be hired on the spot, in the street or at a rank, by the customer dealing directly with a driver. PHVs can only be booked through an operator. It is important that a disabled person should be able to hire a taxi on the spot with the minimum delay or inconvenience, and having accessible taxis available helps to make that possible. For PHVs, it may be more appropriate for a local authority to license any type of saloon car, noting that some PHV operators offer accessible vehicles in their fleet. The Department has produced a leaflet on the ergonomic requirements for accessible taxis that is available from:

<http://www.dft.gov.uk/transportforyou/access/taxis/pubs/research>

15. The Department is aware that, in some cases, taxi drivers are reluctant to pick up disabled people. This may be because drivers are unsure about how to deal with disabled people, they believe it will take longer for disabled people to get in and out of the taxi and so they may lose other fares, or they are unsure about insurance arrangements if anything goes wrong. It should be remembered that this is no excuse for refusing to pick up disabled people and that the taxi industry has a duty to provide a service to disabled people in the same way as it provides a service to any other passenger. Licensing authorities should do what they can to work with operators, drivers and trade bodies in their area to improve drivers' awareness of the needs of disabled people, encourage them to overcome any reluctance or bad practice, and to improve their abilities and confidence. Local licensing authorities should also encourage their drivers to undertake disability awareness training, perhaps as part of the course mentioned in the training section of this guidance that is available through Go-Skills.

16. In relation to enforcement, licensing authorities will know that section 36 of the Disability Discrimination Act 1995 (DDA) was partially commenced by enactment of the Local Transport Act 2008. The duties contained in this section of the DDA apply only to those vehicles deemed accessible by the local authority being used on "taxibus" services. This applies to both hackney carriages and private hire vehicles.

17. Section 36 imposes certain duties on drivers of "taxibuses" to provide assistance to people in wheelchairs, to carry them in safety and not to charge extra for doing so. Failure to abide by these duties could lead to prosecution through a Magistrates' court and a maximum fine of £1,000.

18. Local authorities can take action against non-taxibus drivers who do not abide by their duties under section 36 of the DDA (see below). This could involve for example using licence conditions to implement training requirements or, ultimately, powers to suspend or revoke licences. Some local authorities use points systems and will take certain enforcement actions should drivers accumulate a certain number of points

19. There are plans to modify section 36 of the DDA. The Local Transport Act 2008 applied the duties to assist disabled passengers to drivers of taxis and PHVs whilst being used to provide local services. The Equality Bill which is currently on its passage through Parliament would extend the duties to drivers of taxis and PHVs whilst operating conventional services using wheelchair accessible vehicles. Licensing authorities will be informed if the change is enacted and Regulations will have to be made to deal with exemptions from the duties for drivers who are unable, on medical grounds to fulfil the duties.

Duties to carry assistance dogs

20. Since 31 March 2001, licensed taxi drivers in England and Wales have been under a duty (under section 37 of the DDA) to carry guide, hearing and other prescribed assistance dogs in their taxis without additional charge. Drivers who have a medical condition that is aggravated by exposure to dogs may apply to their licensing authority for an exemption from the duty on medical grounds. Any other driver who fails to comply with the duty could be prosecuted through a Magistrates' court and is liable to a fine of up to £1,000. Similar duties covering PHV operators and drivers have been in force since 31 March 2004.

21. Enforcement of this duty is the responsibility of local licensing authorities. It is therefore for authorities to decide whether breaches should be pursued through the courts or considered as part of the licensing enforcement regime, having regard to guidance issued by the Department.

<http://www.dft.gov.uk/transportforyou/access/taxis/pubs/taxis/carriageofassistancedogsinta6154?page=2>

Duties under the Part 3 of the DDA

22. The Disability Discrimination Act 2005 amended the DDA 1995 and lifted the exemption in Part 3 of that Act for operators of transport vehicles. Regulations applying Part 3 to vehicles used to provide public transport services, including taxis and PHVs, hire services and breakdown services came into force on 4 December 2006. Taxi drivers now have a duty to ensure disabled people are not discriminated against or treated less favourably. In order to meet these new duties, licensing authorities are required to review any practices, policies and procedures that make it impossible or unreasonably difficult for a disabled person to use their services.

23. The Disability Rights Commission, before it was incorporated into the Equality and Human Rights Commission, produced a Code of Practice to explain the Part 3 duties for the transport industry; this is available at http://www.equalityhumanrights.com/uploaded_files/code_of_practice_provision_and_use_of_transport_vehicles_dda.pdf. There is an expectation that Part 3 duties also now demand new skills and training; this is available through GoSkills, the sector skills council for road passenger transport. Go-Skills has also produced a DVD about assisting disabled passengers. Further details are provided in the training section of this guidance.

24. Local Authorities may wish to consider how to use available courses to reinforce the duties drivers are required to discharge under section 3 of DDA, and also to promote customer service standards for example through GoSkills.

25. In addition recognition has been made of a requirement of basic skills prior to undertaking any formal training. On-line tools are available to assess this requirement prior to undertaking formal training.

VEHICLES

Specification Of Vehicle Types That May Be Licensed

26. The legislation gives local authorities a wide range of discretion over the types of vehicle that they can license as taxis or PHVs. Some authorities specify conditions that in practice can only be met by purpose-built vehicles but the majority license a range of vehicles.

27. Normally, the best practice is for local licensing authorities to adopt the principle of specifying as many different types of vehicle as possible. Indeed, local authorities might usefully set down a range of general criteria, leaving it open to the taxi and PHV trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way there can be flexibility for new vehicle types to be readily taken into account.

28. It is suggested that local licensing authorities should give very careful consideration to a policy which automatically rules out particular types of vehicle or prescribes only one type or a small number of types of vehicle. For example, the Department believes authorities should be particularly cautious about specifying only purpose-built taxis, with the strict constraint on supply that that implies. But of course the purpose-built vehicles are amongst those which a local authority could be expected to license. Similarly, it may be too restrictive to automatically rule out considering Multi-Purpose Vehicles, or to license them for fewer passengers than their seating capacity (provided of course that the capacity of the vehicle is not more than eight passengers).

29. The owners and drivers of vehicles may want to make appropriate adaptations to their vehicles to help improve the personal security of the drivers. Licensing authorities should look favourably on such adaptations, but, as mentioned in paragraph 35 below, they may wish to ensure that modifications are present when the vehicle is tested and not made after the testing stage.

Tinted windows

30. The minimum light transmission for glass in front of, and to the side of, the driver is 70%. Vehicles may be manufactured with glass that is darker than this fitted to windows rearward of the driver, especially in estate and people carrier style vehicles. When licensing vehicles, authorities should be mindful of this as well as the large costs and inconvenience associated with changing glass that conforms to both Type Approval and Construction and Use Regulations.

Imported vehicles: type approval (see also “stretched limousines”, paras 40-44 below)

31. It may be that from time to time a local authority will be asked to license as a taxi or PHV a vehicle that has been imported independently (that is, by somebody other than the manufacturer). Such a vehicle might meet the local authority's criteria for licensing, but the local authority may nonetheless be uncertain about the wider rules for foreign vehicles being used in the UK. Such vehicles will be subject to the 'type approval' rules. For

passenger cars up to 10 years old at the time of first GB registration, this means meeting the technical standards of either:

- a European Whole Vehicle Type approval;
- a British National Type approval; or
- a Individual Vehicle Approval.

Most registration certificates issued since late 1998 should indicate the approval status of the vehicle. The technical standards applied (and the safety and environmental risks covered) under each of the above are proportionate to the number of vehicles entering service. Further information about these requirements and the procedures for licensing and registering imported vehicles can be seen at

www.businesslink.gov.uk/vehicleapprovalschemes

Vehicle Testing

32. There is considerable variation between local licensing authorities on vehicle testing, including the related question of age limits. The following can be regarded as best practice:

- **Frequency Of Tests.** The legal requirement is that all taxis should be subject to an MOT test or its equivalent once a year. For PHVs the requirement is for an annual test after the vehicle is three years old. An annual test for licensed vehicles of whatever age (that is, including vehicles that are less than three years old) seems appropriate in most cases, unless local conditions suggest that more frequent tests are necessary. However, more frequent tests may be appropriate for older vehicles (see 'age limits' below). Local licensing authorities may wish to note that a review carried out by the National Society for Cleaner Air in 2005 found that taxis were more likely than other vehicles to fail an emissions test. This finding, perhaps suggests that emissions testing should be carried out on ad hoc basis and more frequently than the full vehicle test.
- **Criteria For Tests.** Similarly, for mechanical matters it seems appropriate to apply the same criteria as those for the MOT test to taxis and PHVs*. The MOT test on vehicles first used after 31 March 1987 includes checking of all seat belts. However, taxis and PHVs provide a service to the public, so it is also appropriate to set criteria for the internal condition of the vehicle, though these should not be unreasonably onerous.

*A manual outlining the method of testing and reasons for failure of all MOT tested items can be obtained from the Stationary Office see
<http://www.tsoshop.co.uk/bookstore.asp?FO=1159966&Action=Book&From=SearchResults&ProductID=0115525726>

- **Age Limits.** It is perfectly possible for an older vehicle to be in good condition. So the setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles - for example, twice-yearly tests for vehicles more than five years old.

- **Number Of Testing Stations.** There is sometimes criticism that local authorities provide only one testing centre for their area (which may be geographically extensive). So it is good practice for local authorities to consider having more than one testing station. There could be an advantage in contracting out the testing work, and to different garages. In that way the licensing authority can benefit from competition in costs. (The Vehicle Operators and Standards Agency – VOSA – may be able to assist where there are local difficulties in provision of testing stations.)

33. The Technical Officer Group of the Public Authority Transport Network has produced Best Practice Guidance which focuses on national inspection standards for taxis and PHVs. Local licensing authorities might find it helpful to refer to the testing standards set out in this guidance in carrying out their licensing responsibilities. The PATN can be accessed via the Freight Transport Association.

Personal security

34. The personal security of taxi and PHV drivers and staff needs to be considered. The Crime and Disorder Act 1998 requires local authorities and others to consider crime and disorder reduction while exercising all of their duties. Crime and Disorder Reduction Partnerships are also required to invite public transport providers and operators to participate in the partnerships. Research has shown that anti-social behaviour and crime affects taxi and PHV drivers and control centre staff. It is therefore important that the personal security of these people is considered.

35. The owners and drivers of vehicles will often want to install security measures to protect the driver. Local licensing authorities may not want to insist on such measures, on the grounds that they are best left to the judgement of the owners and drivers themselves. But it is good practice for licensing authorities to look sympathetically on - or actively to encourage - their installation. They could include a screen between driver and passengers, or CCTV. Care however should be taken that security measures within the vehicle do not impede a disabled passenger's ability to communicate with the driver. In addition, licensing authorities may wish to ensure that such modifications are present when the vehicle is tested and not made after the testing stage.

36. There is extensive information on the use of CCTV, including as part of measures to reduce crime, on the Home Office website (e.g. <http://scienceandresearch.homeoffice.gov.uk/hosdb/cctv-imaging-technology/CCTV-and-imaging-publications>) and on the Information Commission's Office website (www.ico.gov.uk). CCTV can be both a deterrent to would-be trouble makers and be a source of evidence in the case of disputes between drivers and passengers and other incidents. There is a variety of funding sources being used for the implementation of security measures for example, from community safety partnerships, local authorities and drivers themselves.

37. Other security measures include guidance, talks by the local police and conflict avoidance training. The Department has recently issued guidance for taxi and PHV drivers to help them improve their personal security. These can be accessed on the Department's website at: <http://www.dft.gov.uk/pgr/crime/taxiphv/>.

In order to emphasise the reciprocal aspect of the taxi/PHV service, licensing authorities might consider drawing up signs or notices which set out not only what passengers can expect from drivers, but also what drivers can expect from passengers who use their service. Annex B contains two samples which are included for illustrative purposes but local authorities are encouraged to formulate their own, in the light of local conditions and circumstances. Licensing authorities may want to encourage the taxi and PHV trades to build good links with the local police force, including participation in any Crime and Disorder Reduction Partnerships.

Vehicle Identification

38. Members of the public can often confuse PHVs with taxis, failing to realise that PHVs are not available for immediate hire and that a PHV driver cannot be hailed. So it is important to distinguish between the two types of vehicle. Possible approaches might be:

- a licence condition that prohibits PHVs from displaying any identification at all apart from the local authority licence plate or disc. The licence plate is a helpful indicator of licensed status and, as such, it helps identification if licence plates are displayed on the front as well as the rear of vehicles. However, requiring some additional clearer form of identification can be seen as best practice. This is for two reasons: firstly, to ensure a more positive statement that the vehicle cannot be hired immediately through the driver; and secondly because it is quite reasonable, and in the interests of the travelling public, for a PHV operator to be able to state on the vehicle the contact details for hiring;
- a licence condition which requires a sign on the vehicle in a specified form. This will often be a sign of a specified size and shape which identifies the operator (with a telephone number for bookings) and the local licensing authority, and which also has some words such as 'pre-booked only'. This approach seems the best practice; it identifies the vehicle as private hire and helps to avoid confusion with a taxi, but also gives useful information to the public wishing to make a booking. It is good practice for vehicle identification for PHVs to include the contact details of the operator.
- Another approach, possibly in conjunction with the previous option, is a requirement for a roof-mounted, permanently illuminated sign with words such as 'pre-booked only'. But it can be argued that any roof-mounted sign, however unambiguous its words, is liable to create confusion with a taxi. So roof-mounted signs on PHVs are not seen as best practice.

Environmental Considerations

39. Local licensing authorities, in discussion with those responsible for environmental health issues, will wish to consider how far their vehicle licensing policies can and should support any local environmental policies that the local authority may have adopted. This will be of particular importance in designated Air Quality Management Areas (AQMAs), Local authorities may, for example, wish to consider setting vehicle emissions standards for taxis and PHVs. However, local authorities would need to carefully and thoroughly

assess the impact of introducing such a policy; for example, the effect on the supply of taxis and PHVs in the area would be an important consideration in deciding the standards, if any, to be set. They should also bear in mind the need to ensure that the benefits of any policies outweigh the costs (in whatever form).

Stretched Limousines

40. Local licensing authorities are sometimes asked to license stretched limousines as PHVs. It is suggested that local authorities should approach such requests on the basis that these vehicles – where they have fewer than nine passenger seats - have a legitimate role to play in the private hire trade, meeting a public demand. Indeed, the Department's view is that it is not a legitimate course of action for licensing authorities to adopt policies that exclude limousines as a matter of principle and that any authorities which do adopt such practices are leaving themselves open to legal challenge. A policy of excluding limousines creates an unacceptable risk to the travelling public, as it would inevitably lead to higher levels of unlawful operation. Public safety considerations are best supported by policies that allow respectable, safe operators to obtain licences on the same basis as other private hire vehicle operators. The Department has now issued guidance on the licensing arrangements for stretched limousines. This can be accessed on the Department's web-site at <http://www.dft.gov.uk/pgr/regional/taxis/stretchlimousines.pdf>.

41. The limousine guidance makes it clear that most operations are likely to fall within the PHV licensing category and not into the small bus category. VOSA will be advising limousine owners that if they intend to provide a private hire service then they should go to the local authority for PHV licences. The Department would expect licensing authorities to assess applications on their merits; and, as necessary, to be proactive in ascertaining whether any limousine operators might already be providing an unlicensed service within their district.

42. Imported stretched limousines were historically checked for compliance with regulations under the Single Vehicle Approval (SVA) inspection regime before they were registered. This is now the Individual Vehicle Approval (IVA) scheme. The IVA test verifies that the converted vehicle is built to certain safety and environmental standards. A licensing authority might wish to confirm that an imported vehicle was indeed tested by VOSA for IVA before being registered and licensed (taxed) by DVLA. This can be done either by checking the V5C (Registration Certificate) of the vehicle, which may refer to IVA under the "Special Note" section; or by writing to VOSA, Ellipse, Padley Road, Swansea, SA1 8AN, including details of the vehicle's make and model, registration number and VIN number.

43. Stretched limousines which clearly have more than 8 passenger seats should not of course be licensed as PHVs because they are outside the licensing regime for PHVs. However, under some circumstances the SVA regime accepted vehicles with space for more than 8 passengers, particularly where the precise number of passenger seats was hard to determine. In these circumstances, if the vehicle had obtained an SVA certificate, the authority should consider the case on its merits in deciding whether to license the vehicle under the strict condition that the vehicle will not be used to carry more than 8 passengers, bearing in mind that refusal may encourage illegal private hire operation.

44. Many councils are concerned that the size of limousines prevents them being tested in conventional MoT garages. If there is not a suitable MoT testing station in the area then it would be possible to test the vehicle at the local VOSA test stations. The local enforcement office may be able to advise (contact details on <http://www.vosa.gov.uk>).

QUANTITY RESTRICTIONS OF TAXI LICENCES OUTSIDE LONDON

45. 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'.

46. 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.

47. 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 a deterioration in the amount or quality of taxi service provision?

48. 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.

49. 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.

50. 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.

51. 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 Local Transport Plan process. A recommended list of questions for local authorities to address when considering quantity controls was attached to the Department's letter. (The questions are listed in Annex A to this Guidance.)

TAXI FARES

52. Local licensing authorities have the power to set taxi fares for journeys within their area, and most do so. (There is no power to set PHV fares.) Fare scales should be designed with a view to practicality. The Department sees it as good practice to review the fare scales at regular intervals, including any graduation of the fare scale by time of day or day of the week. Authorities may wish to consider adopting a simple formula for

deciding on fare revisions as this will increase understanding and improve the transparency of the process. The Department also suggests that in reviewing fares authorities should pay particular regard to the needs of the travelling public, with reference both to what it is reasonable to expect people to pay but also to the need to give taxi drivers sufficient incentive to provide a service when it is needed. There may well be a case for higher fares at times of higher demand.

53. Taxi fares are a maximum, and in principle are open to downward negotiation between passenger and driver. It is not good practice to encourage such negotiations at ranks, or for on-street hailings; there would be risks of confusion and security problems. But local licensing authorities can usefully make it clear that published fares are a maximum, especially in the context of telephone bookings, where the customer benefits from competition. There is more likely to be a choice of taxi operators for telephone bookings, and there is scope for differentiation of services to the customer's advantage (for example, lower fares off-peak or for pensioners).

54. There is a case for allowing any taxi operators who wish to do so to make it clear – perhaps by advertising on the vehicle – that they charge less than the maximum fare; publicity such as ‘5% below the metered fare’ might be an example.

DRIVERS

Duration Of Licences

55. It is obviously important for safety reasons that drivers should be licensed. But it is not necessarily good practice to require licences to be renewed annually. That can impose an undue burden on drivers and licensing authorities alike. Three years is the legal maximum period and is in general the best approach. One argument against 3-year licences has been that a criminal offence may be committed, and not notified, during the duration of the licence. But this can of course also be the case during the duration of a shorter licence. In relation to this, authorities will wish to note that the Home Office in April 2006 issued revised guidance for police forces on the Notifiable Occupations Scheme. Paragraphs 62-65 below provide further information about this scheme.

56. However, an annual licence may be preferred by some drivers. That may be because they have plans to move to a different job or a different area, or because they cannot easily pay the fee for a three-year licence, if it is larger than the fee for an annual one. So it can be good practice to offer drivers the choice of an annual licence or a three-year licence.

Acceptance of driving licences from other EU member states

57. Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 as enacted stated that an applicant for a taxi or private hire vehicle (PHV) driver's licence must have held a full ordinary GB driving licence for at least 12 months in order to be granted a taxi or PHV driver's licence. This requirement has subsequently been amended since the 1976 Act was passed. The Driving Licences (Community Driving Licence) Regulations 1996 (SI 1996 No 1974) amended sections 51 and 59 of the 1976 Act to allow full driving licences issued by EEA states to count towards the qualification

requirements for the grant of taxi and PHV driver's licences. Since that time, a number of central and eastern European states have joined the EU and the EEA and the Department takes the view that drivers from the Accession States are eligible to acquire a taxi or PHV driver's licence under the 1976 Act if they have held an ordinary driving licence for 12 months which was issued by an acceding State (see section 99A(i) of the Road Traffic Act 1988). To complete the picture, the Deregulation (Taxis and Private Hire Vehicles) Order 1998 (SI 1998 No 1946) gave equal recognition to Northern Ireland driving licences for the purposes of taxi and PHV driver licensing under the 1976 Act (see section 109(i) of the Road Traffic Act 1988, as amended).

Criminal Record Checks

58. A criminal record check is an important safety measure particularly for those working closely with children and the vulnerable. Taxi and PHV drivers can be subject to a Standard Disclosure (and for those working in "Regulated Activity" to an Enhanced Disclosure) through the Criminal Records Bureau. Both levels of Disclosure include details of spent and unspent convictions, cautions reprimands and final warnings. An Enhanced Disclosure may also include any other information held in police records that is considered relevant by the police, for example, details of minor offences, non-conviction information on the Police National Computer such as Fixed Penalty Notices and, in some cases, allegations. An Enhanced Disclosure is for those working in Regulated Activity¹ and the Government has produced guidance in relation to this and the new "Vetting and Barring Scheme" which is available at www.isa.gov.org.uk/default.aspx?page=402. [*The Department will issue further advice as the new SVG scheme develops.*]

59. In considering an individual's criminal record, local licensing authorities will want to consider each case on its merits, but they should take a particularly cautious view of any offences involving violence, and especially sexual attack. In order to achieve consistency, and thus avoid the risk of successful legal challenge, local authorities will doubtless want to have a clear policy for the consideration of criminal records, for example the number of years they will require to have elapsed since the commission of particular kinds of offences before they will grant a licence.

60. Local licensing authorities will also want to have a policy on background checks for applicants from elsewhere in the EU and other overseas countries. One approach is to require a certificate of good conduct authenticated by the relevant embassy. The Criminal Records Bureau website (www.crb.gov.uk) gives information about obtaining certificates of good conduct, or similar documents, from a number of countries.

61. It would seem best practice for Criminal Records Bureau disclosures to be sought when a licence is first applied for and then every three years, even if a licence is renewed annually, provided drivers are obliged to report all new convictions and cautions to the licensing authority.

¹ "Regulated Activity" is defined in The Safeguarding Vulnerable Groups Act 2006 (Miscellaneous Provisions) Regulations 2009

Notifiable Occupations Scheme

62. Under this Scheme, when an individual comes to the notice of the police and identifies their occupation as a taxi or PHV driver, the police are requested to notify the appropriate local licensing authority of convictions and any other relevant information that indicates that a person poses a risk to public safety. Most notifications will be made once an individual is convicted however, if there is a sufficient risk, the police will notify the authority immediately.

63. In the absence of a national licensing body for taxi and PHV drivers, notifications are made to the local licensing authority identified on the licence or following interview. However, it is expected that all licensing authorities work together should they ascertain that an individual is operating under a different authority or with a fraudulent licence.

64. The police may occasionally notify licensing authorities of offences committed abroad by an individual however it may not be possible to provide full information.

65. The Notifiable Occupations Scheme is described in Home Office Circular 6/2006 which is available at <http://www.basingstoke.gov.uk/CommitteeDocs/Committees/Licensing/20070710/3%20yr%20licences-update%20on%20hants%20constab%20procedures%20re%20Home%20office%20circ%206;2006-%20Appendix%202.pdf>. Further information can also be obtained from the Criminal Records Team, Joint Public Protection Information Unit, Fifth Floor, Fry Building, 2 Marsham Street, London SW1P 4DF; e-mail Samuel.Wray@homeoffice.gsi.gov.uk.

Immigration checks

66. The Department considers it appropriate for licensing authorities to check on an applicant's right to work before granting a taxi or PHV driver's licence. It is important to note that a Criminal Records Bureau check is not a Right to Work check and any enquires about the immigration status of an individual should be addressed to the Border and Immigration Agency. Further information can be found at www.bia.homeoffice.gov.uk/employingmigrants. More generally, the Border and Immigration Agency's Employers' Helpline (0845 010 6677) can be used by licensing staff to obtain general guidance on immigration documentation, although this Helpline is not able to advise on individual cases. The authority can obtain case specific immigration status information, including whether a licensing applicant is permitted to work or details of work restrictions, from the Evidence and Enquiry Unit, Floor 12, Lunar House, Wellesley Road, Croydon CR9 2BY. Further details on the procedures involved can be obtained by contacting the Unit (020 8196 3011).

Medical fitness

67. It is clearly good practice for medical checks to be made on each driver before the initial grant of a licence and thereafter for each renewal. There is general recognition that it is appropriate for taxi/PHV drivers to have more stringent medical standards than those applicable to normal car drivers because:

- they carry members of the general public who have expectations of a safe journey;
- they are on the road for longer hours than most car drivers; and
- they may have to assist disabled passengers and handle luggage.

68. It is common for licensing authorities to apply the “Group 2” medical standards – applied by DVLA to the licensing of lorry and bus drivers – to taxi and PHV drivers. This seems best practice. The Group 2 standards preclude the licensing of drivers with insulin treated diabetes. However, exceptional arrangements do exist for drivers with insulin treated diabetes, who can meet a series of medical criteria, to obtain a licence to drive category C1 vehicles (ie 3500-7500 kgs lorries); the position is summarised at Annex C to the Guidance. It is suggested that the best practice is to apply the C1 standards to taxi and PHV drivers with insulin treated diabetes.

Age Limits

69. It does not seem necessary to set a maximum age limit for drivers provided that regular medical checks are made. Nor do minimum age limits, beyond the statutory periods for holding a full driver licence, seem appropriate. Applicants should be assessed on their merits.

Driving Proficiency

70. Many local authorities rely on the standard car driving licence as evidence of driving proficiency. Others require some further driving test to be taken. Local authorities will want to consider carefully whether this produces benefits which are commensurate with the costs involved for would-be drivers, the costs being in terms of both money and broader obstacles to entry to the trade. However, they will note that the Driving Standards Agency provides a driving assessment specifically designed for taxis.

Language proficiency

71. Authorities may also wish to consider whether an applicant would have any problems in communicating with customers because of language difficulties.

Other training

72. Whilst the Department has no plans to make training courses or qualifications mandatory, there may well be advantage in encouraging drivers to obtain one of the nationally-recognised vocational qualifications for the taxi and PHV trades. These will cover customer care, including how best to meet the needs of people with disabilities. More information about these qualifications can be obtained from *GoSkills*, the Sector Skills Council for Passenger Transport. *GoSkills* is working on a project funded by the Department to raise standards in the industry and *GoSkills* whilst not a direct training provider, can guide and support licensing authorities through its regional network of Regional Managers.

73. Some licensing authorities have already established training initiatives and others are being developed; it is seen as important to do this in consultation with the local taxi and PHV trades. Training can cover customer care, including how best to meet the needs of people with disabilities and other sections of the community, and also topics such as the relevant legislation, road safety, the use of maps and GPS, the handling of emergencies, and how to defuse difficult situations and manage conflict. Training may also be considered for applicants to enable them to reach an appropriate standard of comprehension, literacy and numeracy. Authorities may wish to note that nationally recognised qualifications and training programmes sometimes have advantages over purely local arrangements (for example, in that the qualification will be more widely recognised).

Contact details are:

GoSkills, Concorde House, Trinity Park, Solihull, Birmingham, B37 7UQ.

Tel: 0121-635-5520

Fax: 0121-635-5521

Website: www.goskills.org

e-mail: info@goskills.org

74. It is also relevant to consider driver training in the context of the 2012 Olympic and Paralympic Games which will take place at a number of venues across the country. One of the key aims of the Games is to “change the experience disabled people have when using public transport during the Games and to leave a legacy of more accessible transport”. The Games provide a unique opportunity for taxi/PHV drivers to demonstrate their disability awareness training, and to ensure all passengers experience the highest quality of service.

Topographical Knowledge

75. Taxi drivers need a good working knowledge of the area for which they are licensed, because taxis can be hired immediately, directly with the driver, at ranks or on the street. So most licensing authorities require would-be taxi-drivers to pass a test of local topographical knowledge as a pre-requisite to the first grant of a licence (though the stringency of the test should reflect the complexity or otherwise of the local geography, in accordance with the principle of ensuring that barriers to entry are not unnecessarily high).

76. However, PHVs are not legally available for immediate hiring in the same way as taxis. To hire a PHV the would-be passenger has to go through an operator, so the driver will have an opportunity to check the details of a route before starting a journey. So it may be unnecessarily burdensome to require a would-be PHV driver to pass the same ‘knowledge’ test as a taxi driver, though it may be thought appropriate to test candidates’ ability to read a map and their knowledge of key places such as main roads and railway stations. The Department is aware of circumstances where, as a result of the repeal of the PHV contract exemption, some people who drive children on school contracts are being deterred from continuing to do so on account of overly burdensome topographical

tests. Local authorities should bear this in mind when assessing applicants' suitability for PHV licences.

PHV OPERATORS

77. The objective in licensing PHV operators is, again, the safety of the public, who will be using operators' premises and vehicles and drivers arranged through them.

Criminal Record Checks

78. PHV operators (as opposed to PHV drivers) are not exceptions to the Rehabilitation of Offenders Act 1974, so Standard or Enhanced disclosures cannot be required as a condition of grant of an operator's licence. But a Basic Disclosure, which will provide details of unspent convictions only, could be seen as appropriate, after such a system has been introduced by the Criminal Records Bureau. No firm date for introduction has yet been set; however, a feasibility study has been completed; the Criminal Records Bureau is undertaking further work in this regard. Overseas applicants may be required to provide a certificate of good conduct from the relevant embassy if they have not been long in this country. Local licensing authorities may want to require a reference, covering for example the applicant's financial record, as well as the checks outlined above.

Record Keeping

79. It is good practice to require operators to keep records of each booking, including the name of the passenger, the destination, the name of the driver, the number of the vehicle and any fare quoted at the time of booking. This information will enable the passenger to be traced if this becomes necessary and should improve driver security and facilitate enforcement. It is suggested that 6 months is generally appropriate as the length of time that records should be kept.

Insurance

80. It is appropriate for a licensing authority to check that appropriate public liability insurance has been taken out for premises that are open to the public.

Licence Duration

81. A requirement for annual licence renewal does not seem necessary or appropriate for PHV operators, whose involvement with the public is less direct than a driver (who will be alone with passengers). Indeed, a licence period of five years may well be appropriate in the average case. Although the authority may wish to offer operators the option of a licence for a shorter period if requested.

Repeal of the PHV contract exemption

82. Section 53 of the Road Safety Act 2006 repealed the exemption from PHV licensing for vehicles which were used on contracts lasting not less than seven days. The change came into effect in January 2008. A similar change was introduced in respect of London in March 2008. As a result of this change, local licensing authorities are considering a range of vehicles and services in the context of PHV licensing which they had not previously licensed because of the contract exemption.

83. The Department produced a guidance note in November 2007 to assist local licensing authorities, and other stakeholders, in deciding which vehicles should be licensed in the PHV regime and which vehicles fell outside the PHV definition. The note stressed that it was a matter for local licensing authorities to make decisions in the first instance and that, ultimately, the courts were responsible for interpreting the law. However, the guidance was published as a way of assisting people who needed to consider these issues. A copy of the guidance note can be found on the Department's web-site at: <http://www.dft.gov.uk/pgr/regional/taxis/rsa06privatehirevehicles> As a result of a recent report on the impact of the repeal of the PHV contract exemption, the Department will be revising its guidance note to offer a more definite view about which vehicles should be licensed as PHVs. The report is also on the Department's web-site at: <http://www.dft.gov.uk/pgr/regional/taxis/phvcontractexemption/>.

ENFORCEMENT

84. Well-directed enforcement activity by the local licensing authority benefits not only the public but also the responsible people in the taxi and PHV trades. Indeed, it could be argued that the safety of the public depends upon licensing authorities having an effective enforcement mechanism in place. This includes actively seeking out those operators who are evading the licensing system, not just licensing those who come forward seeking the appropriate licences. The resources devoted by licensing authorities to enforcement will vary according to local circumstances, including for example any difficulties with touting by unlicensed drivers and vehicles (a problem in some urban areas). Local authorities will also wish to liaise closely with the police. Multi-agency enforcement exercises (involving, for example, the Benefits Agency) have proved beneficial in some areas.

85. Local licensing authorities often use enforcement staff to check a range of licensed activities (such as market traders) as well as the taxi and PHV trades, to make the best use of staff time. But it is desirable to ensure that taxi and PHV enforcement effort is at least partly directed to the late-night period, when problems such as touting tend most often to arise. In formulating policies to deal with taxi touts, local licensing authorities might wish to be aware that the Sentencing Guidelines Council have, for the first time, included guidance about taxi touting in their latest Guidelines for Magistrates. The Guidelines, which came into effect in August 2008, can be accessed through the SGC's web-site - www.sentencing-guidelines.gov.uk.

86. Some local licensing authorities employ taxi marshals in busy city centres where there are lots of hirings, again perhaps late at night, to help taxi drivers picking up, and would-be passengers queuing for taxis.

87. As part of enforcement, local licensing authorities will often make spot checks, which can lead to their suspending or revoking licences. They will wish to consider carefully which power should best be used for this purpose. They will note, among other things, that section 60 of the Local Government (Miscellaneous Provisions) Act 1976 provides a right of appeal for the licence-holder, whereas section 68, which is also sometimes used, does not; this can complicate any challenge by the licence-holder.

88. Section 52 of the Road Safety Act 2006 amended the Local Government (Miscellaneous Provisions) Act 1976 such that local authorities can now suspend or revoke a taxi or PHV driver's licence with immediate effect on safety grounds. It should be stressed that this power can only be used where safety is the principal reason for suspending or revoking and where the risk justifies such an approach. It is expected that in the majority of cases drivers will continue to work pending appeal and that this power will be used in one-off cases. But the key point is that the law says that the power must be used in cases which can be justified in terms of safety. The Department is not proposing to issue any specific guidance on this issue, preferring to leave it to the discretion of licensing authorities as to when the power should be used.

TAXI ZONES

89. The areas of some local licensing authorities are divided into two or more zones for taxi licensing purposes. Drivers may be licensed to ply for hire in one zone only. Zones may exist for historical reasons, perhaps because of local authority boundary changes.

90. The Department recommends the abolition of zones. That is chiefly for the benefit of the travelling public. Zoning tends to diminish the supply of taxis and the scope for customer choice - for example, if fifty taxis were licensed overall by a local authority, but with only twenty five of them entitled to ply for hire in each of two zones. It can be confusing and frustrating for people wishing to hire a taxi to find that a vehicle licensed by the relevant local authority is nonetheless unable to pick them up (unless pre-booked) because they are in the wrong part of the local authority area. Abolition of zones can also reduce costs for the local authority, for example through simpler administration and enforcement. It can also promote fuel efficiency, because taxis can pick up a passenger anywhere in the local authority area, rather than having to return empty to their licensed zone after dropping a passenger in another zone.

91. It should be noted that the Government has now made a Legislative Reform Order which removed the need for the Secretary of State to approve amalgamation resolutions made by local licensing authorities. The Legislative Reform (Local Authority Consent Requirements)(England and Wales) Order 2008 came into force in October 2008. Although these resolutions no longer require the approval of the Secretary of State, the statutory procedure for making them – in paragraph 25 of schedule 14 to the Local Government Act 1972- remains the same.

FLEXIBLE TRANSPORT SERVICES

92. It is possible for taxis and PHVs to provide flexible transport services in a number of different ways. Such services can play a valuable role in meeting a range of transport

needs, especially in rural areas – though potentially in many other places as well. In recent years there has been a significant increase in the provision of flexible services, due partly to the availability of Rural Bus Subsidy Grant and Rural Bus Challenge Support from the Department.

93. The Department encourages local licensing authorities, as a matter of best practice, to play their part in promoting flexible services, so as to increase the availability of transport to the travelling public. This can be done partly by drawing the possibilities to the attention of taxi and PHV trade. It also should be borne in mind that vehicles with a higher seating capacity than the vehicles typically licensed as taxis (for example those with 6, 7 or 8 passenger seats) may be used for flexible services and should be considered for licensing in this context.

94. The main legal provisions under which flexible services can be operated are:

- **Shared taxis and PHVs – advance bookings (section 11, Transport Act 1985):** licensed taxis and PHVs can provide a service at separate fares for up to eight passengers sharing the vehicle. The operator takes the initiative to match up passengers who book in advance and agree to share the vehicle at separate fares (lower than for a single hiring). An example could be passengers being picked up at home to go to a shopping centre, or returning from the shops to their homes. The operator benefits through increased passenger loadings and total revenues.
- **Shared taxis – immediate hirings (section 10, Transport Act 1985):** such a scheme is at the initiative of the local licensing authority, which can set up schemes whereby licensed taxis (not PHVs) can be hired at separate fares by up to eight people from ranks or other places that have been designated by the authority. (The authority is required to set up such a scheme if holders of 10% or more of the taxi licences in the area ask for one.) The passengers pay only part of the metered fare, for example in going home after a trip to the local town, and without pre-booking, but the driver receives more than the metered fare.
- **Taxibuses (section 12, Transport Act 1985):** owners of licensed taxis can apply to the Traffic Commissioner for a 'restricted public service vehicle (PSV) operator licence'. The taxi owner can then use the vehicle to run a bus service for up to eight passengers. The route must be registered with the Traffic Commissioner and must have at least one stopping place in the area of the local authority that licensed the taxi, though it can go beyond it. The bus service will be eligible for Bus Service Operators Grant (subject to certain conditions) and taxibuses can be used for local authority subsidised bus services. The travelling public have another transport opportunity opened for them, and taxi owners have another business opportunity. The Local Transport Act 2008 contains a provision which allows the owners of PHVs to acquire a special PSV operator licence and register a route with the traffic commissioner. A dedicated leaflet has been sent to licensing authorities to distribute to PHV owners in their area alerting them to this new provision.

95. The Department is very keen to encourage the use of these types of services. More details can be found in the Department's publication 'Flexible Transport Services' which can be accessed at:

<http://www.dft.gov.uk/pgr/regional/buses/bol/flexibletransportservices>

LOCAL TRANSPORT PLANS

96. The Transport Act 2000 as amended by the Transport Act 2008, requires local transport authorities in England outside London to produce and maintain a Local Transport Plan (LTP), having regard to any guidance issued by the Secretary of State. The latest guidance published in July 2009 will cover the next round of LTPs from 2011. LTPs set out the authority's local transport strategies and policies for transport in their area, and an implementation programme. 82 LTPs covering all of England outside London have been produced and cover the period up to 2011. From 2011 local authorities will have greater freedom to prepare their LTPs to align with wider local objectives.

97. All modes of transport including taxi and PHV services have a valuable part to play in overall transport provision, and so local licensing authorities have an input to delivering the LTPs. The key policy themes for such services could be availability and accessibility. LTPs can cover:

- quantity controls, if any, and plans for their review;
- licensing conditions, with a view to safety but also to good supply of taxi and PHV services;
- fares;
- on-street availability, especially through provision of taxi ranks;
- vehicle accessibility for people with disabilities;
- encouragement of flexible services.

TAXI AND PRIVATE HIRE VEHICLE LICENSING: BEST PRACTICE GUIDANCE

Useful questions when assessing quantity controls of taxi licences

- Have you considered the Government's view that quantity controls should be removed unless a specific case that such controls benefit the consumer can be made?

Questions relating to the policy of controlling numbers

- Have you recently reviewed the need for your policy of quantity controls?
- What form did the review of your policy of quantity controls take?
- Who was involved in the review?
- What decision was reached about retaining or removing quantity controls?
- Are you satisfied that your policy justifies restricting entry to the trade?
- Are you satisfied that quantity controls do not:
 - reduce the availability of taxis;
 - increase waiting times for consumers;
 - reduce choice and safety for consumers?
- What special circumstances justify retention of quantity controls?
- How does your policy benefit consumers, particularly in remote rural areas?
- How does your policy benefit the trade?
- If you have a local accessibility policy, how does this fit with restricting taxi licences?

Questions relating to setting the number of taxi licences

- When last did you assess unmet demand?
- How is your taxi limit assessed?
- Have you considered latent demand, ie potential consumers who would use taxis if more were available, but currently do not?
- Are you satisfied that your limit is set at the correct level?
- How does the need for adequate taxi ranks affect your policy of quantity controls?

Questions relating to consultation and other public transport service provision

- When consulting, have you included etc
 - all those working in the market;
 - consumer and passenger (including disabled) groups;
 - groups which represent those passengers with special needs;
 - local interest groups, eg hospitals or visitor attractions;
 - the police;
 - a wide range of transport stakeholders eg rail/bus/coach providers and traffic managers?
- Do you receive representations about taxi availability?
- What is the level of service currently available to consumers (including other public transport modes)?

TAXI AND PRIVATE HIRE VEHICLE LICENSING: BEST PRACTICE GUIDANCE

Notice for taxi passengers - what you can expect from the taxi trade and what the taxi trade can expect from you

The driver will:

- ***Drive with due care and courtesy towards the passenger and other road users.***
- ***Use the meter within the licensed area, unless the passenger has agreed to hire by time.***
- ***If using the meter, not start the meter until the passenger is seated in the vehicle.***
- ***If travelling outside the licensed area, agree the fare in advance. If no fare has been negotiated in advance for a journey going beyond the licensing area then the driver must adhere to the meter.***
- ***Take the most time-efficient route, bearing in mind likely traffic problems and known diversions, and explain any diversion from the most direct route.***

The passenger will:

- ***Treat the vehicle and driver with respect and obey any notices (e.g. in relation to eating in the vehicle).***
- ***Ensure they have enough money to pay the fare before travelling. If wishing to pay by credit card or to stop on route to use a cash machine, check with the driver before setting off.***
- ***Be aware of the fare on the meter and make the driver aware if it is approaching the limit of their financial resources.***
- ***Be aware that the driver is likely to be restricted by traffic regulations in relation to where s/he can stop the vehicle.***

Notice for PHV passengers - what you can expect from the PHV trade and what the PHV trade can expect from you

The driver will:

- ***Ensure that the passenger has pre-booked and agrees the fare before setting off.***
- ***Drive with due care and courtesy towards the passenger and other road users.***
- ***Take the most time-efficient route, bearing in mind likely traffic problems and known diversions, and explain any diversion from the most direct route.***

The passenger will:

- ***Treat the vehicle and driver with respect and obey any notices (eg. in relation to eating in the vehicle).***
- ***Ensure they have enough money to pay the fare before travelling. If wishing to pay by credit card or to stop on route to use a cash machine, check with the driver before setting off.***
- ***Be aware that the driver is likely to be restricted by traffic regulations in relation to where s/he can stop the vehicle.***

TAXI AND PRIVATE HIRE VEHICLE LICENSING: BEST PRACTICE GUIDANCE**Assessing applicants for a taxi or PHV driver licence in accordance with C1 standard**

Exceptional circumstances under which DVLA will consider granting licences for vehicles over 3.5 tonnes or with more than 8 passenger seats.

Insulin treated diabetes is a legal bar to driving these vehicles. The exceptional arrangements that were introduced in September 1998 were only in respect of drivers who were employed to drive small lorries between 3.5 tonnes and 7.5 tonnes (category C1). The arrangements mean that those with good diabetic control and who have no significant complications can be treated as "exceptional cases" and may have their application for a licence for category C1 considered. The criteria are

- To have been taking insulin for at least 4 weeks;
- Not to have suffered an episode of hypoglycaemia requiring the assistance of another person whilst driving in the last 12 months;
- To attend an examination by a hospital consultant specialising in the treatment of diabetes at intervals of not more than 12 months and to provide a report from such a consultant in support of the application which confirms a history of responsible diabetic control with a minimal risk of incapacity due to hypoglycaemia;
- To provide evidence of at least twice daily blood glucose monitoring at times when C1 vehicles are being driven (those that have not held C1 entitlement in the preceding 12 months may provide evidence of blood glucose monitoring while driving other vehicles);
- To have no other condition which would render the driver a danger when driving C1 vehicles; and
- To sign an undertaking to comply with the directions of the doctor(s) treating the diabetes and to report immediately to DVLA any significant change in condition.

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Amendments to the Table of Fares – Timeline

Date	Type	Action
8 th June 2011	Licensing Committee	Approves amendment to the table of fares to increase each zone by 10% with effect from 14 th June 2011. Request made that Officers produce a further report in relation to potential harmonisation of fares
16 th January 2012	Licensing Committee	Report produced in relation to the potential harmonisation of fares. Publication of notices to move the Congleton and Macclesfield zones to the Crewe and Nantwich zone table of fares.
19 th March 2012	Licensing Committee	Objections considered (18 individual and two petitions with 201 signatures) and Officers instructed to produce a further report following further consultation
	Meetings with the trade	Officers meet with representatives from Congleton and Macclesfield zones. No representations from Crewe and Nantwich zone. Invitations sent to drivers from all zones
29 th May 2012	Licensing Committee	Interim report considered
	Mail shot	Officers forward the proposals from the meeting with Congleton and Macclesfield zones to all drivers. All drivers invited to meeting on 27 th July 2012 to discuss the matter
27 th July 2012	Meeting with the trade	<p>Drivers from the Congleton and Macclesfield zones present, but no members of the Crewe and Nantwich zone. Approximately 25 attendees, meeting chaired by Mr D Hawkes. Agreement reached on the following:</p> <ul style="list-style-type: none"> i. A harmonised structure based on a fixed rate for first mile or part thereof ii. The subsequent mile rate to be £0.22 per 1/10th mile or part thereof iii. Tariff 2 to operate from 9pm to 12am at the flag rate plus a set percentage iv. Tariff 3 to operate from 12am to 7am at the flag rate plus 50% v. Soling charge to be £50.00 vi. Additional agreements were reached regarding Sundays, public holidays and Christmas and the rates that are applicable <p>Agreement regarding the rate of the flag/first mile rate was not reached.</p>

5 th November 2012	Licensing Committee	Areas of agreement reported and Committee who are given several options for the flag rate and additional % for tariff 2. Committee resolve that Cabinet Member be recommended to consult with the trade at a flag rate of £3.50 and tariff 2 at 20%.
7 th January 2013	Portfolio Holder meeting	Cabinet Member considers the information presented and the recommendation from Licensing Committee and approves a six week consultation with trade based on their recommendation.
March 2013	Mail shot	Consultation letter sent to 1201 licence holders (duplicates removed) providing a copy of the proposed changes.
March/April 2013	Consultation	6 week consultation on proposed tariff runs from 18 th March 2013 to 29 th April 2013 (proposals also published on website)
28 th April 2014	Portfolio Holder meeting	Cabinet Member considers the consultation responses and authorises Public Notices to be published
May 2014	Mail shot	Letters sent to the trade informing them that public notices are to be placed in local newspapers. Copies of the Notices included with the letter.
May 2014	Public Notices	Public Notices published in local newspapers
4 th June 2014	Period for objections ends	Objections received to the proposals that need to be consider at a further Portfolio Holder meeting.