

# **WIRRAL COUNCIL**

## **LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE**

**23 JANUARY 2012**

<b>SUBJECT:</b>	<b>HACKNEY CARRIAGE VEHICLE SUPPLY AND DEMAND SURVEY – OUTCOME OF PUBLIC CONSULTATION</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW HR AND ASSET MANAGEMENT</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR BILL DAVIES – COMMITTEE CHAIR</b>
<b>KEY DECISION?</b>	<b>YES</b>

### **1.0 EXECUTIVE SUMMARY**

- 1.1. This report presents the recommendations of an independent study of supply and demand for Hackney Carriage Vehicles in Wirral and the outcome of a public consultation exercise on all four options set out in the study report.
- 1.2. Committee Members are requested to consider the conclusions and recommendations contained in the Study Report along with the outcome of the consultation.

### **2.0 RECOMMENDATION**

- 2.1. That Members consider the conclusions and recommendations of the independent study of supply and demand for Hackney Carriage Vehicles (taxis) carried out by the Halcrow Group Limited having regard to the outcome of the public consultation.

### **3.0 REASON FOR RECOMMENDATION**

- 3.1. The Halcrow Report sets out a number of options that affect licensing policy in relation to Hackney Carriage Vehicles which arise from the findings of the independent survey. Members are therefore asked to consider these options taking into account the outcome of stakeholder

consultation and the relevant risks and practical implications attached to each.

#### **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 On 21 September 2011 Members of this Committee considered a report presenting the findings of a survey of supply and demand for Hackney Carriages undertaken by Halcrow. After consideration of the findings it was agreed that officers should draft and prepare all documentation necessary to undertake a 12 week public consultation exercise on the four options to enable the Committee to consider the views of stakeholders before taking a view on any potential change of policy.
- 4.2 Members also authorised officers to include in the documentation referred to above, such information and details considered necessary to enable effective public consultation to take place on the four options set out within the Committee report and Halcrow Study Report.
- 4.3 The consultation took place using an online questionnaire on the Wirral website. Letters were sent to all licensed drivers and other interested parties listed in Appendix 1 advising them of the consultation and directing them to the website. Anyone who did not have internet access was able to access the consultation document and questionnaire through One Stop Shops.
- 4.4 Attached at Appendix 2 are the consultation documents. Attached at Appendix 3 are the full results of the consultation including individual letters received.
- 4.5 The consultation exercise has now been completed and this report provides the results of the consultation and options regarding future policy.

#### **5.0 THE HALCROW RECOMMENDATIONS**

- 5.1 The Halcrow Study has identified that there is no evidence of significant unmet demand for Hackney Carriage Vehicles in Wirral. This conclusion covers both patent and latent/suppressed demand and is based on an assessment of the implications of case law that has emerged since 2000, and the results of Halcrow's analysis. The Study reports that on this basis the authority has a discretion in its Hackney Carriage Vehicle licensing policy and may either:

Option 1      Continue to allow market forces to dictate the number of Hackney Carriage licences

- |          |   |
|----------|---|
| Option 2 | Introduce a limit on the number of vehicles at 289 or Higher  |
| Option 3 | Retain a free entry policy but introduce more demanding conditions on the type of vehicle (e.g. requiring much newer wheelchair accessible vehicles)  |
| Option 4 | Continue to issue licences but only up to an annual limit. Limiting the growth to between five to ten licences per year would be reasonable, allowing for a five to ten percent increase in the fleet over a three year period. |

## 6.0 EVALUATION OF CONSULTATION RESPONSES

- 6.1 The full responses to the online survey are attached at Appendix 3. The results are presented as they have been received, therefore there may be typographical inaccuracies. Any comments that may have been offensive in terms of Equality Issues have been removed. Individual written responses are attached at Appendix 4.
- 6.1 The largest number of responses received were from the Licensed Trade reflecting their views as individuals with one stating they were responding on behalf of an organisation but did not provide details of the organisation.
- 6.2 There were 40 responses to the online survey, of these 32 stated that they were licensed, 17 as a Hackney Carriage Driver, 6 as a Hackney Carriage Proprietor and 9 as a Private Hire Driver. Five stated they were Members of the Public, one a Wheelchair User and two missed out the question.
- 6.3 The majority of respondents stated that they were interested in the survey because they were Hackney Carriage drivers and the matter had an impact on their business or ability to earn a living.
- 6.4 Thirty six respondents expressed a view in respect of the four options, of these 26 (72%) supported the introduction of a limit on the number of vehicles at 289 or higher, 7 (19%) supported the option to continue to issue licences with a limited growth between 5 to 10 licences per year, 2 (6%) considered market forces should dictate the number of licences and 1(3%) supported more demanding conditions to control entry.
- 6.5 The online survey asked respondents to consider the impact of introducing a limit. The responses included the following comments:

Very little on the public

Confidence to invest in more modern vehicles

Keep Drivers

Long road to recovery of a living wage

Appease Private Hire Drivers

May get unlicensed drivers working

Better quality of work

Stability back into the Trade

Not have to work excessively long hours

No impact on taxi driver

No initial impact

No impact in the short term

May stop using rat runs to avoid the lights

Less cabs hanging around ranks

- 6.6 When asked what other issues should be taken into account by the Council when considering imposing a limit, responses included:

Limit the number of Private Hire Drivers

Please take away some of the future uncertainty

The limit should be set lower

Should consider income of drivers

There is only so much business for taxis

Private Hire Drivers finding it difficult to meet their financial commitments

Survey done every 3 years that's fine by us

Consider the amount of viable ranks

When considering setting a limit licences should not be revoked

Take account of Police comments on page 48 of the Halcrow Report

- 6.7 Respondents were asked to consider the impact of retaining a free entry policy with more stringent conditions. The responses included the following comments:

Policy already very stringent

More experienced drivers will leave the trade

Unaffordable

Work more hours

Better service

Already demanding

Harder for drivers to get into business - Result

Council would be better insisting older vehicles are not licensed

Increase purchase costs and operating costs, unnecessary

Should reduce age Hackney Carriage Vehicle on the road

Take livelihood away from those that cannot afford new vehicles

Can't get finance to buy newer vehicles

- 6.8 When asked what other issues should be taken into account when considering whether to introduce more stringent conditions responses included:

Cost

Welcome enforcement inspections

Rank spaces

Wheelchair users

- 6.9 Respondents were asked to consider the impact of limiting the growth to between five and ten licences per year. The responses included the following comments:

Keep figure at 289, review in 2 years

No benefit

2 licences per year

Plates exchange for money

Drivers will retire

Unmanageable

Who decides who gets licences

Cause problems

Buy stability, job security

Don't believe any growth reasonable

More will apply for Private Hire

Should freeze now

Current system will work just as well

Gradual increase preferable to current situation

Result in improvement

Cap for 3 years and then have another survey

Reduce cabs parking up

Agree with this if returned plates not re issued

Reduce long hours

Initial impact nil

- 6.10 When asked what other issues should be taken into account when considering issuing 5 to 10 licences per year responses included:

Will need a waiting list

Should not have annual increase should work towards reduction

More Hackney Carriages on Private Hire systems

3-5 year review

Stricter conditions for new vehicles

May be stricter MOT

Close the issue without any clauses

Respondents were asked to consider the impact of the Council maintaining the current policy not to limit the number of licences it issues. The three comments received were:

Market forces will dictate

Don't think any impact will be derogatory at all as long as the correct proportion of licences are issued when market forces dictate

More hardship for the taxi driver

- 6.11 When asked what other issues should be taken into account when considering whether to maintain the current policy, the following two comments were received

The amount of hours worked by both Hackney and Private Hire drivers should be of great concern to the Council as a public safety matter

There is always the option of Private Hire drivers being given the same licensing conditions as Hackney Carriages, then this would make more cars available to the general public on the street even if it was only of a weekend when demand is greater. Whilst it would not completely solve any shortage of disabled vehicles it would aid the situation as Private Hire estate cars are more than capable of taking wheelchairs and folding prams, also there is the option of a side swinging adapted seat being fitted to enable elderly and disabled passengers ease of access.

## **7.0 RELEVANT RISKS**

- 7.1 The Department for Transport Taxi and Private Hire Vehicle Licensing Best Practice Guidance suggests that the matter of whether there should be restrictions on the number of Hackney Carriage Vehicle licences should be approached in terms of the interests of the travelling public and what benefits or disadvantages arise from controlling the number of licences issued.
- 7.2 In respect of the risks to the Council of a decision to cease or restrict the issue of taxi licences, contained within Options 2 and 4, the principle risk is that any decision to refuse to issue a licence to an applicant on the grounds of limiting numbers is subject to challenge by way of Appeal to the Crown Court and or Judicial Review to the High Court.
- 7.3 Before a local authority can refuse an application for a vehicle licence in order to limit the number of licensed taxis, they must be satisfied that

there is no significant demand for the services of taxis, within the area to which the licence would apply, which is unmet.

- 7.4 If the local authority are thus satisfied, a discretion, as opposed to an obligation, arises to refuse the grant of a licence.
- 7.5 If the local authority are not so satisfied, they cannot refuse to grant a licence for the purpose of limiting the number of licensed taxis and are thus obliged to grant it.
- 7.6 It is widely accepted that a local authority which is considering limiting Hackney Carriage numbers, or maintaining an existing limit, must demonstrate independent assessment of demand. This is achieved by means of a survey conducted by an independent body.
- 7.7 The Halcrow Report would be used as the Council's evidence to support a decision to refuse to grant an application for a Hackney Carriage Vehicle Licence on the grounds that there was no significant demand for taxis in Wirral that was unmet and may be subject to challenge. A decision to limit numbers will require further independent surveys into demand at three yearly intervals if a limit is then to be maintained.
- 7.8 In respect of option 1, the Council can continue to issue licences without the risks attached to refusals contained within Options 2 and 4.
- 7.9 In respect of option 3, policies relating to the type of vehicle that can be licensed as a Hackney Carriage and conditions attached to a Hackney Carriage Vehicle licence can be subject to legal challenge.

## **8.0 PRACTICAL/POLICY/PROCEDURAL IMPLICATIONS**

- 8.1 A review of practices and policies of other licensing authorities, where a limit is in place, revealed a variety of different approaches. These can be summarised as follows:
  - 1. Licences issued on a first come first served basis
  - 2. The administration of a waiting list
  - 3. The administration of a random selection process
- 8.2 It has been reported by authorities that have a limit in place that in these circumstances licences are not normally surrendered by licence holders. A more common practice is that a vehicle is sold with a licence and this would then require a transfer of the licence from one proprietor to another. This process can be administered in accordance with Section 49 of The Local Government (Miscellaneous Provisions) Act 1976 and Section 42 of The Town Police Clauses Act 1847.

- 8.3 In circumstances where there is a Managed Growth Policy it is essential that there is an allocation process in place. Again different approaches have been adopted. Manchester City Council have adopted a policy for allocating Hackney Carriage Proprietors' Licences under its agreed policy of controlled expansion. This Policy has been put in place following a review of a points system that was in place in 2009 which was successfully challenged. Following subsequent legal advice and a process of extensive consultation Manchester City Council adopted a Random Selection Policy.
- 8.4 The table at Appendix 5 sets out implications for each of the four options.
- 8.5 Dependent upon which of the four options are adopted further policies may be required. These are summarised in the flow chart at Appendix 6.
- 8.6 At the time of writing this report there are currently 286 Hackney Carriage Vehicles Licensed.
- 8.7 Should Members determine that they wish to change the current Policy for licensing Hackney Carriage Vehicles by imposing a limit on the number of licences to be issued at 289 it would be appropriate to continue to issue licences in accordance with current criteria until the limit of 289 is reached.

## **9.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 9.1 There are no specific implications arising from this report.

## **10.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 10.1 The adoption of a limit on the number of licences issued will require that an independent survey of demand be undertaken every three years if the limit is to be maintained. The cost of the survey undertaken in 2011 was £13,005.

## **11.0 LEGAL IMPLICATIONS**

- 11.1 The Town Police Clauses Act 1847 gave Licensing authorities discretion to limit the number of Hackney Carriage Vehicle Proprietor licences issued. Under The Transport Act 1985 the law changed and the 1847 Act was amended by Section 16 of The Transport Act to provide as follows.



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

- 11.2 The Department for Transport has produced Best Practice Guidance in respect of Taxi and private Hire Vehicle Licensing. Within the Guidance the DfT acknowledges that most local licensing authorities do not impose quantity restrictions and that the DfT regards this as Best Practice.
- 11.3 The Department for Transport suggests that the matter of whether there should be restrictions on the number of Hackney Carriage Vehicle licences should be approached in terms of the interests of the travelling public and what benefits or disadvantages arise from controlling the number of licences issued.
- 11.4 The consultation exercise has ensured that the public's views have actively and independently been sought.

## **12.0 EQUALITIES IMPLICATIONS**

- 12.1 A change in the policy may affect access to Hackney Carriage Vehicles by wheelchair users.
- 12.2 Equality Impact Assessment (EIA)  
Is an EIA required? Yes, attached

## **13.0 CARBON REDUCTION IMPLICATIONS**

- 13.1 The number of taxis on the road may have an impact on carbon emissions.

## **14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 14.1 The availability of taxis during the night time is important to ensure that those involved in the night time economy can safely get home.

### **REPORT AUTHOR:**

**Robert Beresford**  
Head of Regulation  
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## Equality Impact Toolkit (new version July 2011)

### Section 1: Your details

**Council officer:** Margaret O'Donnell  
**Email address:** margaretodonnell@wirral.gov.uk  
**Head of Service:** Robert Beresford  
**Department:** Law HR and Asset Management  
**Date:** 6 September 2011

### Section 2: What Council function / proposal is being assessed?

The Council's Policy on issuing licences for Hackney Carriage Vehicles

### Section 3: Is the Council function / proposal relevant to equality? (please tick relevant boxes)

- ☐ In services
- ☐ In the workforce
- ☒ In communities
- ☐ Other (please state)
- ☐ None (please stop here and email this form to your Head of Service who needs to email it to [equalitywatch@wirral.gov.uk](mailto:equalitywatch@wirral.gov.uk) for publishing)

### Section 4: Within the Equality Duty 2010, there are 3 legal requirements. Which of the following are relevant to the Council function / proposal? (please tick relevant boxes)

- ☐ To eliminate unlawful discrimination, harassment and victimisation
- ☒ To advance equality of opportunity
- ☐ To foster good relations between groups of people

**Section 5: Will the function / proposal have a favourable or negative impact on any of the protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?**

**Please list in the table below and include actions required to mitigate any negative impact.**

Protected characteristic	Favourable or negative impact	Action required to mitigate any negative impact	Lead person	Timescale	Resource implications
Disability	Negative A change in Licensing Policy may restrict access to taxis	Monitor impact of any change in policy	Margaret O'Donnell	Ongoing	Staff time and costs to undertake consultation

**Where and how will the above actions be monitored? Independent surveys undertaken on a 3 yearly basis**

**If you think there is no negative impact, what is your reasoning behind this?**

**Section 6: What research / data / information have you used in support of this process?**

An independent survey on the supply and demand for Hackney Carriage Vehicles has been undertaken

**Section 7: Are you intending to carry out any consultation with regard to this Council function / policy?**

Yes / No – (please delete as appropriate)

If 'yes' please continue to section 8.

**If 'no' please state your reason(s) why:**

(please stop here and email this form to your Head of Service who needs to email it to [equalitywatch@wirral.gov.uk](mailto:equalitywatch@wirral.gov.uk) for publishing)

**Section 8: How will consultation take place?**

The independent survey has included consultation with members of the public and representatives of people with disabilities. The full report is available to Members to consider when deciding upon the policy to be adopted in relation to issuing Hackney Carriage Vehicle Licences.

Once you have completed your consultation, please review your actions in section 5. Then email this form to your Head of Service who needs to email it to [equalitywatch@wirral.gov.uk](mailto:equalitywatch@wirral.gov.uk) for publishing)

# **APPENDIX 1**

**List of individuals/organisations receiving consultation letter**

Merseytravel

VOSA

Parking Enforcement – Technical Services Department

Wirral Older Peoples Parliament

Area forums

Wirral Chamber of Commerce

Wirral Area Commander Merseyside Police

Voluntary & Community Action Wirral

1258 Hackney Carriage and Private Hire drivers

14 Private Hire operators

All Councillors

Children and Young People Department

WIRED

Wirral Multicultural Organisation

NHS

# **APPENDIX 2**

to «NAME»  
«ADD1»  
«ADD2»  
«ADD3»  
«ADD4»  
«ADD5»  
«ADD6»

date

your ref

my ref RL/MOD

service Licensing

tel (0151) 691 8043

Please ask for Margaret O'Donnell

fax (0151) 691 8215

email margaretodonnell@wirral.gov.uk

Dear Sir/Madam

**Taxi Licences**

The Council is responsible for licensing Taxis, which you will know as both Black Cabs ( Hackney Carriage Vehicles) that you can flag down or pick up from a taxi rank and Private Hire Vehicles you have to book through an Operator.

The Council is currently reviewing its policy regarding the licensing of Hackney Carriage Vehicles.

In November 2010 the Council appointed consultants to undertake an assessment of the supply and demand for Hackney Carriage Vehicles on Wirral. The consultants, Halcrow Group Ltd, have now completed this work and produced a report of their findings (A copy of the full report can be found at

<http://democracy.wirral.gov.uk/ieListDocuments.aspx?CId=120&MId=3593&Ver=4>).

The authors of the report have concluded that there is no evidence of significant unmet demand for Hackney Carriage Vehicles in Wirral. This means that the supply of hackney carriages in Wirral is sufficient to meet the demand for the service.

In this situation the report advises that the Council could now decide continue to allow market forces to dictate the number of hackney carriage licences (the current policy) or to introduce a limit on the total number of hackney carriage vehicles.

Cont/...



The report sets out four options for the Council to consider in relation to its policy of issuing licences. The council now wishes to consult on these options before making any determination on their policy.

The Council welcomes your views and the views of any interested parties and you should feel free to draw the attention of this document to others who may be interested in responding to the consultation.

To view the Report of the survey of supply and demand for taxis and to submit your views and comments please visit the Council's website at:

<http://bit.ly/taxilicensing>

If you do not have access to a computer or would prefer to use an alternative method to submit your views please visit your local, One Stop Shop where you can view the report and make your comments. If you have any difficulties please contact, Margaret Calvert on 0151 691 8476

The Council wishes to thank you for taking the time to consider this matter. Your views are important to the Council in reaching a fair and proportionate Licensing Policy in respect of the granting of Hackney Carriage Vehicle licences. Please ensure we receive your views no later than **31 December 2011**.

If you have any further enquiries about the consultation please contact Margaret Calvert on 0151 691 8476. This is also available at [www.wirral.gov.uk](http://www.wirral.gov.uk).

Yours faithfully

M. O'Donnell

Margaret O'Donnell  
Licensing Manager

## **Wirral Hackney Carriage Vehicle Licence Consultation**

### **The current situation - background**

Until March 2002 the Council limited the total number of hackney carriage vehicle (taxis that can be hailed or picked up at a rank as opposed to those that must be pre-booked from an operator) licences it issued to 127.

After a study into the supply and demand for hackney carriage vehicles it was found that there was a significant unmet demand and the Council decided to remove the limit on the number of Hackney Carriage Vehicle Licences it issued. In doing so it set criteria that must be met before a new licence could be issued.

- (i) that every vehicle must comply with the Council's Hackney Carriage Vehicle Licence conditions;
- (ii) that every vehicle must be purpose built and built to accommodate wheelchair disabled passengers;
- (iii) that every vehicle must be properly tested and roadworthy to a standard approved by the Council's vehicle inspectors, such testing to include the structural integrity;
- (iv) that all vehicles licensed must be properly insured and that proof of such insurance be shown to the Council either upon application or before issue of licence;
- (v) that every vehicle must be three years old or less from the date of first registration or date of manufacture (whichever is the earlier).

Currently the number of Hackney Carriage Vehicle Licences stands at 285.

### **Wirral Hackney Carriage Unmet Demand Study – September 2011**

In November 2010 the Council appointed consultants to undertake another assessment of the supply and demand for Hackney Carriage Vehicles on Wirral. The consultants, Halcrow Group Ltd, completed the survey and produced their report in September 2011. The report can be viewed at <http://bit.ly/wirralhackneys> (item 12 on the agenda).

The conclusion of the report is that there was no evidence of significant unmet demand for Hackney Carriage Vehicles in Wirral. This means that the supply of hackney carriages in Wirral is sufficient to meet the demand for the service.

The study report concludes that the Council could either decide to continue to allow market forces to dictate the number of hackney carriage licences (the current policy) or to introduce a limit on the total number of hackney carriage vehicles.

The Report points out that Council does not have to change its current policy of no limit on hackney vehicle licences but that because supply meets demand it has the discretion to decide to impose a limit on numbers.

The Report proposes four options for the Council to consider and this consultation concerns the options that are proposed and seeks views on those options. The Council will consider the views received when a decision is being made.

### **Consultation**

The four options subject to consultation are:

- Option 1      Continue to allow market forces to dictate the number of Hackney Carriage licences (no limit on the number of new licences issued)
- Option 2      Introduce a limit on the number of vehicles at 289 (the number of vehicles licensed at the time of the survey) or higher (no new licences to be issued beyond the limit set)
- Option 3      Retain a free entry policy but introduce more demanding conditions on the type of vehicle (e.g. requiring much newer wheelchair accessible vehicles) (have no limit but make the conditions harder to meet)
- Option 4      Continue to issue licences but only up to an annual limit. Limiting the growth to between five to ten licences per year would be reasonable, allowing for a five to ten percent increase in the fleet over a three year period.

### **Hackney Carriage Vehicles versus Private Hire Vehicles**

This consultation is about hackney carriage vehicles only. They are also known as black cabs or taxis and are hailed in the street or picked up at taxi ranks.

Private hire vehicles, which are booked through an operator at their offices or over the telephone, are not affected by this report. The Council is not allowed by law to restrict the number of Private Hire Vehicle Licences it issues.

## **Who would be interested in the proposals?**

Anyone who uses hackney carriages vehicles (taxis) should be interested in this consultation as it may impact on the availability of taxis at the times and in the places they use them. This will include

- ◆ Members of the public
- ◆ Wheelchair users
- ◆ The elderly
- ◆ People with mobility problems
- ◆ People with prams/buggies
- ◆ Special schools
- ◆ Any person wishing to consider licensing a vehicle as a Hackney Carriage (taxi).
- ◆ Any person currently holding a Hackney Carriage Vehicle Licence.

## **What the Government says about Hackney Carriage Vehicle Licences**

The Department for Transport have issued a document entitled "Taxi and Private Hire Vehicle Best Practice Guidance". This document states that the Department considers it best practice not to impose quantity restrictions on Hackney Carriage Vehicle Licences.

The Department for Transport states that ...'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.'

## **Next steps**

The comments received from this consultation will be collated and presented in a report in January 2012, to The Licensing Health and Safety and General Purposes Committee of the Council and will form part of their consideration of the Options proposed in the Halcrow's report.

## **The Four Options for the Council to consider:**

### ***Option 1 - Continue to allow market forces to dictate the number of Hackney Carriage licences***

This is, in effect, no change to the current policy of issuing licences to any vehicle which satisfies the criteria for issuing a new licence.

Some relevant factors:

- Licences will be granted for vehicles that meet the above criteria when requested allowing individuals who wish to work as taxi drivers to do so
- The number of Taxis can fluctuate with market forces
- Low waiting times at ranks
- Pressure for more ranking space increasing over ranking.
- Any increase in the number of licences issued could lead to more competition for business

**Do you agree that the Council should continue to allow market forces to dictate the number of licences issued by the Council?**

**What do you consider will be the impact of the Council maintaining it's current policy not to limit the number of licences it issues?**

**Are there any other issues you think that the Council should take into account when considering this option?**

***Option 2 - Introduce a limit on the number of vehicles at 289 or higher***

Some relevant factors:

- No further taxis on the road
- Existing licence holders would need to be able to "transfer" their licence to a replacement vehicle subject to the vehicle meeting the licensing criteria and consideration of the licence conditions of their previous vehicle. The licensing policy would be amended to give effect to this need.
- If demand increases there may be insufficient taxis to meet demand leading to increased waiting times for taxis
- No new vehicles would enter the trade
- Current licence holders would maintain an economic advantage
- New applicants would have to pay an additional premium to enter the trade
- Taxi licensing policy would be amended to incorporate a limit.

**Do you agree that a limit should be imposed at 289 on the number of licences that can be issued?**

What do you think the impact will be of introducing a limit on the number of licences that can be issued?

Are there any other issues you think that the Council should take into account when considering this option?

***Option 3 - Retain a free entry policy but introduce more demanding conditions on the type of vehicle***

This would maintain the Council's current policy on issuing new licences subject to the vehicle satisfying the criteria for a new licence. However the criteria would be stricter. For example the Council could require that all new licences are issued to brand new vehicles.

Introducing this Policy would maintain the Council's current policy on issuing new licences subject to the vehicle satisfying the criteria for a new licence. However the criteria would be stricter. For example the Council could require:

- That new licences are only issued to newer or brand new vehicles.
- That only vehicles of a certain type can be licensed
- Vehicles could only be licensed subject to a mileage limit

Any such requirements would be subject to further consideration by the licensing authority in exceptional circumstances and some exemptions may be granted.

Some relevant factors:

- May lead to higher quality vehicles
- It may be more costly to enter the market
- The number of Taxis can fluctuate with market forces
- Low waiting times at ranks
- Pressure for more ranking space increasing over ranking.
- Any increase in the number of licences issued could lead to more competition for business
- Taxi policy would be amended to include the stricter criteria.

Do you agree that the Council should retain a free entry policy but introduce more demanding conditions on the type of vehicle (e.g. requiring much newer wheelchair accessible vehicles)?

What do you consider will be the impact of the Council retaining a free entry policy but introduce more demanding conditions on the type of vehicle (e.g. requiring much newer wheelchair accessible vehicles)?

Are there any other issues you think that the Council should take into account when considering this option?

***Option 4 - Continue to issue licences but only up to an annual limit. Limiting the growth to between five to ten licences per year would be reasonable, allowing for a five to ten percent increase in the fleet over a three year period.***

The council currently issues an average of 12 licences each year without a managed growth policy. Implementing this Policy would require a systematic approach to issuing licences using a fair, transparent and open process that would involve inviting applications at a specific time(or times) in the financial year which would be open to all.

Some relevant factors:

- A restricted number of licences would be issued
- Growth may not necessarily relate to customer demand for taxis
- Premium to enter the market
- There would be limited opportunity to enter the market
- Controlled growth would provide some protection to meet any growth in demand
- Current licence holders would maintain an economic advantage
- Existing licence holders would need to be able to "transfer" their licence to a replacement vehicle subject to the vehicle meeting the licensing criteria and consideration of the licence conditions of their previous vehicle. The licensing policy would be amended to give effect to this need.
- Taxi licence policy would be amended to provide the arrangements for the limited grant of new licences.

**Do you agree that the Council should continue to issue licences but only up to an annual limit. Limiting the growth to between five to ten licences per year would be reasonable, allowing for a five to ten percent increase in the fleet over a three year period?**

What do you consider will be the impact should the Council Continue to issue licences but only up to an annual limit. Limiting the growth to between five to ten licences per year would be reasonable, allowing for a five to ten percent increase in the fleet over a three year period?

Are there any other issues you think that the Council should take into account when considering this option?



Wirral Council is asking local people for their views on its policy for the licensing of Hackney Carriage Vehicles (black cabs). A recent report proposed four options for the Council to consider when setting its policy on this issue of licenses.

You can find out more about the consultation on our website at [www.bit.ly/taxilicensing](http://www.bit.ly/taxilicensing).

The following questionnaire asks for your opinions on these options.

**1. In what capacity are you responding to this consultation?**

- ☐ Hackney Carriage Driver
- ☐ Hackney Carriage Vehicle Proprietor
- ☐ Private Hire Driver
- ☐ Private Hire Vehicle Proprietor
- ☐ Member of the public
- ☐ Wheelchair user
- ☐ Hackney Carriage Vehicle user
- ☐ Business user
- ☐ Other (please specify)

**2. If you are responding on behalf of an organisation please give its name:**

**3. Please tell us why you are interested in this consultation:**

**4. Please provide your e-mail address if you would like to receive e-mail updates on Council services and future consultations. Wirral Council will not disclose your information to any unauthorised third party. To unsubscribe please e-mail [unsubscribe@wirral.gov.uk](mailto:unsubscribe@wirral.gov.uk)**

**5. Please select your preferred option for the way Wirral Council should approach Hackney Vehicle licensing:**

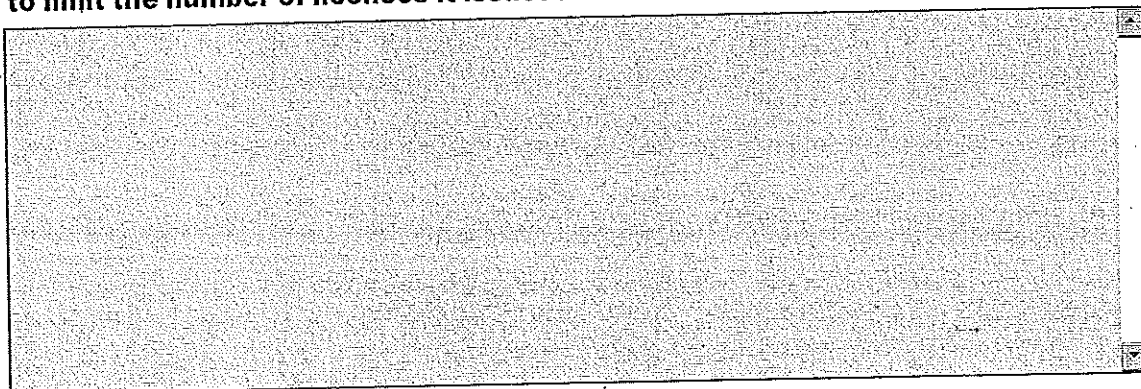
- ☐ Option 1 - Continue to allow market forces to dictate the number of Hackney Carriage licences (no limit on the number of new licences issued).
- ☐ Option 2 - Introduce a limit on the number of vehicles at 289 or higher (no new licences to be issued beyond the limit set). [GO TO QUESTION 9]
- ☐ Option 3 - Retain a free entry policy but introduce more demanding conditions on the type of vehicle (e.g. requiring much newer wheelchair accessible vehicles) (have no limit but make the conditions harder to meet). [GO TO QUESTION 12]
- ☐ Option 4 - Continue to issue licences but only up to an annual limit. Limiting the growth to between five to ten licences per year would be reasonable, allowing for a five to ten percent increase in the fleet over a three year period. [GO TO QUESTION 15]

**Option one**

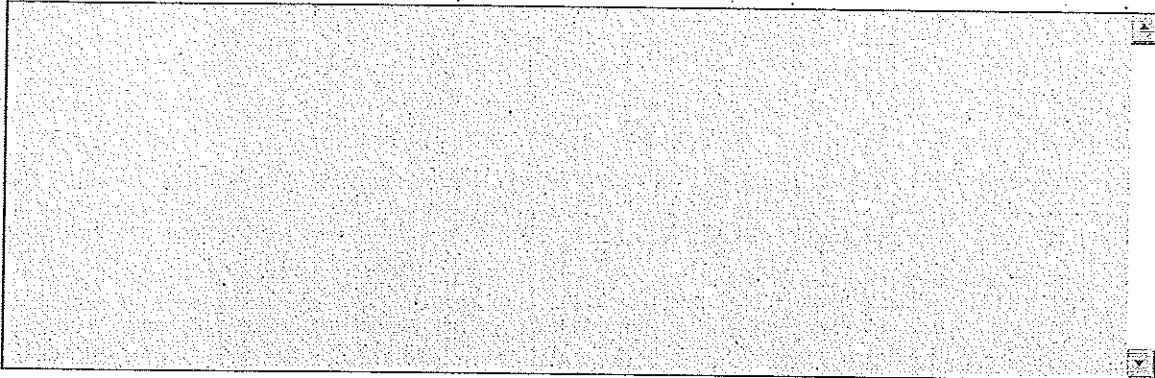
**6. Do you agree that the Council should continue to allow market forces to dictate the number of licences issued by the Council?**

- ☐ Agree Strongly
- ☐ Agree
- ☐ Neither agree nor disagree
- ☐ Disagree
- ☐ Disagree strongly

**7. What do you consider will be the impact of the Council maintaining its current policy not to limit the number of licences it issues?**



**8. Are there any other issues you think that the Council should take into account when considering this option?**



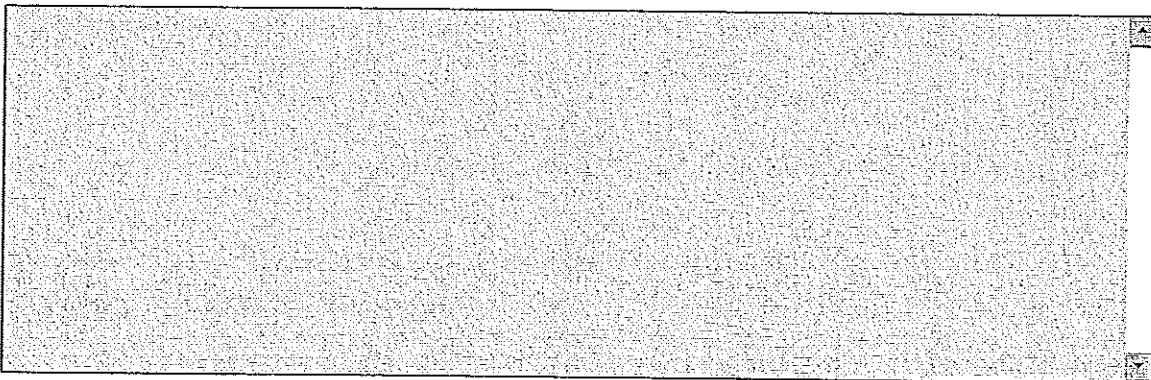
You can now choose to comment on any of the other options. If you do not wish to comment on any other options the survey is complete. Thank you for your time.

### **Option two**

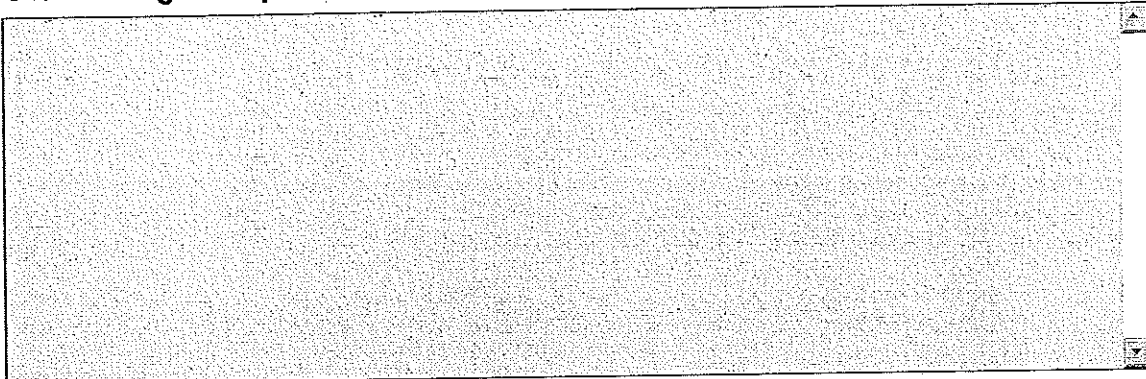
**9. Do you agree that a limit should be imposed at 289 on the number of licences that can be issued?**

- ☐ Agree strongly
- ☐ Agree
- ☐ Neither agree nor disagree
- ☐ Disagree
- ☐ Disagree strongly

**10. What do you think the impact will be of introducing a limit on the number of licences that can be issued?**



**11. Are there any other issues you think that the Council should take into account when considering this option?**



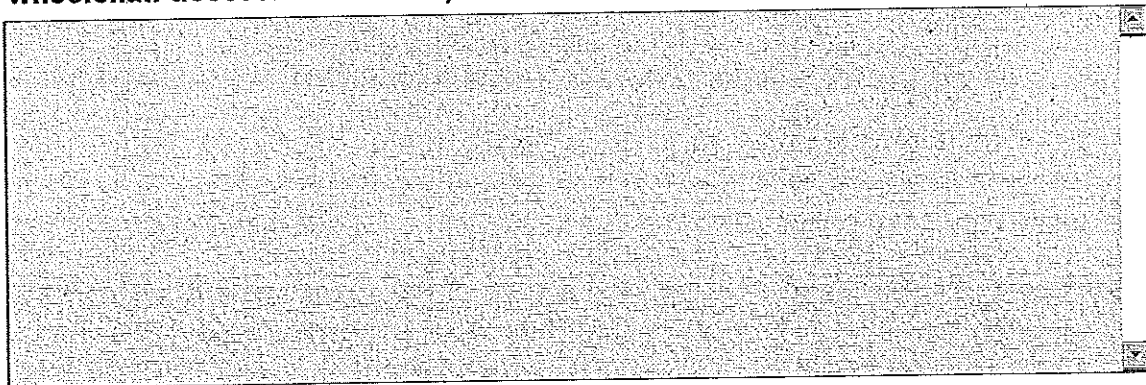
You can now choose to comment on any of the other options. If you do not wish to comment on any other options the survey is complete. Thank you for your time.

### **Option three**

**12. Do you agree that the Council should retain a free entry policy but introduce more demanding conditions on the type of vehicle (e.g. requiring much newer wheelchair accessible vehicles)?**

- ☐ Agree strongly
- ☐ Agree
- ☐ Neither agree nor disagree
- ☐ Disagree
- ☐ Disagree strongly

**13. What do you consider will be the impact of the Council retaining a free entry policy but introduce more demanding conditions on the type of vehicle (e.g. requiring much newer wheelchair accessible vehicles)?**



**14. Are there any other issues you think that the Council should take into account when considering this option?**

You can now choose to comment on any of the other options. If you do not wish to comment on any other options the survey is complete. Thank you for your time.

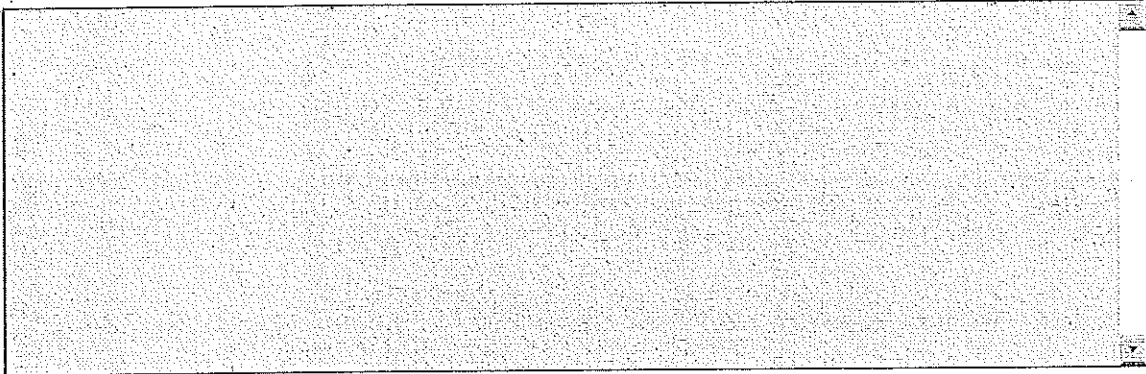
#### **Option four**

**15. Do you agree that the Council should continue to issue licences but only up to an annual limit. Limiting the growth to between five to ten licences per year would be reasonable, allowing for a five to ten percent increase in the fleet over a three year period?**

- ☐ Agree strongly
- ☐ Agree
- ☐ Neither agree nor disagree
- ☐ Disagree
- ☐ Disagree strongly

**16. What do you consider will be the impact should the Council Continue to issue licences but only up to an annual limit. Limiting the growth to between five to ten licences per year would be reasonable, allowing for a five to ten percent increase in the fleet over a three year period?**

**17. Are there any other issues you think that the Council should take into account when considering this option?**



# **APPENDIX 3**

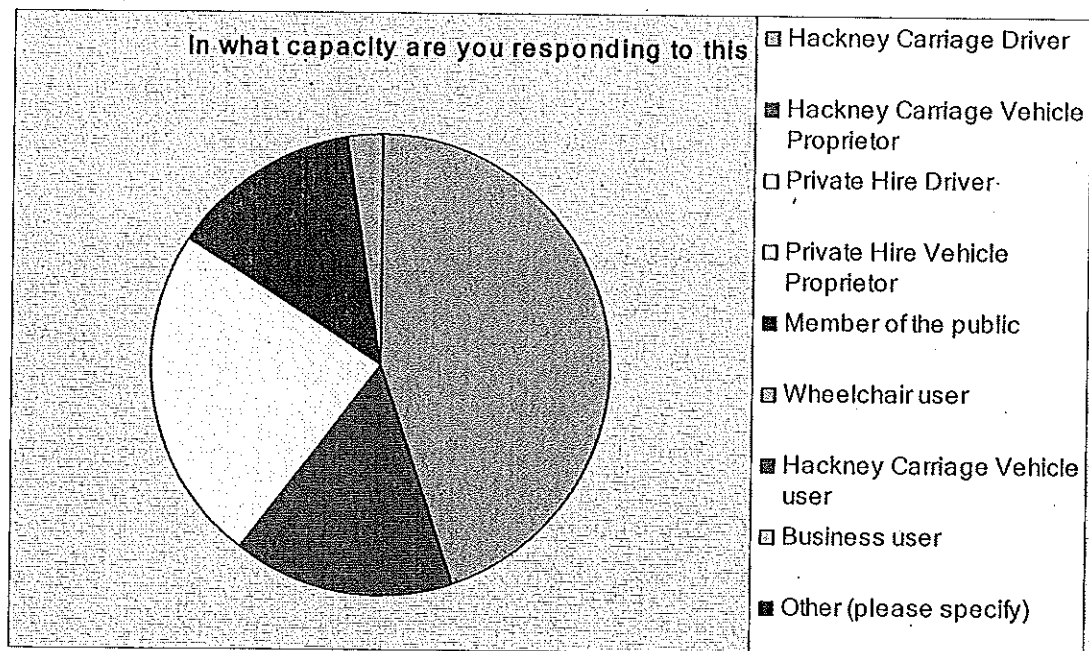
### Question 1

In what capacity are you responding to this consultation?

#### Hackney Carriage Licensing consultation

In what capacity are you responding to this consultation?

Answer Options	Response Percent	Response Count
Hackney Carriage Driver	44.7%	17
Hackney Carriage Vehicle Proprietor	15.8%	6
Private Hire Driver	23.7%	9
Private Hire Vehicle Proprietor	0.0%	0
Member of the public	13.2%	5
Wheelchair user	2.6%	1
Hackney Carriage Vehicle user	0.0%	0
Business user	0.0%	0
Other (please specify)	0.0%	0
answered question		38
skipped question		2



### Question 2

If you are responding on behalf of an organisation please give its name:

#### Hackney Carriage Licensing consultation

If you are responding on behalf of an organisation please give its name:	
Answer Options	Response Count
	1
answered question	1
skipped question	39

Number	Response Date	Response Text	Categories
1	Jan 2, 2012 8:09 PM	No	



### Question 3

Please tell us why you are interested in this consultation:

- I am a hackney carriage driver/proprietor
- The number of any form of taxis on the road has a direct influence on our earning potential. In 5 years there have only been 3 small increases in the fares we can charge. In effect this is a wages freeze however there is no limit to the amount of drivers allowed this makes a bad situation worse. To be blunt those people who do not work get a cost of living rise each year those of us who choose to work are being penalised twofold with the constant increase in drivers and no fares increase.
- "As an owner driver for the last nine and a half years I have had to increase my working hour year on year to maintain the same takings. The value of my takings has been eroded by general inflation and rapidly rising fuel costs. I have now capped my working hours at 70 to 80 hours per week and seen my earnings for the last two years fall to a level equal to £3.28 an hour for a seventy hour week. I have a £31,400 investment made to come into the trade and earn less than minimum wage!
- Options 1&4 are effectively the same given the number of new licences currently being issued.
- Option 3 will increase costs and lead to more hardship, even more cabs being repossessed, and ultimately drivers facing bankruptcy."
- Because it materially affects my ability to earn a living
- I am a disabled person who has used the taxi's
- "Being a private hire driver the number of Hackney Carriage licences does affect my living standards.
- Control should be exercised over Hackney Carriages plying for trade on private hire systems as different tariffs tend to be charged, which leads to the general public being confused
- Plus Hackney drivers tend to ignore a private hire booking accepted, if flagged down"
- There are too many taxis parking in Liscard and causing pollution
- I am a self employed hackney carriage driver and feel there are too many on the roads around Wirral
- It affects my livelihood
- I am a taxi owner/driver and this has been my sole occupation for almost 18 years. It is my opinion that the taxi trade has progressively declined over the years due to a variety of factors. However the number of Hackney Carriages has increased and it is felt that the market is saturated with cabs. This has significantly affected driver's incomes. I feel that under current market conditions a driver would find it extremely hard to be a sole provider for his family.
- "Increased number of hackneys and their joining of private hire circuits in huge numbers has made a desperate situation in the PH trade unnecessarily worse. The lack of work for Hackneys during most of the day has led to too many of them invading PH systems and stealing PH work. The public phoning for PH are frequently unaware of the fact that they may get a hackney when they ring a number they have always associated with PH. They then find themselves being charged Hackney rates and are confronted with Hackney attitudes such as a reluctance to get out of their cabs to give assistance. They also accept PH jobs over the radio while in the process of picking up from the streets. They park up illegally and take illegal fares off-rank and then have the

temerity to complain about PH ""pirating"". They break as many, if not more, rules as the PH drivers .....if their numbers were reduced or limited then perhaps they'd go back to what they're supposed to do. And none of us, PH and Hackney, would be working 70+ hours every week just to keep still.

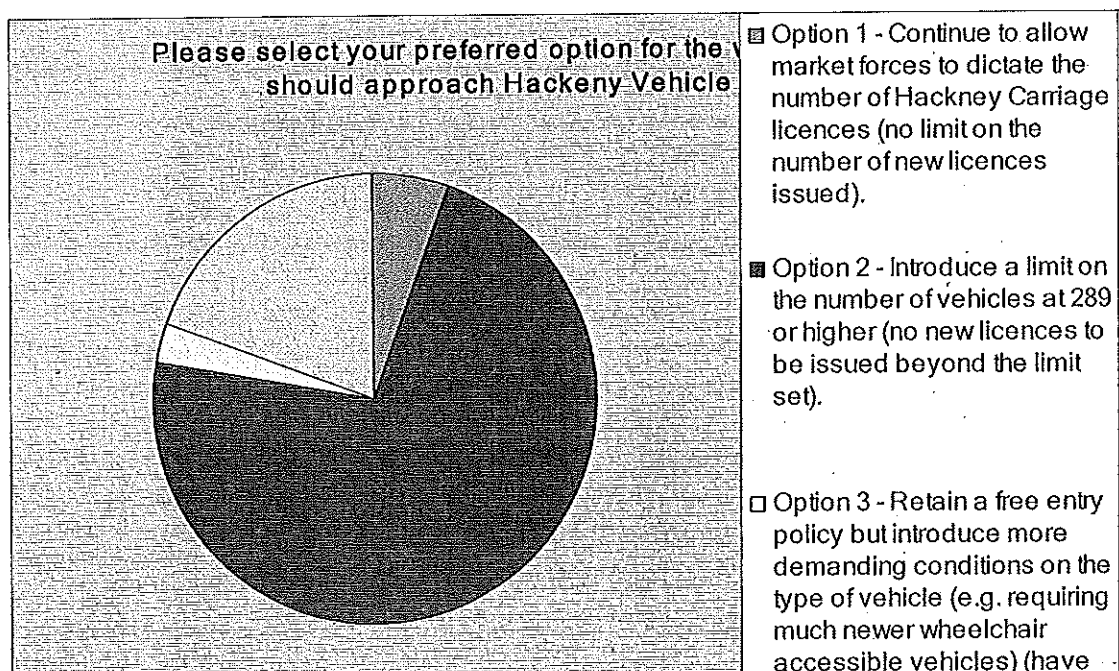
- And it is a nonsense that you undertake this exercise and dismiss PH concerns by saying you have no ability to control PH numbers. You can. You can make it more difficult to enter the trade. Ditch the meaningless impossible to fail Btec/NVQ course and have a proper knowledge test. i.e no prior knowledge of possible routes, do not allow SatNav, test the driver's ability to use an A to Z and make sure he/she can communicate. Any idiot can become a PH driver on the Wirral and that's not right."
- as a working cab driver on wirral this issue seriously impacts on my business
- The number of hackney carriages that are operating within wirral seriously impacts the amount of business available to self employed private hire drivers. This may be a self seeking opinion but the Wirral is already flooded with private hire vehicles. There appears to be no limit on how many private hire licences will be granted. This is excellent news for the operators as they can recruit an endless amount of drivers and increase their own profits but terrible news for the drivers. The pool of customers requiring private hire services is not increasing but the self employed people feeding from the pool are increasing and less business for each.
- My father in law uses a hackney carriage most days
- Currently a driver
- I am a Hackney Driver on the Wirral.
- im interested because i am a hackney carriage vehicle proprietor and driver and find it very hard to earn a living since deregulation , resulting in me having to work longer shifts for less money i was earning ten years ago .
- Hackney drivers are obvious competition for private hire drivers, therefore, I have an interest in this policy decision.
- "I am a hackney carriage driver and am concerned with the number of hackney cabs competing for work and rank space now as it is at this time.
- my badge no.is 66 and my plate number is 252"
- As it has a direct impact on my business.
- as a private hire driver struggling to make a living due to too many drivers on the road this should be capped.
- I'm currently a Hackney Carriage driver and I'm concerned about the overranking that is occurring in Birkenhead and Liscard. The last few years has seen more and more cabs on the ranks, and longer waiting times. The survey report has backed up what the Hackney Carriage trade has stated for a long time, changes are required on The Wirral.
- because any decision made effects my ability to earn a reasonable living with out having to work excessively long hours.
- I have always used hackney cabs, and find now that some are not as comfortable or as cheap as the private higher cars. I think there should be a limit on the age of these taxis both private higher and hackney. when checking these taxis maybe the upholstery should be checked for comfortable seating, we all like comfort when traveling. Maybe these things should be taken into consideration for the passengers.

- Because my living has hit rock bottom as there are to many hackneys on the road as well as to many private hire cars
- As a hackney driver this report obviously has a major influence on my livelihood and therefore I am extremely concerned of it's outcome .
- Please see answer to question 1.
- The increasing number of Cabs in the Liscard area now have to fight for places on the ranks, often using Daresbury road as a "ratrun" to avoid the traffic lights on Wallasey road. They use the run like a race track, and it is only a matter of time until one of our kids are hit!
- im a driver and owner

#### Question 4

Please select your preferred option for the way Wirral Council should approach Hackney Vehicle licensing:

Please select your preferred option for the way Wirral Council should approach Hackney Vehicle licensing:		
Answer Options	Response Percent	Response Count
Option 1 - Continue to allow market forces to dictate the number of Hackney Carriage licences (no limit on the number of new licences issued).	5.6%	2
Option 2 - Introduce a limit on the number of vehicles at 289 or higher (no new licences to be issued beyond the limit set).	72.2%	26
Option 3 - Retain a free entry policy but introduce more demanding conditions on the type of vehicle (e.g. requiring much newer wheelchair accessible vehicles) (have no limit but make the conditions harder to meet).	2.8%	1
Option 4 - Continue to issue licences but only up to an annual limit. Limiting the growth to between five to ten licences per year would be reasonable, allowing for a five to ten percent increase in the fleet over a three year period.	19.4%	7
answered question		36
skipped question		4

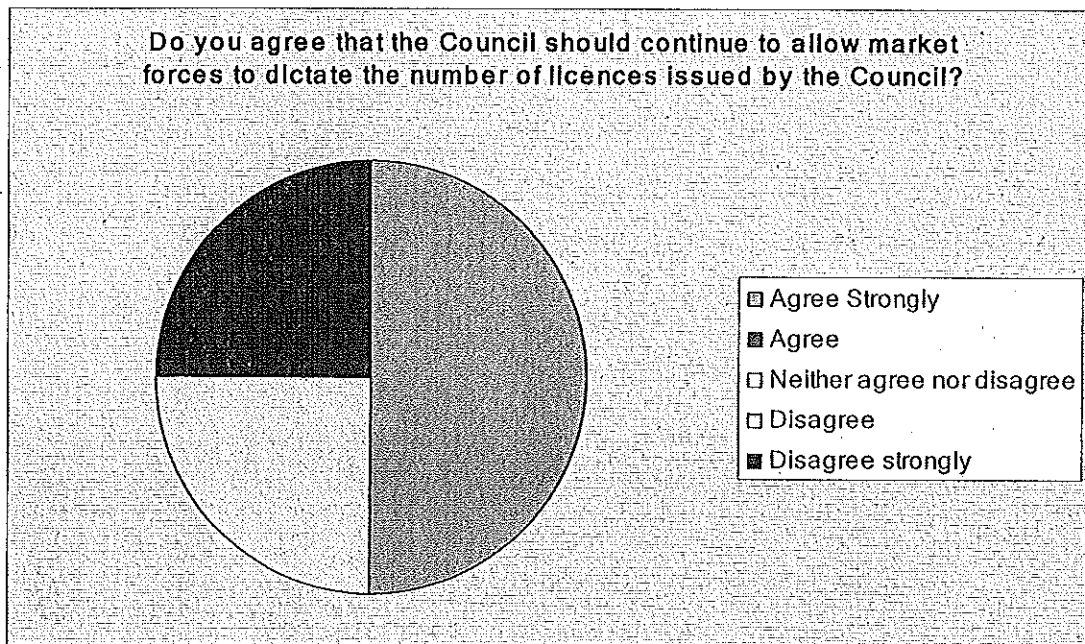


### Question 5

Do you agree that the Council should continue to allow market forces to dictate the number of licences issued by the Council?

Do you agree that the Council should continue to allow market forces to dictate the number of licences issued by the Council?

Answer Options	Response Percent	Response Count
Agree Strongly	50.0%	2
Agree	0.0%	0
Neither agree nor disagree	0.0%	0
Disagree	25.0%	1
Disagree strongly	25.0%	1
answered question		4
skipped question		36



### Question 6

What do you consider will be the impact of the Council maintaining its current policy not to limit the number of licences it issues?

- Market forces will dictate
- I dont think that any impact made would be derogatory at all as long as the situations is monitored and the correct proportion of licence are issued as and when market forces dictate.
- More hardship for the taxi driver

### Question 7

Are there any other issues you think that the Council should take into account when considering this option?

- The amount of hours worked by both Hackney and private hire drivers should be of great concern to the Council as a public safety matter
- There is always the option of Private Hire Drivers being given the same licencing conditions as Hackney Carriages, then this would make more cars available to the general public on the street even if it was only of a weekends when the demand is greater. Whilst it would not completely

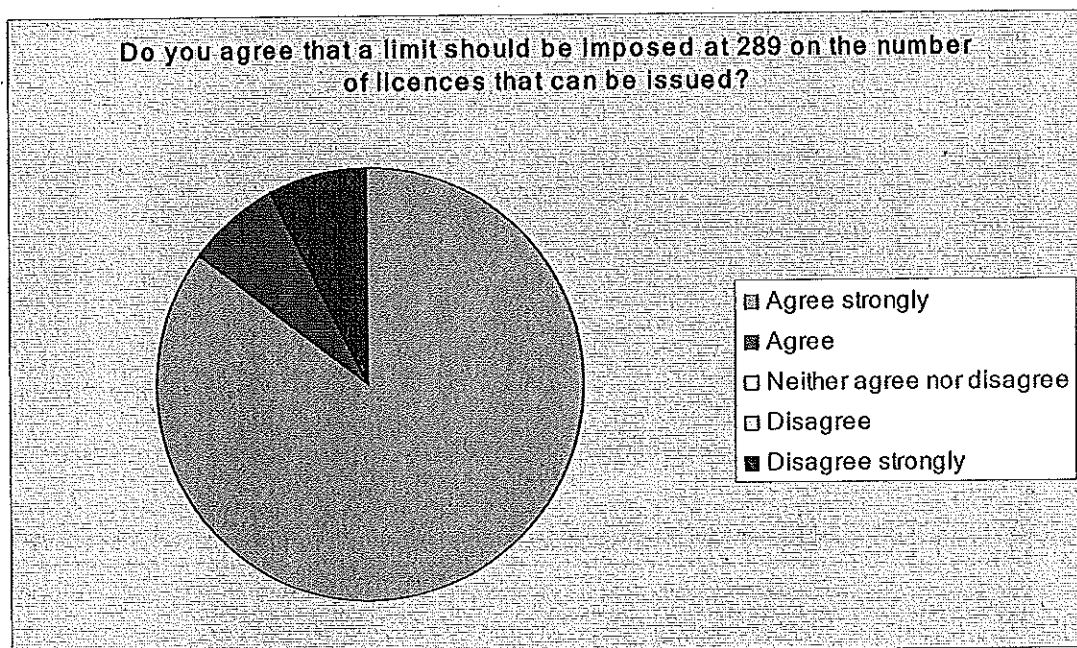
solve any shortage of disabled vehicles it would aid the situation as Private Hire Estate cars are more than capable of taking wheelchairs and folding prams, also there is the option of a side swinging adapted seat being fitted to enable elderly and disabled passengers ease of access.

- No

### Question 8

Do you agree that a limit should be imposed at 289 on the number of licences that can be issued?

Do you agree that a limit should be imposed at 289 on the number of licences that can be issued?		
Answer Options	Response Percent	Response Count
Agree strongly	85.2%	23
Agree	7.4%	2
Neither agree nor disagree	0.0%	0
Disagree	0.0%	0
Disagree strongly	7.4%	2
answered question		27
skipped question		13



### Question 9

What do you think the impact will be of introducing a limit on the number of licences that can be issued?

- For the public very little as there are enough taxis out there already. for the taxi drivers, it will give them confidence to invest in more modern vehicles without worrying how to pay for them
- A better service to the public as you will be able to keep good reliable drivers who know the area instead of the constant turn over as people realise it is very difficult to make a living and leave after a short period of time.
- The long road to recovery of a living wage may begin with no effect on the travelling public

- the survey clearly demonstrates that there is an oversupply of hacks in wirral. as a direct result of this many drivers are having to work longer and longer shifts just in order to stand still. this in turn leads to driver fatigue which can only compromise the safety of the travelling public. already this year a number of drivers have had to return vehicles to finance companies due to being unable to meet payments. the borough solicitor should consider what the financial impact of a number of drivers taking the council to court under the european working times directive would be. most of us are earning less than the minimum wage once our expences are deducted, so for me the only responsible course of action the lcencing commitee can take is to stop issueing any more plates.
- No change for several years. It would take a number of years for the balance to be restored.
- I think the trade will become more professional & standards, overall, will improve
- Steadier work for those that remain.
- As the system is over issued at the moment it will allow for the market to find a workable level over time and should help with problems like over ranking, a breakdown of morale and help driver/owner to reduce their working week to something close to acceptable.
- it will allow the trade to settle down after 9 years of increasing taxi no's. a lot of people have invested in new vehicles in this period and then left losing thousands of pounds in the process
- Their are more than sufficient hackneys at the moment. Many are operating with private hire operators (Private hire radioes and systems in the cab) and paying a settle to operators due to the lack of business and demand for more hackneys. Less hackneys may allow them to gain sufficient business from approved hackney ranks and pick ups on the street rather than relying upon private hire operators. Hackneys should be hackneys and not operate as private hire also it defeats the object of a hackney carriage in the first place. Many private hire vehicle are able to deal with people with a disability and up to six passengers.
- there are far too many taxis around wirral we have no probem phoning to go to town 5 minutes wait and when we come home there are far too many waiting for fares they cant surely make a living
- "There will be no impact as the survey showed , there is no unmet demand.
- It will stop the over ranking issue that is currently a problem."
- at present it wont make much of an impact but in next 2 years the trade will become more stable and drivers will be able to maintain there vehicles properly instead of cutting corners like we have to do at present .
- "Limiting the nunber of hackney license' on the wirral, i believe, will serve a number of purposes:
- A - The current feeling amongst all drivers (both hackney and private), is that there are too many licenses issued per annum and that the current policy is outdated and doesn't suit the current market conditions. Putting a limit on the number of licenses will go some way to appeasing hackney drivers and 'protecting' their business.
- B - It is currently felt by private hire drivers that there is a major issue of 'over ranking' at current taxi ranks (particularly in Birkenhead - House of frasier), causing unnecessery hazards, quite often into the main road. Limiting the number of licenses (and more strict control/enforcement measures) will reduce this problem across the wirral.



- C - As previously stated, Hackney drivers are seen as competition by private hire drivers and limiting the number of hackney licenses will go some way to appeasing private hire drivers who feel that fares are sometimes 'stolen' by hackney drivers, especially in birkenhead, liscard and new brighton areas."
- I think it will appease a large majority of drivers who are concerned about their income. There are sufficient numbers of cabs already competing for work and rank space as it is without new licences being granted. Unlike private hire drivers hackney cab drivers have to pay much more for their vehicles and competition for work is fierce as it is now.
- There is unfortunately always the danger of unlicensed drivers working in the Hackney carriages especially those who do not work with an operator, this may be a problem if licences are capped and people cannot obtain licences. Although I don't think this would be a huge problem it may be something to bear in mind.
- better quality of work more of it.
- I wouldn't call it an impact because that implies it would be detrimental. I would say that the result would put some stability back into the Hackney trade allowing drivers to earn a reasonable living without having to work excessively long hours, which can not only be dangerous to the public but can also have detrimental effects on the health of the driver as well as affecting family relationships.
- the fact that the cabs can rank up and use the spaces provided not sit and hope they don't get a parking ticket
- To the taxi driver nothing at all. To the public the same great service.
- "There are already too many licenses issued, so there will not be any initial impact.
- There may be an impact in the future if any unmet demand arises but that is highly
- unlikely in the next ten plus years. Also with the increase in the private hire sector and the use of mobile phones passengers do not have to go and wait at the ranks."
- None in the short term as indicated within the 2011 Halcrow survey report page 68... "The re-introduction of a fixed limit would be very unlikely to have any deleterious effect on this level of performance in the short term (one to three years)"..
- Maybe they will stop using "ratruns" to avoid lights and gain rank position.... maybe save one of our kids being hit!
- Less cabs hanging around ranks

#### **Question 10**

**Are there any other issues you think that the Council should take into account when considering this option?**

- limit the number of private hire drivers
- With the council controlling everything from the type of vehicles we drive to the clothes we wear, the fares we charge, the amount of ranking space and where it is located, you (the council) have a duty of care to drivers. Please take this opportunity to assist struggling drivers by taking away some of the future uncertainty.
- The existing drivers ability to earn a living wage for a reasonable amount of hours(40) worked.

- "The council may licence the vehicles & drivers, but its only the drivers doing the job that can increase the standards & professional accument
- They should give us the chance to show this"
- "The limit should be set lower and this could be achieved with a three year moratorium on the issue of new licences.
- WHY IS THERE NO OPTION TO CHOOSE THIS WAY AHEAD?
- The lack of a moratorium option makes this whole process loaded against our interests."
- If the council are to continue pushing for very high standards in condition of vehicles and maintain one of the lowest tariffs in one of the poorest areas in the the country, then they should consider how an owner can manage this in the face of increasing competition.
- There is only so much business for taxis. The present economic situation is not assisting in increasing business. People have less to spend on socialising and taxis. Private hire drivers are finding it increasing difficult if not impossible to meet their financial committments unless they work extended hours driving. Which in itself poses a serious risk to the public. But when they have families to support, increasing fuel, insurance and licensing costs they have no choice.
- no i was informed by a driver that a proffessionl survey had been done and that it will be done every three years to monitore the buisness of supply and demand that is fine by us
- "Consider the amount of viable Ranks and Feeder Ranks on the wirral compared with the amount of operational Hackney Carriage Vehicles on the road. Most of the work
- is within the the Birkenhead or Liscard Shopping areas or Hamilton Square Station.
- Any of your other Ranks are unused by the general public through"
- there should be a resonable fare increase set on an annual basis set by council in proportion to national wage increases
- I think it important that when the council decide on a set number of licenses, that if the number is below the number currently holding licenses, that licenses are not revoked and the number be allowed to dwindle through natural pathways (retirement, loss due to conviction etc).
- the council could introduce a policy of looking at this licensing situation say every 5 years, but as it is at present there are sufficient cabs supplying a service to the public. The biggest problem driver's are facing is overranking as there are only a few places in the borough go to catch taxis in number (birkenhead and wallasey ranks.) Drivers will only go to these areas where most of their work comes from.
- Yes eventually the trade will return to having dedicated night and day shifts, rather than the current work as long as you can keep your eyes open shift.
- yes they should spend time to have a look at the places where the ranks are placed as drivers wont sit on a rank that they know they wont get a fare
- None , exept ignore the recomendations of the council regarding keeping the plate issue open . We know it's only monetary gain & to prevent future litigation to the council that the licensing department / council are interested in . The livelihood of a taxi driver as they have shown in the past is of no interest to them .
- No

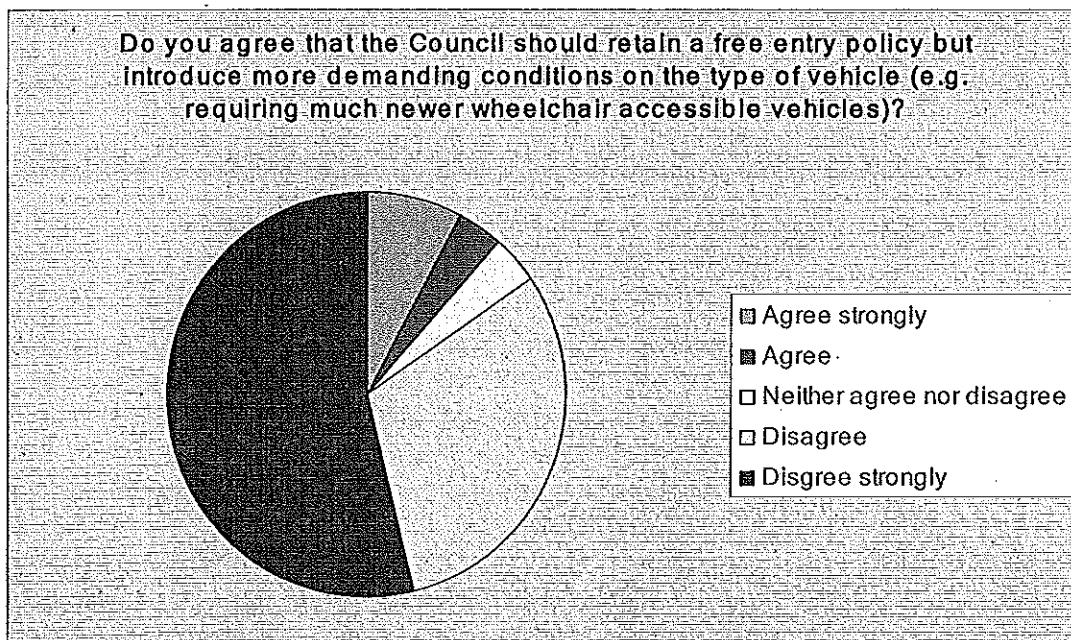


- "Merseyside Police Concerns on Page 48 of the Halcrow Survey Report as experts in this field the Merseydide Police concerns shouldn't be ignored..."
- A representative from Merseyside Police indicated with the report that ""...It was felt that there are too many hackney carriages on the Wirral with over ranking evident on Argyle Street and at Central Station and a limit should be introduced on the number of licences. A limited number of licences would also make monitoring the behaviour of drivers easier..."
- The increasing number of Cabs in the Liscard area now have to fight for places on the ranks, often using Daresbury road as a "ratrun" to avoid the traffic lights on Wallasey road. They use the run like a race track, and it is only a matter of time until one of our kids are hit!
- increased costs faced by drivers

#### Question 11

Do you agree that the Council should retain a free entry policy but introduce more demanding conditions on the type of vehicle (e.g. requiring much newer wheelchair accessible vehicles)?

Do you agree that the Council should retain a free entry policy but introduce more demanding conditions on the type of vehicle (e.g. requiring much newer wheelchair accessible vehicles)?		
Answer Options	Response Percent	Response Count
Agree strongly	7.7%	2
Agree	3.8%	1
Neither agree nor disagree	3.8%	1
Disagree	30.8%	8
Disagree strongly	53.8%	14
<i>answered question</i>		26
<i>skipped question</i>		14



### Question 12

What do you consider will be the impact of the Council retaining a free entry policy but introduce more demanding conditions on the type of vehicle (e.g. requiring much newer wheelchair accessible vehicles)?

- The policy is already very stringent and it hasn't stopped the number of taxis
- the more experienced drivers will leave as they cannot keep their own older vehicles on the road resulting in more inexperienced drivers driving newer settled vehicles as they will not be able to afford their own vehicles. Again this will result in a poorer service to the public as inexperienced people with no commitment to the job or the public will do the job for a short period of time and leave.
- This would be an unaffordable condition which would cause hardship to those who tried to meet it with forced others out of the trade and into unemployment. For many drivers employment options are limited. The travelling public would only benefit aesthetically, journey times would be unchanged.
- Existing drivers needing to work even more hours which, have an adverse effect on family life and the general health and wellbeing of the driver.
- A better service
- I think that Wirral Council already has very demanding conditions on the vehicles licenced compared with other Borough Councils
- It'll make it harder for drivers to get into the business....Result!
- Most of the hackneys nowadays have all the new required equipment, the testing stations quite justifiably are strict when examining the vehicles for equipment and roadworthiness. Some of the hackneys on the road however are no better than mechanical bins. The council would be better served insisting that older vehicles are not licenced and more inspections on the hygiene within the vehicles. SOME are a disgrace and I never travel in a hackney when I am socialising for that reason.
- "Talk to the elderly and disabled groups on the Wirral, they want the LIT not the conversions as the floor level is too high and the floor to ceiling height is too low.
- Older people wait till the (vans have gone) to get into a proper taxi.
- The Ranks are marked out ( 5 Cab Rank ) which now due to the length of an E7 or similar vehicle reduce it to a 3 Cab rank and because they are mostly on radio systems they leave 2 - 3 foot gap so they can pull out for a radio job, so the rank space is reduced. Hence over Ranking throughout Birkenhead."
- the issue I have with this option is the lesser quality vehicles ie not LTI vehicles will come more into the market and I don't think they are of the same quality as the purpose built vehicles .
- "As previously stated, my preferred option is to set a limit to license numbers as a whole, and I think more demanding conditions on vehicles will further increase the purchase and operating costs of vehicle unnecessarily.
- However, I do feel there should be a decrease in the number of years hackney vehicles can be on the road for - there are currently some appalling hackney carriages on the road that would never pass inspection be they private hire vehicles."
- In the present financial climate the vehicles you are suggesting are too expensive and put drivers under pressure to work longer hours to meet these h.p. payments.

- This would mean taking livelihoods away from people simply on the grounds of that they cannot afford to purchase the newer vehicles or force people into debt in order to continue working as a hackney carriage driver. It may even see a decline in the number of vehicles available for the groups that have been identified as hackney carriage users.
- that would put even more pressure on the driver/proprietor to work long shifts. obviously who ever prepared this questionnaire has no idea how much per week some one would have to pay to purchase a new Hackney type vehicle. That amount of money on top of insurance, fuel vehicle maintenance and license fees has to be earned before the driver/proprietor earns a single penny for him/herself.
- drivers will end up being unable to earn a living without doing 100 hours per week
- There's already enough taxis why do we need more ? It's not now feasible to pay £35000 for a taxi when the work isn't there , unless you like bankruptcy .
- "This will have the effect of lowering the number of the fleet. We are in an economic downturn and drivers will not be able to either get finance or afford the finance to acquire
- newer vehicles."
- "All hackney vehicles are wheelchair accesible, Disability Organisations didn't indicated there was any problem in hiring a hackney vehicle, their main concerns, page 43 of the Halcrow survey, relate to two issues/points...
- Wheelchair users are not able to face forward in transit it was suggested that rear loading vehicles would solve that problem. Firstly there are no hackney vehicles which support rear loading, secondly the manufactures handbook states it is dangerous to carry a wheelchair user in a forward position.
- Other raised concerns relate to Poor driver training, rusty equipment and driver attitudes. These concerns relate to the Councils Condition of License, neither will be rectified by having more hackney vehicles on the road."

### **Question 13**

**Are there any other issues you think that the Council should take into account when considering this option?**

- There is no need to continue this policy as Mr. Kelly has now 'gone away'
- Cost
- I welcome council enforcement officers stops and inspections on the street. They seem to be less frequent nowadays. On three occasions my private hire vehicle has been described as "the cleanest cab" on the Wirral which delighted me. I am amazed how some taxis, private hire as well are allowed to carry passengers and children when some are a disgrace. And this is from a private hire driver. I would hate to see the homes some of these people live in.
- as section 9
- the only other issue i have is ranking spaces for new vehicles , with little or no spaces left at the moment the ranks are over subscribed and over ranking is common place on the wirral.
- not reall, i think i've voiced my opinions elsewhere.

- DELIMITATION CAUSES FAR MORE PROBLEMS THAN IT SOLVES WITH EFFECTS IT HAS REGARDING OVER RANKING, TRAFFIC CONGESTION, DRIVERS WORKING EXCESSIVE HOURS AND ALL THE OTHER PROBLEMS DELIMITATION CAUSES,
- yes where are they going to rank up
- No .
- No
- "Section 161 of the Equality Act 2010 (Halrow report page 2) qualifies the law in relation to unmet demand.
- Section 161 applies to Councils who have 'relatively few' wheelchair accessible taxis. All hackney vehicles in Wirral are wheelchair accessibly thus Section 161 doesn't apply, in its entirety, to this Authority.
- The possibility of providing rear loading vehicles doesn't exist at present and wheelchair users traveling in the forward position would be considered as a health and safety issue as the vehicle Manufactures do not condone this method of transporting wheelchair users.
- The Halcrow report indicates the trade carries on average 1 to 5 wheelchair users per week, to continue to release more hackney vehicles or change vehicle policy on this evidence would be an overreaction to a minimum of wheelchair work the trade does on a weekly basis."

#### **Question 14**

**Do you agree that the Council should continue to issue licences but only up to an annual limit. Limiting the growth to between five to ten licences per year would be reasonable, allowing for a five to ten percent increase in the fleet over a three year period?**

<b>Do you agree that the Council should continue to issue licences but only up to an annual limit. Limiting the growth to between five to ten licences per year would be reasonable, allowing for a five to ten percent increase in the fleet over a three year period?</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Agree strongly	16.1%	5
Agree	16.1%	5
Neither agree nor disagree	6.5%	2
Disagree	35.5%	11
Disagree strongly	25.8%	8
<b>answered question</b>		<b>31</b>
<b>skipped question</b>		<b>9</b>

#### **Question 15**

**What do you consider will be the impact should the Council Continue to issue licences but only up to an annual limit. Limiting the growth to between five to ten licences per year would be reasonable, allowing for a five to ten percent increase in the fleet over a three year period?**

- Keep to the figure of 289 and if there are 289 vehicles still out there in the next 2 years consider issuing some more
- this is not the best option but is the least worse of the alternatives my previous comments apply

- The damage of recent years would continue. Loss of earnings for drivers and repossession of more vehicles. No benefit to the travelling public (taxi users), but an increase in congestion and pollution
- Two licences per year would be more fair.
- Hackney carriage licences/plates would be exchanged privately for more and more money
- There will be little impact as each year drivers will retire etc
- "I think this option is un-managable"
- 11 people apply for 10 licences annually, who decides who gets them?
- This option will cause problems"
- I believe this proposal will bring stability, job security and managed growth to the trade.
- I don't believe that ANY growth is reasonable under current economic conditions
- The effect is obvious, more people will apply for private hire licences and destroy that business unless regulation of numbers of Hackney and Private hire taxis is not watched. But hackney licences should be limited, There are more than enough parked up on ranks without work already. I have counted as many as fifty in Cloughton Road up to Charing Cross, Birkenhead during the daytime, the Liscard area is similar but not as bad. Senseless.
- "I feel that the Council should now freeze the plate as the income of the drivers has decreased dramatically due to the downturn in the economy any the massive loans that the drivers had to take to your vehicle requirements ( usually £150 per week+ £50 Insurance) + the fuel to fund this so you are looking at trying to make £280.00 before you actually make any money.
- The Council take the money off us IE Plate and Badge but dont seem to give a thought about us"
- if this was the decision of the council then more ranking spaces will be needed to accomodate the new vehicles
- it would still increase the fleet numbers,as it is the fleet is big enough to cope with demand as it is.
- The current system would work just as well.
- a gradual increase is preferable to the situation we have now of the roads flooded with taxis and unable to get onto the ranks there by causing congestion by having to drive around in circles
- Hopefully with the combination of improved ranks and limited growth, the Hackney trade will balance out and improve over time.
- I personally think the Council should cap the limit for at least three years, then have another survey to see what the situation is at that point. Then the Council Members should take the advice of the independent experts as to where to go from there, as these independent experts tend to know what they are talking about, whereas the Council officers very rarely do.
- It might reduce hackney cabs parking in zones all over the town taking up one side of the road making it very difficult in some areas for normal road users to pass.
- drivers working too many hours and this means they are unsafe through being too tired
- If that's reasonable , why didn't the council do that at the start of delimitation ?
- "I would agree with this if any returned plates are not reissued.
- The initial impact will be nil."

- "Table 5.4 Page 33 Halcrow report indicates Wirral has a zero rating regarding unmet demand, this indicates that Wirral compared to other Authorities studied already has an overrepresentation of hackney vehicles to population. Compare this table to Merseyside Police concerns as to they would like to see the hackney vehicle limit be reintroduced.
- The public satisfaction survey within the report indicates that to continue to release more licenses would not increase the public satisfaction level thus not be a positive move/effect to all parties concerned, the negative to that has to be that to release more hackney licenses is more likely to have a detrimental effect to all concerned parties."
- a more controlled management of the numbers of taxis in wirral also it will help reduce drivers long hours and enable them to double shift existing vehicles hence having more vehicles available over 24 hours

#### **Question 16**

**Are there any other issues you think that the Council should take into account when considering this option?**

- The Council will need to compile a waiting list of drivers who wish to obtain a Hackney Carriage Licence. The waiting list should be managed according to application date and granted on a date-applied basis.
- NO annual increase. On the contrary, you should be working toward a reduction.
- Private hire Operating Companies are the only winners nowadays. Hackneys are joining the companies in increasing numbers due to lack of hackney type business and thus more settles being paid to operators and private hire licences and plates are issued without numbers regulation and the drivers joining companies and paying more revenue to the operators. Business and demand for taxis is shrinking due to the economy but the amount of taxis available and being licenced is increasing. The end result will not be good.
- i feel that the Council should freeze the issue of new plates due to the unmet demand and review the issue in 3 years time when other areas of proposed development have come to fruition and the cab requirement may have altered.
- if the council goes for this option, make it every 3-5 years may be a better option or alternatively only issue a new plate as one is returned or retired.
- Maybe stricter conditions for the new vehicles.
- Yes the Borough Solicitor appointed by the Council to oversee vehicle licensing should be able to do that with out having to resort to the Button Book. This book represents only one point of view which is delimitation no matter what, The Borough solicitor surely should be able to express a legal opinion as to the advantages or disadvantages of all options therefore this book should not be required.
- just to consider other road users, being a bit more polite when carrying there passengers. And do we need all that there are on the road at this time, maybe put a limit on the amount of taxis on the road, maybe a strickter M O T.
- yes as there will be a number of drivers each year leaving the trade plates will be handed back in. this will the give room for new drivers to take the up.

- Close the issue without any clauses . The survey has shown there is enough taxis for Wirral .
- No
- The independent evidence shows there is no unmet demand for hackney services in Wirral as defined in the 2011 Halcrow survey report.
- only to survey every 3 years to have a proffessional picture of the state of supply and demand

# **APPENDIX 4**



**O'Donnell, Margaret**

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**From:** John.Martin@merseyside.police.uk  
**Sent:** 08 November 2011 12:03  
**To:** O'Donnell, Margaret  
**Cc:** Sandra.Todd@merseyside.police.uk; Philip.C.Davies@merseyside.police.uk;  
Ngaire.J.Waine@merseyside.pnn.police.uk  
**Subject:** Taxi Licenses - [Not Protectively Marked]

Margaret,

I refer to your letter dated 19th October 2011, in relation to your review of policy concerning the licensing of Hackney Carriage Vehicles. I have consulted with my Neighbourhood Inspectors and our Planning Unit and the consensus is in accord with your own findings. We do not feel that there is a shortage of provision at the moment and even during peak periods, at weekends linked to night time economy, it would appear that the supply is able to meet the current demand. The safe and speedy transport of members of the public away from our licensed premises is a key factor in the success of our violent crime reduction strategy and I would welcome the opportunity to review the provision of taxis and other modes of public transport on a regular basis.

Best wishes

John Martin  
Chief Superintendent  
Area Commander Wirral  
Wallasey Police Station  
Manor Road  
Merseyside CH44 1DA  
0151 777 2000

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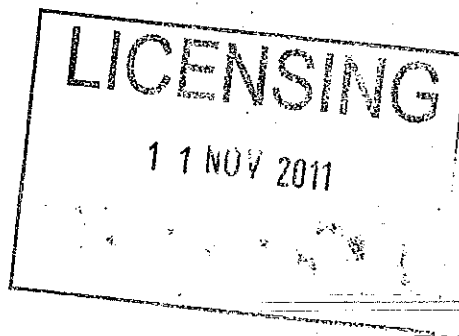
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Ms M O'Donnell,  
Licensing Department,  
Town Hall,  
Brighton Street,  
Wallasey,  
Cheshire.  
CH44 8ED  
Ref RL/MOD



Dear Sir/Madam,

Thank you for your letter asking for my input to your problem, not that you will take any notice of it, after all you have paid council tax payers good money that you can not afford, TO A CONSULTANT GROUP, then ask the people that are most concerned what they think, after you have made all the decisions on the basis of the expensive report that the rate payers did not know about or need.

Under the freedom of information act I should like a full breakdown of all costs of this consultation and the cost of man hours spent in town hall departments to bring your good selves to your result, as you must also be aware that your department are over paid to work such problems out, if you need consultants why do we need you.

I do not see why you don't bring all taxi's under one heading, as is the case of enlightened and intelligent authorities, all cars to be any colour so long as it is black, get shut of advertising or let every car to advertise, after all your mates advertise on private hire cars Satellite, Argyle-Park, Call-back and Abbey, you are definitely biased in their favour are you not, after all your rule when I started! There will be no advertising on private hire cars other than a magnetic panel of set proportions and letter sizes, your pet enforcer P C Goode told a driver he would put his car off the road if he did not remove the advert in his back window, The Advert Was A Liverpool Football Club Logo are you lot so out of touch with reality.

So let us have all cars with taxi signs taxi meters, and taxi conformity, so that I don't have to suffer the foul mouth abuse when I point out to (the unbooked public) that although my car is classed as a taxi I can't pick them up because I drive private hire unlike Satellite Argyle, and also the illegal hackney rankers on the car park of the Clipper or the road outside of the Oxton bar and terrace the bus stop outside the Swan, to the detriment of other road users, they all pick up fares I refuse to take on illegal grounds.

Bring On Equality For All.

Yours Sincerely

As for taxis, the Council should not try to limit numbers; it should (after consultation of course) seek to require a better standard of cab to be provided. Age restriction is one thing but I still see too many which are not fully accessible. Improving the quality will weed out those who want to make it work and get rid of the cowboys. By raising quality standards, the trade will find its own natural balance.

O'Donnell, Margaret

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From:

Sent: 20 October 2011 12:00

To: O'Donnell, Margaret

Subject: Hackney Carriage Survey

Dear Margaret

Thank you for your recent correspondence concerning your recent taxi survey.

My own and many others in the trade is that the current policy should be frozen till market conditions improve.

My main concern is that if we persist with the way we are going there are serious health and safety issues.

Because of the sharp increase in the essentials {fuel, insurance parts and labour}

Driver are working longer hours putting their own lives and their passengers at risk.

Accepting that there is no magic wand solution I do believe that a freeze on plate releases is essential.

I have always respected your positive running of the licensing department once again with your release of the survey results and your call for peoples views on it remains admiral.

Your Sincerely

Joe Squibb

28/12/2011

# **APPENDIX 5**

## Appendix 5

### Option 1

#### Continue to allow market forces to dictate the number of Hackney Carriage licences

Practical/Legal Implications	Implications for Applicants	Implications for existing Licence Holders who want to make changes in respect of their licence or vehicle
<p>Legal challenges could not be made regarding the refusal to grant a licence on the grounds that there was no demand for Hackney Carriages that was unmet.</p> <p>No requirement for three yearly unmet demand surveys</p> <p>No requirement for considerations of who should be granted licences should a licence become available</p> <p>No concept of a waiting list for Hackney Carriage Licences</p> <p>No requirement to change current criteria for the issue of Hackney Carriage Vehicle Licences</p>	<p>Applicants would be granted a licence subject to the vehicle complying with the Council's criteria and conditions without having to be considered in terms of a waiting list or lottery.</p>	<p>Proprietors could change vehicles without going outside the legal process.</p> <p>Can continue to transfer ownership of vehicles.</p>

## Option 2

### Introduce a limit on the number of vehicles at 289 or higher

Practical/Legal Implications	Implications for Applicants	Implications for existing Licence Holders who want to make changes in respect of their licence or vehicle
<p>Members will have to determine the numerical limit beyond which no further licences will be issued</p> <p>Potentially significant legal costs to the Council related to the refusal to grant licences</p> <p>The Council will need to set out clearly how it will consider potential applications for licences and the criteria for granting licences – ie first come first served, lottery or waiting list.</p> <p>The Council will have to consider how it will determine applications in circumstances where:  a licence expires, is surrendered, the owner wishes to change their vehicle,  the Council receives an application for</p>	<p>Licences could not be issued to new applicants once the limit had been reached.</p> <p>Anyone wishing to apply for a new licence would have to wait until a licence became available.</p>	<p>Must ensure they renew licences on time.</p> <p>May be subject to provisions.</p>

a vehicle to be used by a driver who's vehicle has been involved in an accident, the Council receives an application for a Horse Drawn Carriage or Rickshaw.		
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### Option 3

Retain a free entry policy but introduce more demanding conditions on the type of vehicle (e.g. requiring much newer wheelchair accessible vehicles)

Practical/Legal Implications	Implications for Applicants	Implications for existing Licence Holders who want to make changes in respect of their licence or vehicle
The Council will need to review and consult upon existing licence conditions and criteria for licensing Hackney Carriage Vehicles	Applicants would be granted a licence subject to the vehicle complying with the Council's criteria and conditions	

#### Option 4

Continue to issue licences but only up to an annual limit. Limiting the growth to between five to ten licences per year would be reasonable, allowing for a five to ten percent increase in the fleet over a three year period.

Practical/Legal Implications	Implications for Applicants	Implications for existing Licence Holders who want to make changes in respect of their licence or vehicle
<p>Members will need to determine the level at which to set a managed growth policy</p> <p>Potentially significant legal costs to the Council related to the refusal to grant licences</p> <p>The Council will need to set out clearly how it will consider potential applications for licences and the criteria for granting licences – ie first come first served, lottery or waiting list.</p> <p>The Council will have to consider whether there should be any changes to the current criteria to address the following circumstances: a licence expires,</p>	<p>Licences could not be issued to new applicants once the annual limit had been reached.</p> <p>Anyone wanting to apply for a new licence would have to wait until a licence became available.</p>	

<p>a licence is surrendered, the owner wishes to change their vehicle, the Council receives an application for a vehicle to be used by a driver who's vehicle has been involved in an accident, the Council receives an application for a Horse Drawn Carriage or Rickshaw.</p>		
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# **APPENDIX 6**

