

LICENSING COMMITTEE AGENDA

Tuesday 21st March 2023 at 7.15pm

Council Chamber, Braintree District Council, Causeway House, Bocking End,
Braintree, CM7 9HB.

THIS MEETING IS OPEN TO THE PUBLIC

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Members of the Licensing Committee are requested to attend this meeting to transact the business set out in the Agenda.

Councillor J Baugh (Chairman)	Councillor Mrs I Parker
Councillor Mrs J Beavis	Councillor Mrs J Pell
Councillor Mrs M Cunningham	Councillor S Rehman
Councillor P Euesden	Councillor B Rose (Vice Chairman)
Councillor S Hicks	Councillor P Schwier
Councillor H Johnson	Councillor Mrs L Walters
Councillor T McArdle	Councillor B Wright

Substitutes: Councillor J Coleridge, Councillor A Munday,
Councillor Mrs J Sandum, Councillor D White, Vacancy x 2

Apologies: Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email governance@braintree.gov.uk by 3pm on the day of the meeting.

Any Member who is unable to attend a meeting is able to appoint a Substitute. Written notice must be given to the Governance and Members Team no later than one hour before the start of the meeting.

D GASCOYNE
Chief Executive

INFORMATION FOR MEMBER – DECLARATIONS OF MEMBERS' INTERESTS

Declaration of Disclosable Pecuniary Interests (DPI), Other Pecuniary Interests (OPI) or Non-Pecuniary Interests (NPI).

Any Member with a DPI, OPI or NPI must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a DPI or OPI or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the Chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

Public Question Time - Registration and Speaking:

The Agenda allows for a period of up to 30 minutes for Public Question Time. Members of the public may ask questions or make statement to the Committee on matters listed on the agenda for this meeting.

All questions or statements should be concise and should be able to be heard within the 3 minutes allotted to each speaker.

Anyone wishing to ask a question or make a statement are requested to register their interest by completing the Public Question Time registration [online form](#) by **midday on the second working day** before the day of the Committee meeting.

For example, if the Committee Meeting is on a Tuesday, the registration deadline is midday on Friday, (where there is a Bank Holiday Monday you will need to register by midday on the previous Thursday). The Council reserves the right to decline any requests to register to speak if they are received after this time.

When registering for Public Question Time please indicate whether you wish to attend the Committee meeting 'in person' or to participate remotely. People who choose to join the meeting remotely will be provided with the relevant link and joining instructions for the meeting.

Please note that completion of the on-line form does not guarantee you a place to speak during Public Question Time. You will receive email notification from the Governance Service confirming whether your request is successful.

The Chairman of the Committee has discretion to extend the time allocated to registered speakers and the order in which they may speak.

In the event that a registered speaker is unable to connect to the meeting, or if there are any technical issues, their question/statement may be read by a Council Officer.

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Comments and Suggestions:

We welcome comments to make our services as efficient and effective as possible. If you have any suggestions regarding the meeting you have attended, you can send these to governance@braintree.gov.uk

1 Apologies for Absence**2 Declarations of Interest**

To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest relating to items on the agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.

3 Minutes of the Previous Meeting

To approve as a correct record the minutes of the meeting of the Licensing Committee held on 18th January 2023 (copy previously circulated).

4 Public Question Time
(See paragraph above)**5 Hackney Carriage Proprietor Licence Allocation****5 - 9****6 Quantity Restrictions – Taxi Licences****10 - 69****7 Licensing Committee Update****70 - 75**

Agenda Item: 5

Report Title: Hackney Carriage Proprietor Licence Allocation	
Report to: Licensing Committee	
Date: 21st March 2023	For: Decision
Key Decision: No	Decision Planner Ref No: N/A
Report Presented by: John Meddings, Principal Licensing Officer	
Enquiries to: John Meddings, Principal Licensing Officer	

1. Purpose of the Report

- 1.1 Braintree District Council is the Licensing Authority for Hackney Carriage Proprietors Licences.
- 1.2 The Council currently limits the number of Hackney Carriage Proprietors Licences it issues to 84. Licences returned to the Council are required to be allocated in accordance with the Council's Allocation of Hackney Carriage Proprietors Licence Policy.
- 1.3 The Council's policy provides for the allocation of the Licence by random ballot. This report sets out how the ballot will be conducted to allocate the two Hackney Carriage Proprietors Licences currently held by Braintree District Council.

2. Recommendations

- 2.1 To issue the Hackney Carriage Proprietors Licences by random ballot in accordance with the Hackney Carriage Proprietors' Licences Allocation Policy.

3. Summary of Issues

- 3.1 The Council currently limits the number of Hackney Carriage Proprietors Licences it issues to 84. The limitation of numbers creates a demand amongst prospective licence holders and an artificial value to holding a Hackney Carriage Proprietors Licence.
- 3.2 The Policy for the allocation of Hackney Carriage Proprietor's Licences was introduced by the Licensing Committee on 14th February 2014 to ensure that the allocation of future licences is handled in a fair, open and transparent way.

4. Consultation

- 4.1 Expression of interests were invited from all licensed drivers. Private Hire Operators were also notified of the availability of Hackney Carriage Proprietors' Licence.
- 4.2 The submission of expression of interests were invited over a four-week period ending on 6th March 2023.
- 4.3 During the expression of interest period, the Council received 45 responses.
- 4.4 Three of the expressions of interest were invalidated. One already had been allocated a Licence through a previous ballot and two already held two Hackney Carriage Proprietors' Licenses.
- 4.5 The remaining two interests received were submitted in error and have been removed from the draw.

5. Declarations of interest

- 5.1 The following is a list of all the declarations received. The numbers attached to each individual will be the identifiers used in the ballot.

- 1 Ali Salih
- 2 Andrew Keen
- 3 Asim Majeed
- 4 Azhar Hassan
- 5 Bilal Muhammad
- 6 Cetin Ustabas
- 7 Dawood Ahmadi
- 8 Donna O'Connell
- 9 Emily Avery
- 10 Fatma Malek
- 11 Furqan Sakhi
- 12 George Asamoah
- 13 Hassan Rafiq
- 15 Ilker Akbiyik
- 16 Ismail Zekeriye
- 17 Kamran Sabir
- 18 Kashif Zia
- 19 Kevin Warren
- 20 Khalid Mehmood
- 21 Laiq Rahimi
- 22 Maciej Giba
- 23 Moulay Garnaoui
- 24 Sukhjinder Sukhjinder
- 25 Muhammad Khan
- 26 Naveed Irshad

27	Osman Arslan
28	Patrick Palmer
29	Rafaqat Hayat-Gondal
30	Ramazan Gorgulu
31	Ramcoumar Ramadassou
32	Ramesh Krishnan
33	Rashid Rehman
34	Ravi Ramalingam
35	Raymond Goodwins
36	Rehman Aslam
37	Syed Shah
38	Tarek Laaouad
39	Tracy Prior
40	Yasir Mehmood

6. Ballot

- 6.1 The Hackney Carriage Proprietors' Licence will be issued by random ballot in accordance with Braintree District Council's Hackney Carriage Allocation Policy.
- 6.2 Individuals that are entered into the ballot will be invited to the draw, so they are able to follow the ballot 'live'. The ballot will be conducted openly and transparently with Members and viewers guided through the process.
- 6.3 The ballot will use a web-based number generator, [Calculator.net](https://www.calculator.net) to draw the required lots. This is an independent system and has no affiliation with Braintree District Council and is a publicly accessible website. The operation of the number generator and the drawing of lots will be controlled by a member of the Governance and Members Team. This screen will be projected so that all present can watch the draw.
- 6.4 The number range entered will be 1 to 40 to collate with the expressions of interest received, as detailed in paragraph 5.1.
- 6.5 The website will then generate random numbers in the range on request.
- 6.6 Lots will be drawn for the Hackney Carriage Proprietors' Licences available. Then a reserve will be drawn to allow for the potential unsuccessful applications and to avoid the need for another ballot to allocate the licence in the future.
- 6.7 The first number generated will be the winner of the first Hackney Carriage Proprietors' Licence and be given the opportunity to complete an application within the next 28 days or revised agreed timetable.
- 6.8 The second number generated will be the reserve for the available Hackney Carriage Proprietors' Licence. If the first lot drawn fails to complete an

application within the agreed time frame, the second lot drawn will be given the opportunity to complete an application in the required timeframe.

- 6.9 If any number generated is a duplicate of a previously generated number it will be considered void, and a new number generated.

7. Successful Applicants

- 7.1 The successful candidates will need to licence a wheelchair accessible vehicle within 28 days of the ballot in accordance with the Council's vehicle criteria.
- 7.2 The applicant will be required to undertake a declaration that the Licence will not be sold or transferred for a period of five years.
- 7.3 Should the successful applicants already be an existing Hackney Carriage Proprietor, they will also be required to undertake a declaration not to sell or transfer any existing Licence.

8. Options

- 8.1 To issue the two Hackney Carriage Proprietors Licences by random ballot in accordance with the Hackney Carriage Proprietors' Licences Allocation Policy.

9. Financial Implications

- 9.1 There are no issues arising from this report, however should the licence be issued the Council will receive a fee for any subsequent application received.

10. Legal Implications

- 10.1 No issues arising from this report.
- 10.2 The Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 place on Braintree District Council, as the Licensing Authority, the duty to carry out its licensing functions in respect of Hackney Carriages and Private Hire Vehicles.

11. Other Implications

- 11.1 There are no other issues arising from this report.

12. Equality and Diversity Implications

- 12.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

12.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

12.3 The Equality Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

13. Background Papers

Hackney Carriage Proprietors Licences Allocation

45 Expressions of interest (40 valid, 3 invalid and 2 in error)

Equality Impact Assessment of 15th April 2014

Agenda Item: 6

Report Title: Quantity Restrictions – Taxi Licences	
Report to: Licensing Committee	
Date: 21 st March 2023	For: Decision
Key Decision: No	Decision Planner Ref No: N/A
Report Presented by: Daniel Mellini – Environmental Health Manager (Food, Health & Safety and Licensing)	
Enquiries to: Daniel Mellini – Environmental Health Manager (Food, Health & Safety and Licensing)	

1. Purpose of the Report

- 1.1 Braintree District Council (the Council) currently places a quantity restriction (QR) on the number of Hackney Carriage proprietor (taxi) licences it issues. This report brings forward the responses received following a consultation with key stakeholders and the Licensing Committee are requested to consider the findings and recommendation set out in section two below.

2. Recommendation

- 2.1 It is recommended that the Licensing Committee remove the limit on the number of taxi licences the Licensing Authority issues with effect from 1 April 2023.
- 2.2 The recommendations set out in this report will help the Council to deliver the following Corporate Objectives:
- A sustainable environment and a great place to live, work and play;
 - A prosperous district that attracts business growth and provides high quality employment opportunities;
 - Residents live well in healthy and resilient communities where residents feel supported;
 - Delivering better outcomes for residents and businesses and reducing costs to taxpayers.

3. Summary of Issues

- 3.1 The Council is the Licensing Authority under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 for Hackney Carriage Proprietors' licences (hereafter referred to as taxis, or taxi licences).
- 3.2 The Council currently places a quantity restriction (QR) on the number of taxi licences it issues to 84. The Council has issued 81 out of the 84 available licences at this time.

- 3.3 The Council has placed a QR on the number of taxi licences for at least two decades. In 1996, the Licensing Committee agreed that an independent survey should be commissioned at regular intervals to ascertain whether there were sufficient licensed taxis within the district.
- 3.4 Accordingly, the Licensing Committee on 11 September 2019 considered a report concerning the limit to the number of taxi licences it issues and agreed that a consultation exercise seeking stakeholders' views on whether the limit should remain before reconsidering the matter based upon the results of the consultation.

4. National Guidance

- 4.1 The report presented to the Licensing Committee in 2019 provided a comprehensive review of all the available guidance with respect of QR and should be read in conjunction with the following section of this report.
- 4.2 The advice available to local authorities at that time remains current but has been supplemented by new guidance from the Department for Transport (DFT) by way of Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities in England 2022. The guidance was produced as a consultation document and is due to be published in due course.
- 4.3 Although a consultation draft, the guidance within the document is the most current available. It is not possible to state whether any part of the following guidance on this matter will be amended following receipt of responses to the consultation and as a result caution is to be applied.
- 4.4 The guidance reaffirms the status of S.16 of the Transport Act 1985 which *"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 licensing authority is satisfied that there is no significant unmet demand for taxi services in their area"*. In the event of a challenge to a decision to refuse a licence, the Council would have to establish that it had, reasonably, been satisfied that there was no significant unmet demand.
- 4.5 The guidance refers to the Competition and Markets Authority guidance published in 2017 on the Regulation of taxis and private hire vehicles which determined that QR are not necessary to ensure the safety of passengers, or to ensure that fares are reasonable. However, they can harm passengers by reducing availability, increasing waiting times, and reducing the scope for downward competitive pressure on fares.
- 4.6 The guidance acknowledges that most Local Authority's in England do not impose QRs, however where restrictions are imposed, the DFT urges that the matter should be regularly reviewed, and the matter should be reviewed in the interests of the travelling public to include a consideration of the following:
- What benefits or disadvantages arise for them as a result of the continuation of controls?

- 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?
 - Are there alternative ways in which the issue could be addressed?
- 4.7 The DFT states that where alternative measures could be used to achieve the same effect, these measures should be used in preference to the imposition of QR.
- 4.8 The guidance also reaffirms the position that where QRs are imposed, vehicle plates command a premium which 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 any QR in place.
- 4.9 Should the Council wish to continue to impose a QR, the Council would need to demonstrate that there is no significant unmet demand and determine at which level the restriction should be set. The following points should be considered when conducting a survey on QR:
- Waiting time at ranks
 - Waiting time for street hailing.
 - Waiting time for telephone/online/app engagement;
 - Latent demand (those that would choose to travel by taxi but do not due to excessive waiting times).
 - Peak demand (the most popular times for consumers to use taxis should not be discounted as atypical).
- 4.10 As well as statistical demand survey, an assessment of QR should include a consultation with all those concerned, including user groups. The Police should also be consulted to assess the impact upon crime and disorder and Local Transport Plans are expected to promote the use of active or public transport. Taxis are frequently used for the 'first and last mile' of longer journeys that could be made using public transport. The views of the providers of other transport modes (such as train operators) should also be sought and considered if a quantity restriction is to be imposed.

5. Data Collection

- 5.1 Statistics collected by the DFT from Licensing Authorities in England and Wales show which Local Authorities have a QR in place. The results of the data in table 1 show that as of 31st March 2022, 73 Local Authority's in England and Wales place a QR on the number of taxi licences they issue. This equates to 24.4% of the total number of Local Authority's. A further 10 Licensing Authority's impose some kind of QR including either a restriction for some but not all vehicle types and for some but not all areas within a local Authority jurisdiction.
- 5.2 Accordingly, 75.6% of Local Authorities do not impose any QR. The information in the table also shows that the number of Local Authorities that impose a QR has reduced since 2018. It is important to acknowledge that

since this data was collected a number of local authorities have merged which makes a true comparison difficult.

Year	2013	2015	2017	2018	2022
Number of LA's with Quantity Restrictions in place	88	89	91	91	73
For some (but not all) Vehicle Types	No data	No data	No data	No data	2
For some (but not all) areas	No data	No data	No data	No data	8
Number of LA's with no quantity restrictions in place	217	223	224	221	215
Total	305	312	315	312	299

Table 1 Quantity restrictions (numbers of LA's in England and Wales 31st March 2022)

- 5.3 When focussing on the East of England, table 2 shows that at 31st March 2022, 34 local authorities within the region place no QR, whereas 10 continue to do so. When comparing the data between years, the results remain relatively static.

Area	No (QR) 2018	(QR) in place 2018	No (QR) 2022	(QR) in place 2022
Norfolk	6	0	5	0
Peterborough	1	0	0	1
Cambridgeshire	4	1	4	1
Suffolk	7	0	5	0
Luton	0	1	0	1
Bedford	0	1	0	1
Central Bedfordshire	1	0	1	0
Hertfordshire	8	2	7	3
Essex	10	4	11	3
London	1	0	1	0
Total	38	9	34	10

Table 2 Quantity restrictions (numbers of LA's in the East of England)

- 5.4 In Essex, 3 (21%) out of the 14 Local Authorities place a QR. These authorities are this Council, Colchester City Council and Southend on Sea City Council.

6. Mileage Data

- 6.1 Mileage data (appendix 1, table 7) was collected and compared to previous years to ascertain how many miles licensed taxis are travelling. This data is important as it shows a vehicles average mileage, provides an indicator as to whether the taxi trade within the district is thriving and highlights whether vehicles are being used as intended.
- 6.2 This data was collected when the vehicles are inspected for roadworthiness as part of the licence process, or by looking at the mileage data supplied at the MOT test.

- 6.3 Mileage data was collected for 72 out of the total fleet of 84 taxis over different 12-month periods between February 2021 and January 2023. It was not possible to collect data for 100% of the fleet as a number of vehicles were changed or off the road for a number of reasons within the data collection period.
- 6.4 The latest mileage data covering the period 2022/23 is not available at the time of writing this report. It is important to remember that the United Kingdom was still very much experiencing the effects of the Covid-19 pandemic and taxi usage was likely to be below what would normally be expected when compared to a more typical year.
- 6.5 Vehicle mileage data between February 2021 and January 2023, was placed into one of 12 categories as shown in table 3 below.

Daily Mileage data range	Number of taxis	Lowest daily mileage (m)	Highest daily mileage (m)
No miles recorded	1	n/a	n/a
<20	8	0.01	19.52
20-40	5	28.36	38.92
40-60	5	42.98	56.20
60-80	6	60.11	78.26
80-100	15	82.96	99.59
100-120	17	101.56	117.75
120-140	6	120.08	127.80
140-160	4	140.45	158.40
160-180	5	160.30	174.17
180-200	0	n/a	n/a
>200	0	n/a	n/a
Total	72	n/a	n/a

Table 3 Vehicle mileage data February 2021 and January 2023

- 6.6 The most common mileage travelled by 17 taxi's during this period was between 100 to 120 miles per day. With 38 out of 72 vehicles falling within the range of 60 to 120 miles per day, which would be considered a typical average daily mileage for a vehicle working a single shift working 5-6 days per week. The four highest mileage vehicles travelled in the date range of 12 months was, 60,836, 61,803, 61,191 and 63,574 miles.
- 6.7 A total of 18 vehicles were shown to have travelled less than 60 miles per day. Of these 18 vehicles, 5 travelled between 20-40 miles per day and 8 travelled less than 20 miles per day. The data highlighted that 1 vehicle licensed on 1 April 2022 had no recorded mileage at all and was currently subject to a Statutory Off-Road Notification.
- 6.8 The data in table 4 shows the 8 taxis that were travelling on average less than 20 miles per day. 5 out of the 8 vehicles recorded less than 10 miles per day. The lowest recorded mileage was much less than 1 mile per day whereas the highest mileage was 19.52 miles per day. A further analysis of the data shows

that from this category 1 of the vehicles recorded an annual mileage of just 5 miles.

Vehicle number	Annual mileage	Daily mileage
1	1,220	3.342466
2	2,104	5.764384
3	5	0.013699
4	6,734	18.44932
5	3,357	9.19726
6	2,449	6.709589
7	2,556	7.00274
8	7,127	19.52603

Table 4 – Vehicles travelling <20 miles per day

- 6.9 To provide some context to this data, one of the vehicle licences in question was off the road as a result of a particular issue and a second licence was surrendered to the Licensing Authority as the proprietor advised they were leaving the trade as the business model was not viable at this time.
- 6.10 However, this data shows that in the worst-case scenario six of the 8 vehicles are travelling far less than what would be expected for an average car let alone a taxi whereas the remaining two vehicles undertake roughly the national average mileage for a car again far less than what would be expected for a taxi.
- 6.11 Average mileage data is obtained from the National Travel Survey Statistics produced by the DFT. The weighted total yearly average mileage for cars in 2019 was 7,400 miles whereas this has reduced to 5,300 miles in 2021. The data provided should be treated with caution as a result of the low sample size, changes to data collection during the pandemic etc.
- 6.12 It is not clear as to the reasons why these six vehicles travel so few miles and without further investigation it would not be possible to make an assumption.
- 6.13 There may be many factors that could affect the daily mileage of a vehicle during a fixed period which may not mean that a proprietor is holding on to a licence without justification. Examples could include availability of drivers, sickness, mechanical issues, or enforcement action taken by the Local Authority, Police or DVLA etc. However, it could be as a result that the plate has a value and/or once a licence is surrendered it would be very difficult to obtain a new taxi licence as a result of the QR.
- 6.14 An example which explains this issue, is the licence holder who was forced to surrender a taxi licence during the pandemic as the taxi they operated was involved in an accident, they were unable to purchase a suitable replacement vehicle at that time and the licence was reissued via the ballot. The proprietor advised the Council, that circumstance forced the decision and they would have preferred to keep the licence in place.
- 6.15 Mileage data was also collected between 2018 to 2019, pre the pandemic (appendix 2, table 8) and presented to the Licensing Committee in 2019. At that time the most common mileage travelled by a taxi during that period was

between 80 to 120 miles per day. 44 out of 84 vehicles fall within the range of 60 to 120 miles per day which could be considered a typical average daily mileage for a vehicle working a single shift working 5-6 days per week. 21 vehicles travelled more than 120 miles a day and five vehicles travelled over 200 miles a day. The four highest mileage vehicles travelled in the date range of 6 months was 38566, 41189, 41412 and 55845 miles.

- 6.16 Data comparison as shown in table 5 between 2018-19 and 2021-2023 highlights that the fleet is travelling less now than in 2019. This is not to be unexpected however, there is a marked increase in the number of vehicles travelling less than 60 miles per day, 9 vehicles between 2018-2019 compared to 19 vehicles between 2021-2023. It is also clear that more vehicles (15) were travelling more than 160 miles per day between 2018-2019, compared to 5 vehicles in 2021-2023.

Mileage data range	Number of taxis 2018-2019	Number of taxis 2021-2023
No miles recorded	n/a	1
<20	1	8
20-40	2	5
40-60	6	5
60-80	13	6
80-100	15	15
100-120	15	17
120-140	1	6
140-160	5	4
160-180	10	5
180-200	0	0
>200	5	0
Total	73	72

Table 5 Comparison of mileage data between 2018-2019 to 2021-2023

7. Expressions of interest for a taxi licence

- 7.1 The Council is aware of the current demand for taxi licences. The Council has issued 13 returned taxi licences since 2015 in accordance with the Council's Hackney Carriage allocation policy as shown in table 6 below.

Date of taxi allocation	Number of licences allocated	Expressions of interest
March 2015	3	51
September 2015	3	48
September 2016	1	59
May 2018	1	54
December 2020	2	34
June 2022	1	17
February 2023	2	45

Table 6 Numbers of licences allocated and expressions of interest

- 7.2 The average number of expressions of interest is 44, the lowest number of expressions was 17 in June 2022, and the highest was 59 in September 2016.

At the last allocation in February 2023, there were 45 expressions of interest for a taxi licence.

- 7.3 Anyone obtaining a licence via the ballot, is required to make a significant investment in a Wheelchair Accessible Vehicle (WAV), which can't be sold or transferred for a period of five years.
- 7.4 The high number of expressions of interest indicate that there is significant demand for taxi licences in the district, which is consistent with the 2003 (OFT) market study, which highlights the potential for long waiting lists for taxi licences as a result of QR.

8. Stakeholder Consultation

- 8.1 The Council undertook an extensive consultation exercise with a number of key stakeholders. A letter and questionnaire were sent to approximately 700 licensed drivers, vehicle owners and Private Hire Operators. A letter was also sent to approximately 800 other key stakeholders who it was identified may use taxis and have an interest in completing the online public survey.
- 8.2 The licensed trade consultation survey ran from the 16 December 2022 whereas the public survey opened on 10 January 2023. Both consultations closed on the 17 February 2023.
- 8.3 Communications were also sent in January 2023 promoting the public consultation via the Business, residents and Parish newsletters and social media.

9. Public Survey

- 9.1 The Council received 46 responses to the online public survey which was open to anyone who lived in the Braintree Council district. All 46 responses received were accepted as seen. Respondents were required to provide a name and address within the district to help ensure the validity of the survey. The results are not statistically significant, and a number of responses were received by current and ex Braintree District taxi and/or private hire licence holders and as a result, caution should be adopted when considering the results.
- 9.2 The survey consisted of six key questions with a smaller number of follow on questions. Question 1 asked respondents whether they felt there was enough Hackney Carriages operating in the Braintree district. A short explanation was provided alongside the question to explain the difference between a Hackney Carriage and a Private Hire vehicle as it would be very easy to confuse the two. All 46 respondents answered this question. Pie chart 1 in appendix 3 highlights the results. Eighteen respondents stated there were enough Hackney Carriages whereas twenty-six respondents said there were not enough. Two respondents answered that they did not know the answer to this question.
- 9.3 The results were comparatively close although more people felt there were not enough Hackney Carriages operating in the district at this time.

- 9.4 Caution must be applied to the results of this question, as it would be a safe assumption to make that a large proportion would not know the difference between the two types of licensed vehicles and the boundaries to which both types of vehicles can operate.
- 9.5 Question 2 asked respondents to state whether the Licensing Authority should remove the numerical limit from the number of taxi licences it issues in the Braintree Council district. Forty-five respondents answered this question. Pie chart 2 in appendix 3 highlights the results. Twenty-eight respondents stated the numerical limit should be removed, whereas fifteen respondents stated that the numerical limit should be maintained. Three respondents either didn't know or didn't answer the question.
- 9.6 Almost double the number of respondents felt that the numerical limit should be removed than be maintained, 28 compared to 15.
- 9.7 Question 3 asked respondents to state whether they felt there are enough Wheelchair Accessible Taxis in the district. Thirty-four respondents provided a positive answer to the question. Pie chart 3 in appendix 3 shows the results. Twenty-eight respondents felt there were not enough wheelchair accessible taxis whereas six respondents felt that there were. Twelve respondents either didn't know the answer or didn't answer the question.
- 9.8 This result shows that a significant number of respondents feel that there are not enough (WAV's) operating within the district. The Council currently licence 17 wheelchair accessible taxis out of the possible 84 available. Two more wheelchair accessible vehicles are to be allocated in March 2023 which will bring the total to 19. This would still only equate to 23% of the total fleet.
- 9.9 It is not clear whether the respondents who feel there are not enough (WAV's) operating in the district do so as a result of personal experience or as a perception that there maybe not enough or a feeling that all taxis should be able to accommodate wheelchairs.
- 9.10 It is important to note that the Council does licence an additional number of Wheelchair Accessible Private Hire vehicles so the public do have further access by pre-booking a vehicle should they be available.
- 9.11 Question 4 asked the respondents to state whether they had wanted to hire a taxi at a rank in the last three months and have been unable to because none were available. All forty-six respondents answered the question. The results shown at pie chart 4 in appendix 3 shows that twenty-one respondents felt this was the case whereas sixteen respondents didn't have the same issue. Nine respondents stated the question was not applicable.
- 9.12 A sub question was then asked to those respondents who had answered yes to the main question. The question asked whether the respondents who answered yes state where they tried to hire the taxi. Out of the twenty-one respondents who could have answered this question, none did so.

- 9.13 It is difficult to confirm whether respondents who had stated they had been unable hire a taxi from a specific taxi rank did so without further survey work to determine the validity of the claim. Recent ad hoc visits to the busiest ranks in the district between December 2022 and March 2023, outside Witham Train Station and Manor Street Braintree, confirmed that taxis were generally available for hire at these locations.
- 9.14 There were however two occasions over a weekend 2-3 December 2022 where there were large numbers of people waiting for taxis outside Witham Train Station late at night. However, observations also determined that a number of taxis were working extremely hard and there may have been extenuating circumstances as to why there were lots of people waiting for taxis at this time and this is not a significant representation as to whether taxis are generally available when the travelling public require them. The Council would need to commission an unmet demand survey to ascertain whether there was an unmet demand for taxis.
- 9.15 Question 5 asked the respondents to state whether they had wanted to book a Wheelchair Accessible Taxi specifically. The results shown at pie chart 5 in appendix 3 show that forty four of the 46 respondents answered the question. Nine respondents stated this was the case whereas twenty-seven had not. A further 8 respondents had stated the question wasn't applicable to them.
- 9.16 A sub question was then asked to those respondents who had answered yes to the main question. The question asked whether the respondents who answered yes state how long approximately was the wait time quoted? Of the nine positive responses received eight provided a further response highlighted in table 9 appendix 3.
- 9.17 The common response provided was there no availability, or no suitable vehicle available on a particular day. One respondent advised that they had to call patient transport instead, whereas one respondent advised that the taxi company had advised a vehicle wasn't available as they didn't have a trained driver available. One respondent advised that they couldn't hire a wheelchair accessible taxi at all which was usual.
- 9.18 Question 6 asked respondents to provide additional comments. Thirty respondents provided additional comments as highlighted in table 10 appendix 3.
- 9.19 Responses to question 6 can be grouped into a number of different categories. A number of respondents stated they were pleased with the current provision or there were enough taxis at ranks or circulating in the area. one respondent stated that the removal of the QR hasn't worked in other areas. One respondent believes there are too many taxis in Braintree referring to the long queue outside Tesco's Market Place but also stated there were not enough taxis outside Braintree Train Station.
- 9.20 At least three respondents stated that there are enough taxis in Braintree and increasing the number would lead to more traffic congestion. The respondents stated this would lead to more pollution and one respondent referred to existing taxis leaving their engines running.

- 9.21 A respondent suggested increasing the restriction to 100 vehicles Licence as it was felt this increase would not flood the market.
- 9.22 One respondent explains that they feel the number of available taxis isn't the issue. They refer to other issues not relevant to the report. The respondent does state that any increase in licences should continue to be restricted to a maximum number to ensure there is enough work for taxi drivers.
- 9.23 One respondent stated that all taxis should be dual licensed as Hackney Carriage & Private Hire as this would allow greater flexibility and choice for the public. The respondent states that it is impossible to find a taxi in Witham at the weekend.
- 9.24 In response to this point taxis can already act in the capacity of a taxi as well as take pre booked work.
- 9.25 One respondent felt that any issues of obtaining a taxi is not related to the QR in place but the lack of drivers meaning that you may have to wait for an immediate journey or vehicles must be pre booked far in advance.
- 9.26 A few respondents stated there was a lack of taxis and more were needed. One respondent referred to the growth within Braintree Town. Another respondent advised there were not enough taxis considering how close the Council is situated to Stansted airport.
- 9.27 A respondent made reference to the increase of Private Hire vehicles licensed by other licensing authorities and the lack of perceived control of these vehicles. The respondent also felt that fees for both taxis and private hire vehicles should be fixed by the Council.
- 9.28 In response to this last point, the Council is legally required to set fares for taxis but this does not extend to Private Hire vehicles as journeys are prebooked and fares can be agreed in advance.
- 9.29 A respondent advised that it's better to have registered taxis rather than being unregulated purely from a safety aspect as a woman.
- 9.30 Respondents that needed wheelchair accessible vehicles shared their experiences. One respondent advised they had difficulties and could only find three taxis and ended up hiring a vehicle from another part of the district. The respondent referred to the Council providing access to a list of wheelchair accessible vehicles. The respondent wasn't aware that a list is currently published online.
- 9.31 One respondent working at a day centre highlighted that members use taxis as well as their own mini-buses and explained that staff were constantly being advised by members that they had experienced difficulties as they require wheelchair friendly taxis.
- 9.32 One respondent felt that it would be good to have more wheelchair accessible taxis as the ones already in service are also used for non-disabled users as

well. The respondent goes on to say that as a wheelchair user the respondent is restricted to only wheelchair taxis so felt more are required. The respondent did go on to explain that they understood that a wheelchair taxi needs to make money and cannot sit for long periods of time with no work.

- 9.33 One respondent felt it would be nice to see a couple more wheelchair accessible vehicles to accommodate someone with a large travel system such as the one they use.
- 9.34 One respondent felt there are not enough wheelchair accessible taxis in the Halstead area. They go on to explain that journeys must be pre booked in advance to be sure of securing a taxi. Immediate hire is generally not possible.
- 9.35 One respondent describes themselves as a disabled user with cerebral palsy, nonverbal and 100% reliant on care and restricted to a wheelchair. The respondent explains that they rely on taxis to get out. The respondent explains they have a regular taxi they use but has concerns when the driver is due to retire. The respondent feels they will struggle to get to their day centre and visit friends. The respondent states they have tried many times to call a wheelchair accessible vehicle for immediate collection in Braintree and have always been advised none are available.
- 9.36 A respondent suggested getting rid of the limit of 84 taxis and explained that should problems emerge (e.g. taxi ranks get jammed up with too many taxis, etc) the Council could re-impose a limit at a later date and suggest the Council invest in additional waiting facilities for taxis (e.g. longer taxi ranks). The final comment made the point that if taxi drivers are managing to survive in the marketplace, this indicates an underlying demand for their services.
- 9.37 A respondent commented that demand for taxis in the district is not unmet, so the restriction needs to be lifted.
- 9.38 By limiting numbers some drivers have to rent a taxi, resulting in working very long hours to make a living, most will only work train stations in the evening.
- 9.39 Taxis are very useful and a convenient way to travel. The respondent explained they would like to see more 7 seat and wheelchair friendly vehicles on the roads. This would stop them either taking 2 cars or they have to use patient transport now due to the number of times they have missed appointments because they were unable to get a taxi. The respondent would like to see them all have card readers so customers can pay either in cash or by card. The respondent would like to see them cheaper but understand that prices are exceptionally high at the pump, the drivers have to make a living and maintenance of the vehicles has shot up too.
- 9.40 One respondent asked whether there is any way of highlighting female taxi drivers or helping women to feel safer hiring a taxi. The respondent explained that they don't like to use taxis much because they make them feel nervous/anxious. Even though the respondent knows they're licensed and vetted.

- 9.41 A respondent makes a useful contribution to the survey referring to their role in the regulation of taxi and phv in another part of the country. The respondent makes it clear that the response is from a personal point of view and not in their professional capacity. The respondent feels the restriction is currently set too low and would prefer there to be no restriction at all or at least a significant increase in the number of taxis. The respondent explains that as a female they change their route home via Witham Train station as there is more chance of obtaining a taxi however the wait can be considerable at times. The respondent makes the observation that she sees a lot of lone females enter into informal taxi sharing arrangements with men which she feels is unsafe. The respondent refers to a lack of compliance checks with respect to taxis and the presence of Police.
- 9.42 The Council received a letter by way of response. The author advised that a particular point in their life, they often used wheelchair accessible taxis. It was explained that every company they used were helpful and tried to accommodate the booking, however there were times when it was not possible for any of them to help as they were fully booked. The author felt that as this was the case, the Council should licence more wheelchair accessible taxis and referred to the additional growth within the last 5 years. The respondent feels that an increase would be an asset to the town and may help alleviate the demand for outpatient transport.
- 9.43 The respondent made a general observation that wheelchair users like to get out and about, essential for their mental and emotional well-being. In turn this will help their families and a few extra licences would be a great help to the district.
- 9.44 The Council received an email in response to the public consultation. The respondent advised they regularly use taxis to travel to Braintree or Colchester station, Sudbury, Broomfield hospital Chelmsford and Airports for holidays such as Heathrow and Stansted. The respondent advises obtaining a taxi can be problematic within the district and has never been able to hail a taxi. The respondent goes as far as saying they will travel to Colchester as they know there will be taxis at the rank outside the station as there are seldom taxis at a rank in Braintree. The respondent felt there should be an improvement in particular from the Braintree train station rank.

10 Trade Survey

- 10.1 The Council received 23 responses to the trade survey and a further email from a licensed driver/Private Hire Operator. (Appendices 4-5)
- 10.2 The survey consisted of 61 questions, and whilst the purpose of the survey was to obtain views regards QR, it was an opportunity to seek views regards several issues affecting the taxi and private hire trades within the district.
- 10.3 A separate report will be presented at some point regards the contents of the survey; the findings related to QR only will be presented within this report.
- 10.4 Question 16 asked drivers of Hackney Carriages, if they could estimate the percentage of work, they obtain from taxi ranks. The results in Pie chart 6,

appendix 4 shows that the majority of respondents that answered the question work from a rank between 51-75% (4) of the time, although the majority of respondents (7) did not answer the question.

- 10.5 Question 18 asked whether respondents rented a Hackney Carriage Plate, the results shown in pie chart 7 appendix 4. Three respondents answered that they did rent a plate which is significant as it is uncommon for drivers to voluntarily discuss this issue with the Licensing Authority. It also demonstrates that the QR acts a barrier to free access to the taxi market.
- 10.6 Question 19 asked those respondents who do rent a plate how much the rent is. The results are shown in pie chart 8, appendix 4. Two respondents advised they pay £250 per week whereas one respondent advised they pay £350 per week. In each case all three respondents were not responsible for maintaining the vehicles they rent.
- 10.7 Referring to the results in question 22 relating to the three respondents who advised they were renting a plate, two of the three respondents acknowledged there were not sufficient Hackney Carriages during all periods and the third stated that there were generally sufficient numbers. The two respondents who did not think there were sufficient numbers highlighted this applied to either all day and night or during the evening/night. Referring to the results in question 24 relating to the three respondents who advised they were renting a plate, each respondent suggested that the number of taxi licences issued should be increased to 110, 100 and 150 taxis respectively. Two of the respondents stated that the Council should remove the QR entirely and one advised the QR should be maintained.
- 10.8 It is not possible to make a definitive judgement as to whether the respondents who rent a plate would take advantage of obtaining their own licence should they be able to, however there appears to be an indication that with respect to these respondents, they are being prevented from making their own choice.
- 10.9 Question 22 asked whether there are sufficient Hackney Carriages in the Braintree district to meet current levels of demand. The results are shown in pie chart 9, appendix 4. Including all respondents, 10 stated that there were not enough taxis during all periods, whereas five stated there were, generally sufficient numbers. Six respondents either did not know or did not answer the question.
- 10.10 Question 23 asked whether respondents felt that there are not sufficient Hackney Carriages at certain times, at which periods are more taxis required. The results are shown in pie chart 10, appendix 4. Thirteen respondents did not answer the question. Three respondents stated that more taxis are required during the daytime, three respondents stated that more taxis are required during the evening/night and three respondents stated that more taxis are required all day and night.
- 10.11 Question 24 asked how many taxis there should be in the fleet in the Braintree district. The results are shown in pie chart 11, appendix 4.

Fourteen respondents stated that the number should remain as it is at 84. Five respondents stated the number should be increased to either 100, 110, 120 or 150 taxis. Three respondents did not answer, and one respondent felt the question was not applicable to them.

- 10.12 Question 25 asked should the Council remove the numerical limit on the number of taxis. The results are shown in pie chart 12, appendix 4. Sixteen respondents stated that the quantity restriction should not be removed. Three respondents stated the quantity restriction should be removed. Two respondents did not answer the question and one respondent did not have an opinion.
- 10.13 Question 26 asked if the limit on the number of Hackney Carriages in Braintree District were removed, what did the respondents think the effect would be on the following features. The results are shown in bar chart 1, appendix 4.
- 10.14 Nine respondents felt there would be no effect in the number of wheelchair accessible vehicles available should the QR be removed whereas nine respondents felt there would be an increase in the number. Four respondents felt the number of wheelchair accessible vehicles would decrease and one respondent did not answer.
- 10.15 Eight respondents felt there would be no effect on customer satisfaction should the QR be removed. Eight respondents felt that customer satisfaction would decrease, whereas six respondents felt that customer satisfaction would increase. One respondent did not answer the question.
- 10.16 Nineteen respondents felt there would be an increase in the instances of over ranking should the QR be removed, whereas only four respondents felt there would be no effect. No one who answered the question felt that over ranking would reduce.
- 10.17 Over ranking is very much a potential consequence of removing the QR and there is some evidence to support the hypothesis. The Council is aware that at times over many years at least two ranks in the district, Witham Train Station and Manor Street, Braintree can be very popular.
- 10.18 Observations made at Witham Train Station rank on 2 March 2023 between 20:25 and 21:08 show that the maximum of eight taxis were using the rank at any one time with a number of other taxis leaving to facilitate journeys. This shows at least one rank is used at the maximum at certain times of the week and any further taxis would either need to park on double yellow lines, circle waiting for the rank to become free or move to another rank which would be impractical and financially self-defeating.
- 10.19 The alternative option is to park at a feeder location, close by and drivers will call one another to the rank when a space becomes free. This is an

arrangement not currently supported by the Licensing Authority and is arranged between the drivers. This system does work if the distribution of radios amongst all drivers is universal. Although not seen by officers recently, it is reported this arrangement remains in place at times.

- 10.20 Whilst it is clear that over ranking at least one rank could remain an issue or become worst, an opposing view that the fear of unsustainable numbers of taxis that could create over ranking is not necessarily borne out by any real evidence at this time.
- 10.21 The Council has received some evidence to suggest that there may be new entrants wanting to enter the market through requests for information regards taxi licensing specifically and some existing licensed drivers may either stop renting a taxi from an existing proprietor and apply for their own taxi licence or some may even change from a private hire vehicle to a taxi. However with the cost of licensing and maintaining a (WAV), it is unlikely there will be a huge increase in licences immediately.
- 10.22 The Council receives on average 44 expressions of interest every time the Council reissues a taxi licence. Two taxi licences due to be issued in March 2023 have received 45 expressions of interest, as a result, it is not without foundation that the fleet could increase by at least 45 taxis within a short period.
- 10.23 A scenario that could potentially emerge, is that the size of the taxi fleet could contract as a result of licences returned to the authority by proprietors that only currently maintain a licence purely as an investment, either renting out a vehicle to others or by maintaining the licence as an asset to be sold at a later time.
- 10.24 The Council is aware that the only guaranteed entry into the taxi trade in the Braintree district at this time is to buy a business (taxi) from an existing proprietor and this has been the case for a number of decades. As a result, many existing proprietors have made an investment, some significant at some point. Some proprietors have been able to obtain a licence either historically when there was no QR or by way of a free ballot. At least 13 licences have been issued in the last 8 years by ballot.
- 10.25 It could be argued that an investment made many years ago is likely to have been returned perhaps many times, however there could be a financial loss for those who have made an investment in recent times. There could also be a financial loss to those who currently rent plates.
- 10.26 The Council is aware of the considerable financial hardship experienced by many Hackney Carriage Proprietors during the pandemic who were in effect as a result of the licensing requirements placed on them forced to maintain the vehicle licence including the costs of public hire Insurance, MOT, road tax, cost of interim inspection, depreciation, maintenance etc purely as a

result of the QR. Mileage data collected during the first year of the pandemic indicates that taxis mileage was vastly reduced during this time and many drivers found alternative employment.

- 10.27 There is evidence to show that the private hire fleet contracted by a significant number (exact numbers not available) during the pandemic whereas the taxi fleet was largely unaffected. The authority received a number of representations from a small number of taxi proprietors seeking a solution which would enable them to maintain the licence whilst taking the vehicle off the road as a result of severe fixed costs. There was no solution because of the QR in place which would mean any surrendered licence would need to be reissued likely to someone else through the ballot. A small number of proprietors did surrender their licence as a result of not being able to absorb the fixed costs.
- 10.28 In the event the QR were to be removed and the taxi fleet were to increase significantly in size and severe over ranking became an issue, the Council would need to undertake an assessment and consider what actions could be implemented to alleviate the issue.
- 10.29 Whilst it may be possible to increase the size of certain ranks within the district, this would be unlikely to be the case at the two busiest ranks (Witham Train Station and Manor Street Braintree) without disruption to other users of the respective roads.
- 10.30 The access to the Albert Road entrance is very well used by taxis, Private Hire vehicles, buses, members of the public being dropped off by normal cars and foot passengers. At times, pre pandemic traffic congestion around the entrance to the station was an issue and could have affected the quality of life to residents living in proximity.
- 10.31 The Council is aware that changes were proposed to the Easton Road side of Witham train station including the erection of a private hire office, retail unit and relocation of the existing ticket office. It is not clear as to whether these works are likely or imminent, however the introduction of an alternative provision on the opposite side of the station may have had an impact on vehicle congestion around the Albert Road entrance to the station.
- 10.32 It is not possible to undertake a general assessment at this stage as to whether it would be possible to alleviate the effects of over ranking beyond the measures already in place.
- 10.33 Ten respondents felt there would be an increase in the illegal plying for hire by unlicensed vehicles, whereas nine respondents felt there would be no effect and two respondents didn't answer the question.
- 10.34 There is no evidence at this time of illegal plying for hire by unlicensed vehicles beyond limited reports received over previous years. There is no

suggestion that removal of the QR would see a significant rise in complaints. Any complaints received of this nature would be investigated.

- 10.35 Eight respondents felt there would be an increase in the Illegal plying for hire by private hire vehicles whereas nine respondents felt there would be no effect. Four respondents felt there would be a decrease.
- 10.36 The Council does receive a small number of complaints generally from licenced drivers or taxi proprietors regards the illegal plying for hire around a small number of ranks within the district. Investigations have determined that it is not possible to prove that plying for hire is taking place at Witham or Braintree train stations.
- 10.37 There is no evidence to suggest that illegal plying for hire by Private hire vehicles will increase and should this be the case then each report will be investigated as required.
- 10.38 Eleven respondents felt that there would be no effect with respect to the effectiveness of enforcement whereas 10 felt that effectiveness would decrease. One respondent felt that effectiveness would increase, and two respondents did not answer the question.
- 10.39 The Council would need to respond to complaints and enforce in accordance with the Council's Enforcement Policy. Any enforcement action would need to be proportionate and in the public interest. There is no evidence to suggest that removal of the QR would see a significant increase in illegal activity. However, the Authority would need to adapt should this be the case.
- 10.40 Eleven respondents felt that the quality of taxis would decrease. Nine respondents felt there would be no effect, two respondents felt that taxi quality would increase and one respondent did not answer the question.
- 10.41 The Council is in the process of reviewing vehicle standards as part of the Council's review of existing taxi policy and public protection must be the key consideration.
- 10.42 Sixteen respondents felt there would be no effect with respect to passenger waiting times for bookings whereas three felt times would decrease and two felt they would increase. One respondent did not answer.
- 10.43 The Council has already received anecdotal evidence from respondents answering the public survey that obtaining a taxi can be varied at times, however evidence is limited, and the Authority does not have a clear picture as to the current extent of waiting times for taxis and/or for wheelchair accessible vehicles in particular.
- 10.44 Although the Licensing Authority has an overarching interest in customer satisfaction, public protection continues to be the focus. As a result, the

Authority believes that the taxi trade has an important role to play to ensure that passenger waiting times are kept to an absolute minimum. Competition and consumer choice will help drive standards and improve customer service. Those proprietors that can adapt and provide a good service to its customers should continue to thrive regardless of the number of taxis available.

- 10.45 For example, the Council is aware that a small number of taxi proprietors have chosen to focus on the carriage of wheelchair dependant passengers and have created niche businesses as a result, so much so that passengers are concerned when an individual leaves the trade, high satisfaction rates and levels of repeat business appear to be high.
- 10.46 The Council has also received reports that some drivers have taken the opposite approach, although not proven, some drivers and proprietors complain that other drivers/proprietors continue to refuse the carriage of wheelchairs in particular telephone bookings, short fares and card payments for short distances.
- 10.47 Eighteen respondents felt there would be no effect with respect to passenger waiting times at flag down, four respondents felt times would decrease and one respondent did not answer.
- 10.48 The Council believes that flag down is not normally a method of acquiring a taxi in the Braintree district as opposed to more densely populated environs. It is likely the public do not assume this is an option or choose not to flag vehicles down as the likely success of universal coverage is low. The Council believes that in the event that the QR is removed this method of obtaining a taxi is unlikely to be affected positively or negatively.
- 10.49 Ten respondents felt there would be no effect with respect to fares whereas seven respondents felt that fares would decrease, and four respondents felt fares would increase. One respondent did not answer the question.
- 10.50 The Council sets taxi fares in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 and any assessment made when setting fares should consider the cost of taxis to the travelling public as well as other considerations.
- 10.51 As previously mentioned, the Competition and Markets Authority guidance published in 2017 on the Regulation of taxis and private hire vehicles determined that *"Quantity restrictions are not necessary to ensure the safety of passengers, or to ensure that fares are reasonable. However, they can harm passengers by reducing availability, increasing waiting times, and reducing the scope for downward competitive pressure on fares."*
- 10.52 The Council has considered this guidance when making the decision to remove or maintain the QR. It is important to centre the determination largely

on the benefits to the travelling public although it is important to consider the buoyancy of the taxi trade and appreciates that a high performing taxi trade will ultimately provide knock on benefits to the travelling public.

- 10.53 Eighteen respondents felt there would be an increase with respect to travel congestion and five respondents felt there would be no effect. The inference that more taxis will create more congestion on the roads generally beyond what has already been highlighted is not without foundation. The Council is mindful of current and future transport need and climate considerations will be at the heart of future policy decision making.
- 10.54 The Council however has received no evidence to suggest that net vehicle licences will exceed current levels, and should they do so, it is not expected that any increase will be a significant contributor to current levels of road congestion, in general terms.
- 10.55 Respondents were then asked if they wished to make any further comments relating to Question 26. Thirteen respondents provided additional comments shown in table 11 appendix 4.
- 10.56 A number of respondents provide further comment with respect to matters previously discussed within this section of this report and it is not intended to revisit. Comments not previously raised will be highlighted below.
- 10.57 One respondent stated that they felt that competition is good for the public and business. Another respondent stated that an increase in the number of taxis would result in drivers having to work longer hours which they felt was unacceptable.
- 10.58 In response, the purpose of the review is to consider the effects of QR on the travelling public. Whilst the Council respects that some drivers choose to work long hours which is a public safety concern, driver hours should not affect the overall decision.
- 10.59 One respondent felt that the Council could help applicants with the paperwork needed to obtain a driver licence. This in turn would help Proprietors ensure that taxis they manage can work as expected which in turn would limit the need for removing the QR.
- 10.60 In response, the Council should ensure that any application process can be easily understood and does not act as a barrier to licensing. It is understood that the process can be challenging, and recent additional checks have made the process more complicated. The Council has influence on certain aspects of the process, however certain checks are mandated by central government ensuring that applicants meet certain criteria before being able to apply. Examples include being able to legally work in the United Kingdom from an immigration perspective and drivers being known to HM Revenue and Customs (HMRC).

- 10.61 There will be many personal reasons why a particular company find it difficult to recruit, anecdotal evidence suggests that prospective employees have significant choice at this time and taxi owners will need to consider how they can make their business more attractive to prospective drivers. It would be incorrect to assume that a particular taxi business is unable to recruit as a matter of licensing bureaucracy alone.
- 10.62 One respondent referred to the number of vehicle licences proprietors can hold. The suggestion is that certain proprietors with more than one taxi either leave them idle, or they are used solely for private hire work inferring that customers wanting to hire a taxi are being negatively impacted. The respondent felt there are a number of solutions to solving this issue, but this did not include increasing the number of licensed taxis.
- 10.63 This issue is continually raised by licensed drivers and refers to proprietors that are unable to or choose not to use their taxis for a number of reasons but do not return the licence to the Council to reissue to someone who does want to operate a taxi. The Council can only assume this happens as there continues to be a value attached to a vehicle plate or the entry into the market is limited.
- 10.64 One respondent made a comment that taxi proprietors find it difficult to employ drivers as a result of existing requirements for taxi drivers to pass all aspects of the knowledge test whereas the same restrictions do not affect all licensed drivers.
- 10.65 The Council requires all taxi drivers to have a degree of local knowledge which does not extend to applicants for private hire licences where the drivers solely undertake school contracts or executive type work.
- 10.66 This approach is not unreasonable and ensures that taxi drivers who do not have the luxury of researching a route before being hired have a reasonable level of knowledge.
- 10.67 A respondent referred to issues created in a neighbouring local authority following the removal of the QR with the perceived effect that too many vehicles became licensed affecting congestion and the ability of drivers to earn a fair living.
- 10.68 The Council does not have an appreciation of the impacts created by the removal of QR in other local authority areas. The Council should be mindful of the potential impacts that could affect the Braintree district.
- 10.69 Question 27 of the survey asked respondents opinions with respect to a number of issues related to the removal of the QR.

- 10.70 Respondents were asked to comment on a number of consequences connected to the removal or the maintenance of the QR as shown below:
- “There is not enough work to support the current number of Hackney Carriages”
 - “There are not enough Hackney Carriages working from ranks at certain times”
 - “Removing the limit on the number of Hackney Carriages would benefit the public by reducing waiting times at ranks”
 - “There are special circumstances in Braintree District that make the retention of the numerical limit essential”
 - “Having a numerical limit on the number of Hackney Carriages stops me from growing my business”
- 10.71 The results in Bar chart 2, appendix 4 show the majority of respondents either agreed or strongly agreed that there is not currently enough work to support the current number of taxis. A small number of respondents disagreed to some degree.
- 10.72 The results of the next question which asked whether respondents felt there are not enough taxis working from ranks at certain times was relatively evenly spread between respondents that agreed or disagreed.
- 10.73 The results of the next question which asked whether respondents felt that “Removing the limit on the number of taxis would benefit the public by reducing waiting times at ranks” was again relatively evenly spread between those respondents that agreed or disagreed with the statement although more respondents strongly disagreed with the statement.
- 10.74 The results of the next question which asked whether respondents felt that “There are special circumstances in Braintree District that make the retention of the numerical limit essential” was clear in that most respondents either agreed with or strongly agreed with the statement.
- 10.75 The majority of respondents combined either disagreed or strongly disagreed with the statement that “Having a numerical limit on the number of taxis stops me from growing my business” whereas a smaller number of respondents did either strongly agree or agree with the statement.
- 10.76 At question 28, respondents were asked what the effects of removing the QR would have on them. See bar chart 3 for the results. Fourteen respondents stated they would work more hours whereas no one stated they would work fewer hours. Three respondents would acquire more than one taxi and the same number of respondents stated they would switch from private hire vehicles to taxis. Five respondents stated they would leave the trade and seven respondents stated they would undertake more prebooked work.

- 10.77 Respondents were asked if they wished to make any further comments regards the possible removal of the QR. Fourteen respondents made further comment (table 12 appendix 4).
- 10.78 Most comments have been addressed at some point within the report and it is not intended to revisit again.

11 Options

- 11.1 To continue to limit the number of taxi licences issued and to commission an independent survey to assess whether there is an unmet demand for taxi licences in the district.
- 11.2 To remove the limit on the number of taxi licences the Licensing Authority issues in the district with effect from 1 April 2023.

12 Options Appraisal

- 12.1 In considering the options presented, there could be direct or indirect consequences to a number of key stakeholders, including those who currently hold taxis licences, those that want to apply for a taxi licence and can't because of the QR, the travelling public and the Local Authority.
- 12.2 The following appraisal will consider the potential impacts to the travelling public who are the main consideration when assessing whether to maintain or remove the QR. Other potential impacts to the taxi trade have been highlighted and discussed throughout the report.
- 12.3 Should the Council maintain the QR, it would do so against advice from the DFT and the Competition and Markets Authority.
- 12.4 Benefits in maintaining the QR to the travelling public could include the Council maintaining a fleet of up to 84 taxis that has remained largely static for many years which provides a degree of certainty. The number of wheelchair accessible vehicles is slowly but steadily increasing as licences are returned and re-issued. The fleet consists mainly of single driver proprietors and a smaller number of multi vehicle licence holders that understand the needs of their customers and take pride in their work. The Council receives relatively few complaints from the public with respect to taxi drivers and proprietors.
- 12.5 Benefits in removing the QR to the travelling public could include more competition, more choice, a possible increase in the number of taxis including wheelchair accessible vehicles and the potential downward pressure in fares.
- 12.6 Disadvantages of removing the QR to the travelling public could include new entrants to the market including inexperienced drivers, however there is no

evidence to suggest this would have a detrimental impact to the travelling public as new drivers and proprietors are joining the trade on a regular basis without concern.

- 12.7 There are concerns amongst the trade that vehicle quality and standards will reduce, the Council will have less controls and levels of enforcement will also reduce. There is no evidence to suggest this will be the case and it will be important to ensure that standards are not affected.
- 12.8 The DFT guidance finally asks whether there are alternative ways in which the issue could be addressed. Two LA's in England and Wales currently place a relaxation to the QR imposed with respect to some (but not all) Vehicle Types and eight LA's in England and Wales currently place a relaxation to the QR imposed for some (but not all) areas.
- 12.9 The Council would not be in a position to introduce a relaxation for some (but not all) areas as the decision must relate to the entire district.
- 12.10 The Council could introduce a partial relaxation for some (but not all) Vehicle Types, the obvious relaxation would be for (WAV's) however there is no intention to introduce a partial removal of the QR at this time.

13 Next Steps

- 13.1 There are no formal next steps arising out of this report. If approved, the industry will be notified of the decision.

14. Financial Implications

- 14.1 There are no significant financial implications arising from this report. The authority will need to review and set taxi proprietor fees on an annual basis in accordance with section 70 Local Government (Miscellaneous Provisions Act) 1976. Fees could rise or fall according to the number of taxi licences issued.
- 14.2 Due to the way taxi licensing is funded, there would be little impact upon the Council's finances and any relevant additional cost would be borne by the licence fee.
- 14.3 Should the QR be removed, the costs of facilitating an unmet demand survey, including the survey, and the costs of managing this process would not be included in taxi proprietor fees moving forward, the costs of which have been significant.

15. Legal Implications

- 15.1 The legal provision with respect to QR is set out in section 16 of The Transport Act 1985. The section 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 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'.

- 15.2 In the event of a challenge to a decision to refuse a licence, the Local Authority would have to establish that it had, reasonably, been satisfied that there was no significant unmet demand.
- 15.3 Should the Licensing Committee determine that a QR can be justified, the Council would need to commission a survey as an interval of three years is commonly regarded as the maximum reasonable period between surveys, which was last completed in 2016.

16. Equality and Diversity Implications

- 16.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 16.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 16.3 The Equality Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.
- 16.4 Should the (QR) be removed this could have a positive impact on wheelchair users who find themselves unable to source an appropriate taxi. More appropriate taxis could aid accessibility to taxis and competition amongst proprietors to facilitate accessible journeys.

17. List of Appendices

Appendix 1 – Average mileage data Feb 2021 – Jan 2023 (12 months)

Appendix 2 – Average mileage data Feb 2018 – Jul 2019 (6 months)

Appendix 3 – Results Public Survey

Appendix 4 – Results Trade Survey

Appendix 5 – Trade Survey template

18. Background Papers

- 18.1 [Quantity Restrictions – Taxi Licences 11th September 2019](#)
- 18.2 [Taxi and Private Hire Vehicle Licensing](#) Best Practice Guidance for Licensing Authorities in England 2022 – Consultation version

- 18.3 Equality Impact Assessment, Removal of Quantity Restriction – Taxi Licences
- 18.4 [Statistical mileage and occupancy DFT – last updated 31st August 2022](#)

Appendix 1 – Average mileage data (February 2021 to January 2023 – 12 months)

Sequential Number (not vehicle plate number)	Annual mileage	Average daily mileage	Mileage range
1	1220	3.342466	<20 miles
2	2104	5.764384	<20 miles
3	5	0.013699	<20 miles
4	6734	18.44932	<20 miles
5	3357	9.19726	<20 miles
6	2449	6.709589	<20 miles
7	2556	7.00274	<20 miles
8	7127	19.52603	<20 miles
9	14145	38.75342	20-40 miles
10	10354	28.36712	20-40 miles
11	13609	37.28493	20-40 miles
12	13379	36.65479	20-40 miles
13	14206	38.92055	20-40 miles
14	16178	44.32329	40-60 miles
15	15691	42.98904	40-60 miles
16	16749	45.88767	40-60 miles
17	20515	56.20548	40-60 miles
18	19925	54.58904	40-60 miles
19	28567	78.26575	60-80 miles
20	24337	66.67671	60-80 miles
21	26794	73.40822	60-80 miles
22	26581	72.82466	60-80 miles
23	21943	60.11781	60-80 miles
24	23403	64.11781	60-80 miles
25	36352	99.59452	80-100 miles
26	31753	86.99452	80-100 miles
27	33963	93.04932	80-100 miles
28	35890	98.32877	80-100 miles
29	33732	92.41644	80-100 miles
30	30284	82.96986	80-100 miles
31	35007	95.90959	80-100 miles
32	33317	91.27945	80-100 miles
33	32585	89.27397	80-100 miles
34	31277	85.69041	80-100 miles
35	33675	92.26027	80-100 miles
36	31387	85.99178	80-100 miles
37	33921	92.93425	80-100 miles
38	34668	94.98082	80-100 miles
39	33355	91.38356	80-100 miles

40	38254	104.8055	100-120 miles
41	40106	109.8795	100-120 miles
42	37927	103.9096	100-120 miles
43	42021	115.126	100-120 miles
44	39889	109.2849	100-120 miles
45	37071	101.5644	100-120 miles
46	40221	110.1945	100-120 miles
47	37528	102.8164	100-120 miles
48	39484	108.1753	100-120 miles
49	37629	103.0932	100-120 miles
50	41274	113.0795	100-120 miles
51	42055	115.2192	100-120 miles
52	38676	105.9616	100-120 miles
53	38255	104.8082	100-120 miles
54	42982	117.7589	100-120 miles
55	42070	115.2603	100-120 miles
56	41247	113.0055	100-120 miles
57	43832	120.0877	120-140 miles
58	46650	127.8082	120-140 miles
59	49054	134.3945	120-140 miles
60	49749	136.2986	120-140 miles
61	46166	126.4822	120-140 miles
62	45233	123.926	120-140 miles
63	57819	158.4082	140-160 miles
64	57322	157.0466	140-160 miles
65	54727	149.937	140-160 miles
67	51267	140.4575	140-160 miles
68	61191	167.6466	160-180 miles
69	58510	160.3014	160-180 miles
70	61803	169.3233	160-180 miles
71	60836	166.674	160-180 miles
72	63574	174.1753	160-180 miles

Table 7

Appendix 2 – Average mileage data (February 2018 to July 2019 – 6 months)

Sequential Number (not vehicle plate number)	Annual mileage	Average daily mileage	Mileage range
1	165	0.90411	<20 miles
2	4025	22.05479	20-40 miles
3	6762	37.05205	20-40 miles
4	7528	41.24932	40-60 miles
5	9273	50.81096	40-60 miles
6	9439	51.72055	40-60 miles
7	9669	52.98082	40-60 miles
8	20950	57.39726	40-60 miles
9	10799	59.1726	40-60 miles
10	10977	60.14795	60-80 miles
11	11170	61.20548	60-80 miles
12	11183	61.27671	60-80 miles
13	11548	63.27671	60-80 miles
14	12578	68.92055	60-80 miles
15	12735	69.78082	60-80 miles
16	13244	72.56986	60-80 miles
17	14000	76.71233	60-80 miles
18	14158	77.57808	60-80 miles
19	25631	77.6697	60-80 miles
20	14460	79.23288	60-80 miles
21	14471	79.29315	60-80 miles
22	14528	79.60548	60-80 miles
23	15115	82.82192	80-100 miles
24	15252	83.5726	80-100 miles
25	15387	84.31233	80-100 miles
26	23487	86.98889	80-100 miles
27	16266	89.12877	80-100 miles
28	16285	89.23288	80-100 miles
29	16387	89.79178	80-100 miles
30	16765	91.86301	80-100 miles
31	16806	92.08767	80-100 miles
32	17193	94.20822	80-100 miles
33	17209	94.29589	80-100 miles
34	17513	95.96164	80-100 miles
35	17657	96.75068	80-100 miles
36	17944	98.32329	80-100 miles
37	17964	98.43288	80-100 miles
38	18901	103.5671	100-120 miles
39	18917	103.6548	100-120 miles
40	19077	104.5315	100-120 miles
41	19466	106.663	100-120 miles
42	19493	106.811	100-120 miles

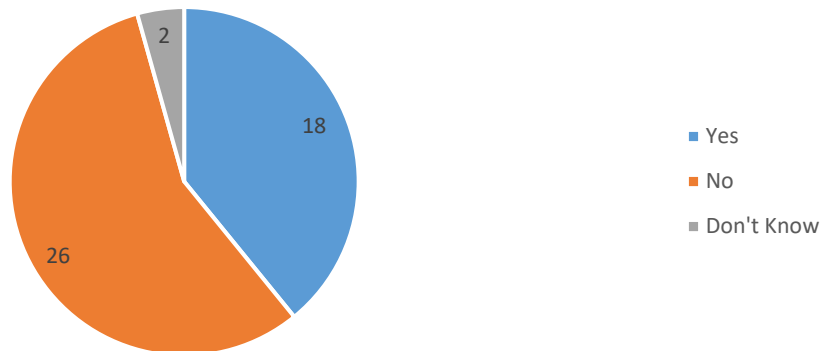
43	19682	107.8466	100-120 miles
44	19973	109.4411	100-120 miles
45	20016	109.6767	100-120 miles
46	20103	110.1534	100-120 miles
47	20215	110.7671	100-120 miles
48	20228	110.8384	100-120 miles
49	20250	110.9589	100-120 miles
50	20288	111.1671	100-120 miles
51	20761	113.7589	100-120 miles
52	20811	114.0329	100-120 miles
53	22348	122.4548	120-140 miles
54	25928	142.0712	140-160 miles
55	26670	146.137	140-160 miles
56	27155	148.7945	140-160 miles
57	27289	149.5288	140-160 miles
58	28276	154.937	140-160 miles
59	29605	162.2192	160-180 miles
60	30172	165.326	160-180 miles
61	30692	168.1753	160-180 miles
62	20230	168.5833	160-180 miles
63	20212	1684.333	160-180 miles
64	10463	174.3833	160-180 miles
65	31684	173.611	160-180 miles
66	32010	175.3973	160-180 miles
67	32670	179.0137	160-180 miles
68	21498	179.15	160-180 miles
69	38566	211.3205	>200 miles
70	25619	213.4917	>200 miles
71	41189	225.6932	>200 miles
72	41412	226.9151	>200 miles
73	55845	306	>200 miles

Table 8

Appendix 3 – Public Survey results

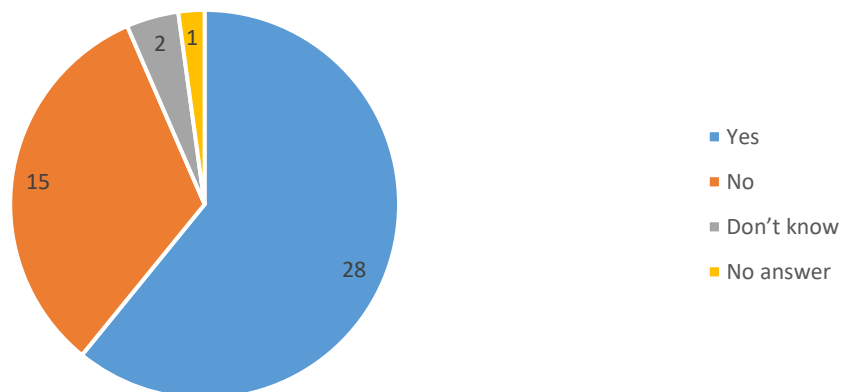
Pie chart 1

Qu.1 Do you feel that there are enough Hackney Carriages in the Braintree District? i.e. the ones with the taxi sign on the roof which can be hired at a rank or by hailing in the street

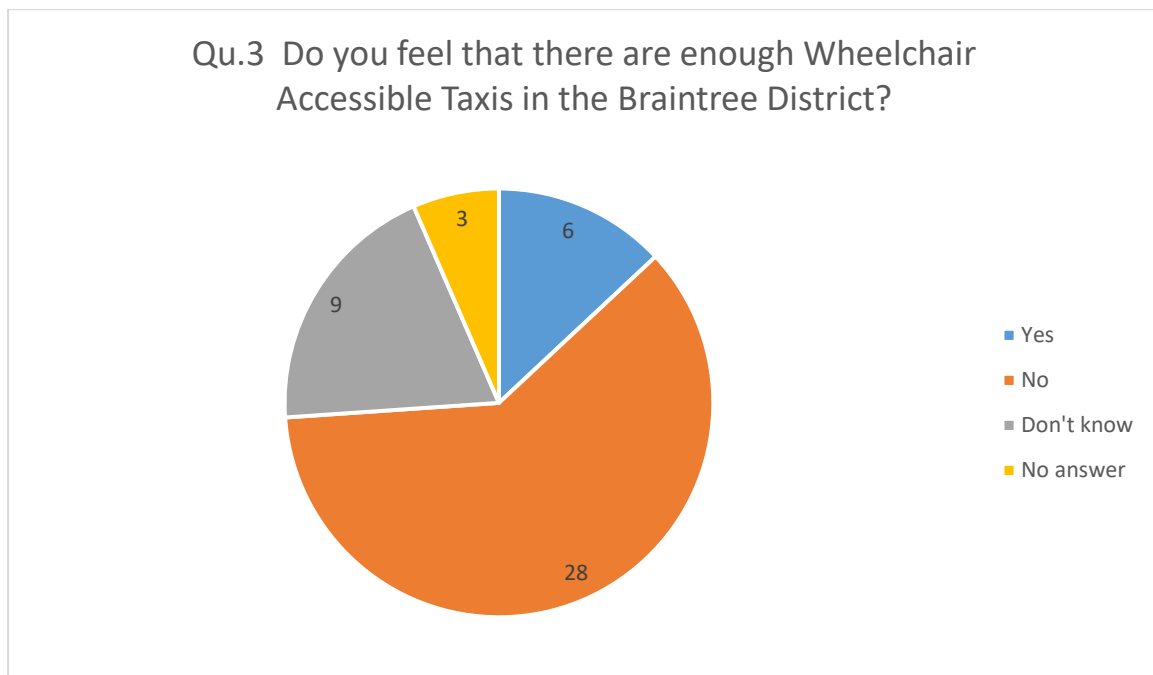


Pie chart 2

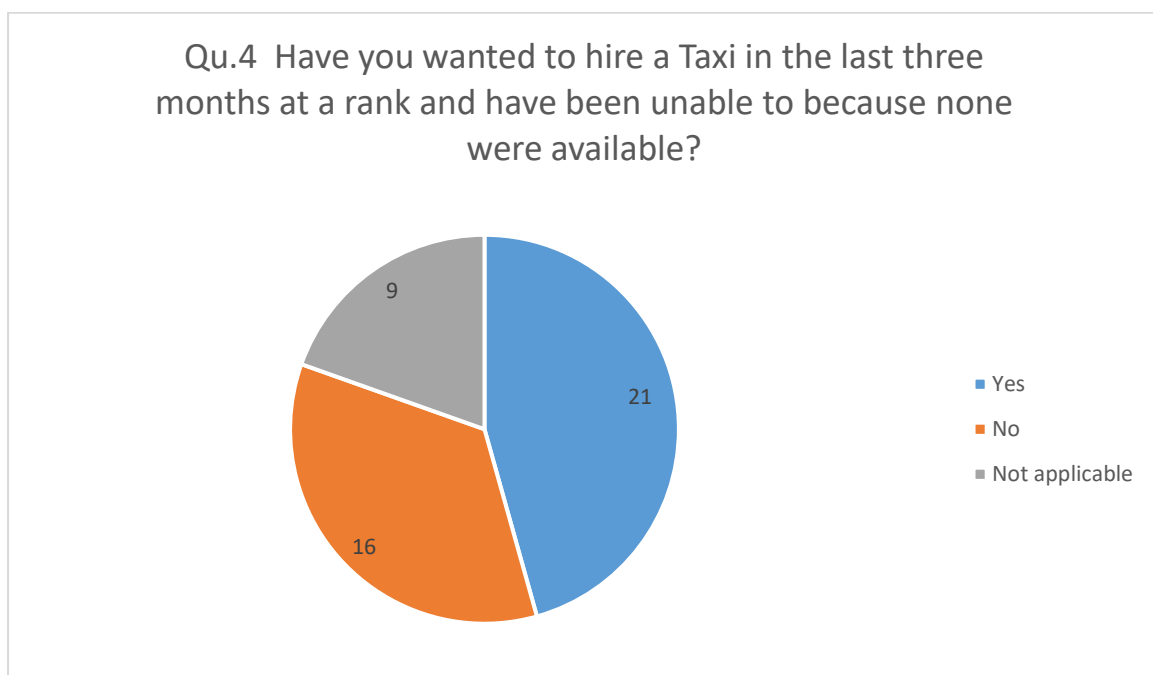
Qu.2 Do you feel that the Council should remove the numerical limit from the number of Taxi licences it issues in the Braintree District Council which is currently 84



Pie chart 3



Pie chart 4



A sub question was then asked to those respondents who had answered yes to the main question. The question asked whether the respondents who answered yes state where they tried to hire the taxi. Out of the twenty-one respondents who could have answered this question, none did so.

Pie chart 5



A sub question was then asked to those respondents who had answered yes to the main question. The question asked whether the respondents who answered yes to the previous question is, how long approximately was the wait time quoted?

Table 9

Respondent	Comments
1	No availability
2	30 minutes
3	No availability
4	No availability
5	No availability
6	Non available on that day. Had to call for patient transport.
7	unable to provide a trained driver was the reason provided
8	Couldn't get one at all. It's usual

Qu. 6

Table 10

Respondent	Comments
1	I believe there is too many hackney taxis at Braintree. There always a long queue near Tesco rank. However not enough at the train station. Sometime only 2 or 3 cars waiting. I believe there is not enough business at the train station. One train every hour mean all taxi drivers stay near Tesco. It will be nice to see couple more disabled cars it will be very accommodating for someone with big travel system like me.
2	I think Braintree town is growing and may need more taxis in the future. But for now I think there more than enough taxis at tanks or circulating in the area.
3	When I tried to find a wheelchair taxi I could only find 3 in the district and ended up using one from Hedingham for a Braintree journey. It would be extremely useful to have a list of the 19 available. Particularly as hospital transport is so poor (wait time is two hours prior to pick up and three or more for the return journey!).
4	Very pleased with the service especially Yelo cabs.
5	We operate two disabled mini buses for our members to go to and from the Centre, but members also use taxi services to access the community on other occasions and are constantly telling us that they have experienced difficulties as they require wheelchair friendly taxis.
6	No.
7	It would be good to have more wheelchair taxis as the ones already in service are used for non-disabled persons as well. As a wheelchair user I am obviously restricted to only wheelchair taxis so yes more are required. I do understand that a wheelchair taxi needs to make money and cannot sit for long periods of time with no work.
8	service pretty good.
9	I would suggest getting rid of the limit of 84 taxis. If problems emerge (e.g. taxi ranks get jammed up with too many taxis, etc) the council could re-impose a limit at a later date, but it might be better to invest in additional waiting facilities for taxis (e.g. longer taxi ranks). After all, if taxi drivers are managing to survive in the marketplace, this indicates an underlying demand for their services.
10	Is there any way of highlighting female taxi drivers or helping women to feel more safe hiring a taxi. I don't like to use taxis much because they make me feel nervous/anxious. Even though I know they're licenced and vetted.
11	The demand in the district is not unmet so the restriction needs to be lifted.
12	Deregulation hasn't worked in other areas.
13	by limiting numbers some drivers have to rent, resulting in working very long hours to make a living, most will only work stations in the evening.
14	We live in XXX XXXXX and our visitor spaces (not permitted) are full with lined up taxis from 2 different houses. One owns 4 and there aren't enough ranks, it's ridiculous. It needs a cap!!

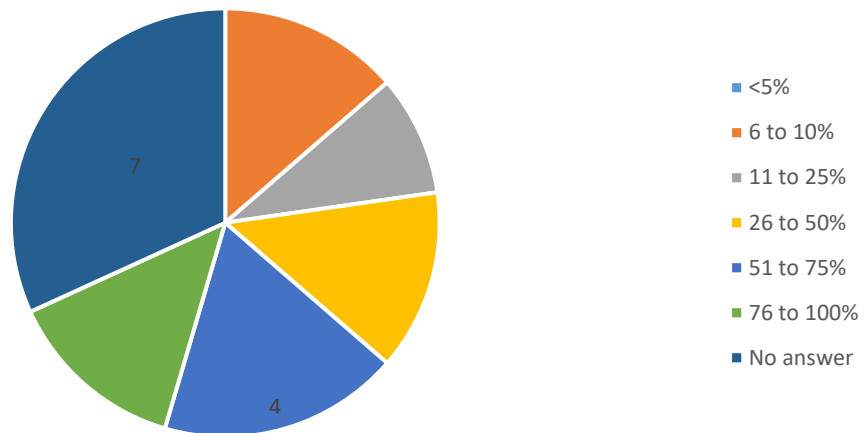
15	All taxis should be dual licensed hackney & private hire. This will allow greater flexibility and choice for the public. It is impossible to find a taxi in Witham at the weekend.
16	Taxis are very useful and a convenient way to travel. I'd like to see more 7 seat and wheelchair friendly vehicles on the roads. This would stop us either taking 2 cars or if it for my uncle in a wheelchair we have to use patient transport now due to the number of time we've missed appointments because we're unable to get a taxi. I'd like to see them all have card readers so customers can pay either in cash or by card. I'd like to see them cheaper but understand that prices are exceptionally high at the pump, the drivers have to make a living and maintenance of the vehicles has shot up too.
17	I am a resident in this area but am actually the regulator for taxi and PHV services in London. I am answering this in a personal capacity. I do feel that restrictions on the number of Hackney carriages is too low. I would prefer there to be no restrictions or at least to significant increase the restriction. I am a female and often have to walk home late at night (a 10-12 minute walk) which always makes me feel unsafe. I sometimes deliberately end my train journey late at night at Witham as there is more chance of getting a taxi but even there I end up waiting for ages sometimes. There are lots of lone females that I see enter informal taxi sharing arrangements with men which feels unsafe given the world we live in. I haven't witnessed licences being checked or any police around on any occasion. I think it's really great that the majority of taxis now accept card payments because this used to be a barrier for people using taxis but perhaps this could be mandated (if it isn't already!). The other thing that could really help passenger safety is doing more promotion of the services so people see them as a viable option as it may decrease car usage. This might generate demand meaning you don't need restrictions and also help with congestion and air pollution issues.
18	Braintree council taxi department have been very hard to work with and often not actually interested in the taxi trade just interested in money. I tried to sponsor 3 young people to become taxi drivers but the council were not interested putting road blocks up at every turn. Have been on the list for a plate for over 10 years now and I suspect they have just removed me. best thing to do would be to sack all of the staff there and start again. some of the rules are stupid, haven't checked in the last few years but the vehicle had to be a certain age to get a plate. The vehicle should meet the MOT and taxi test standard but age should not matter. I have seen an almost new Yelo taxi with bald tyre !!!!!!! I doubt you will publish or even acknowledge this as you won't like the facts.
19	There are not enough wheelchair accessible taxis in the Halstead area. Journeys have to be booked in advance to be sure of getting transport. Immediate travel is not possible as wheelchair accessible taxis are used by any who need a taxi, so for a taxi to be available requires notice. I do not need an accessible taxi, but often travel with a friend who does, and we have to book a taxi the day before at the latest, and hope they are available at the time we require.
20	Just make cabs more available!

21	Being a lady with cerebral palsy (non verbal and 100% reliant on care and restricted to a wheelchair)I can only get out with a taxi. I have a regular taxi driver called XXXX but he is soon to retire. Once this happens I will struggle to get to my day centre and also visit friends. I have tried many times to call a taxi for immediate collection in Braintree and always told none are available.
22	There not enough drivers and you phone company u could wait up to a hour for one or even longer so u have to book a week in advance.
23	The number of taxis aren't the problem, the issue is poor ranking (especially in Halstead, where the rank is used by food delivery drivers as parking). White plates in the area know where their customers are, often turning up at train stations as trains are due, or ranking in town at busy periods. More needs to be done to allow them to rank easily & any increase to licenses should be restricted to a finite amount to ensure that there's enough work for those who have taken the time to become a Hackney driver. I am a bus driver, working for a local business, and see how well the drivers who are currently licensed know their business whilst on rail replacement, day trips and feeders for holidays.
24	I think that with the airport so close there are not enough taxis.
25	It's better to have registered taxis than unregulated purely from a safety aspect as a woman.
26	You should stop companies operating in the Braintree District who doesn't have Braintree plates and fix fares for both private and Hackney taxis.
27	Don't remove the number allowed because it will just increase the number of cars on the road which are already too many.
28	Not enough rank space for more cars, plenty of private hire vehicles you can ring.
29	There are enough taxis in Braintree. We also don't need any more traffic than required. It will also increase pollution with more emissions on the road and additionally pre-existing taxis already leave their engine running for long periods of time before next collections outside of people's houses. There are 3 taxi's that reside in our residential street.
30	Licence numbers could be increased to circa 100 - not too many to flood the market.

Appendix 4 – Trade Survey

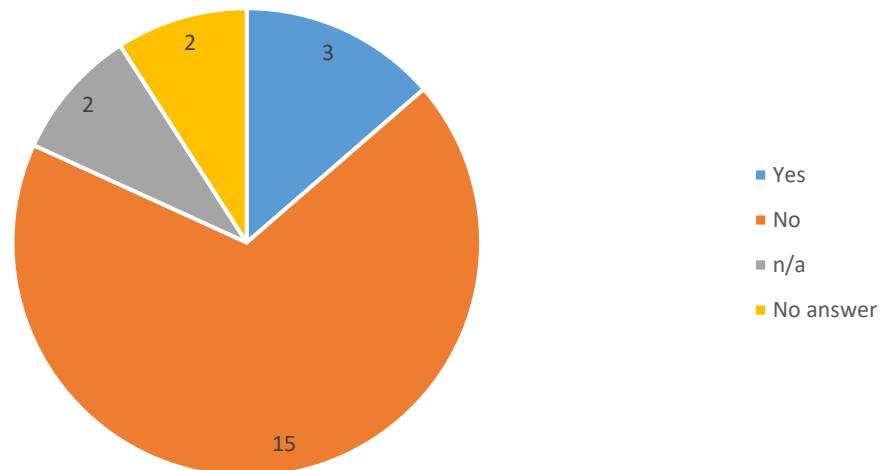
Pie chart 6

Qu.16 If you drive a hackney carriage, can you estimate the percentage of work you currently obtain from a rank.



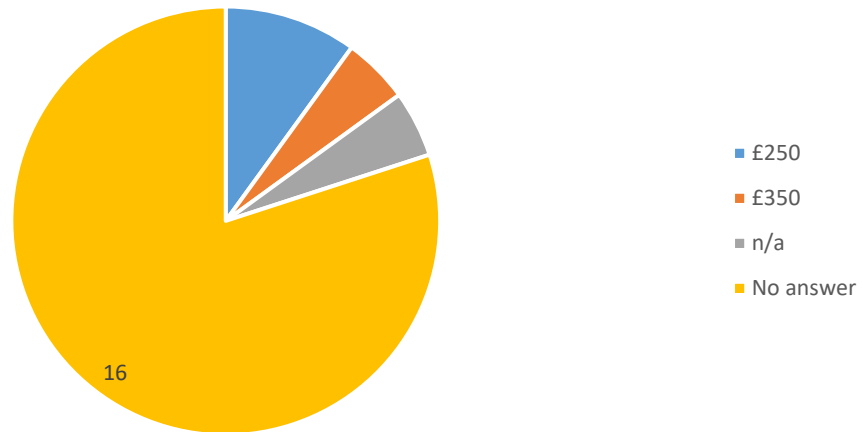
Pie chart 7

Qu.18 Do you rent a Hackney Carriage plate?



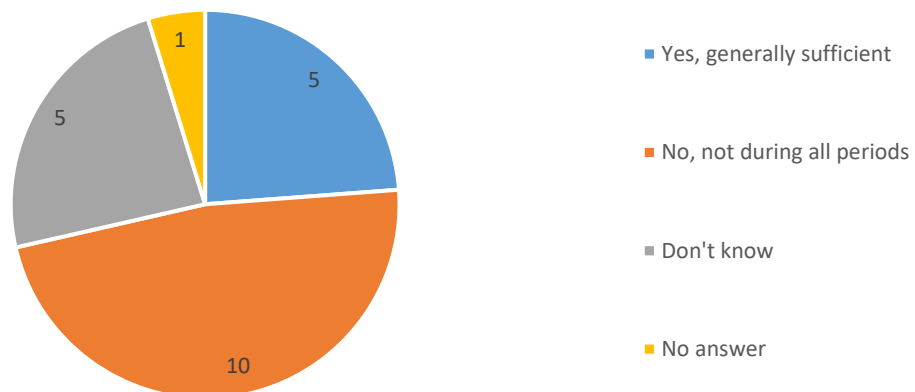
Pie chart 8

Qu.19 If you rent a plate, would you be prepared to tell us how much the weekly rent is?

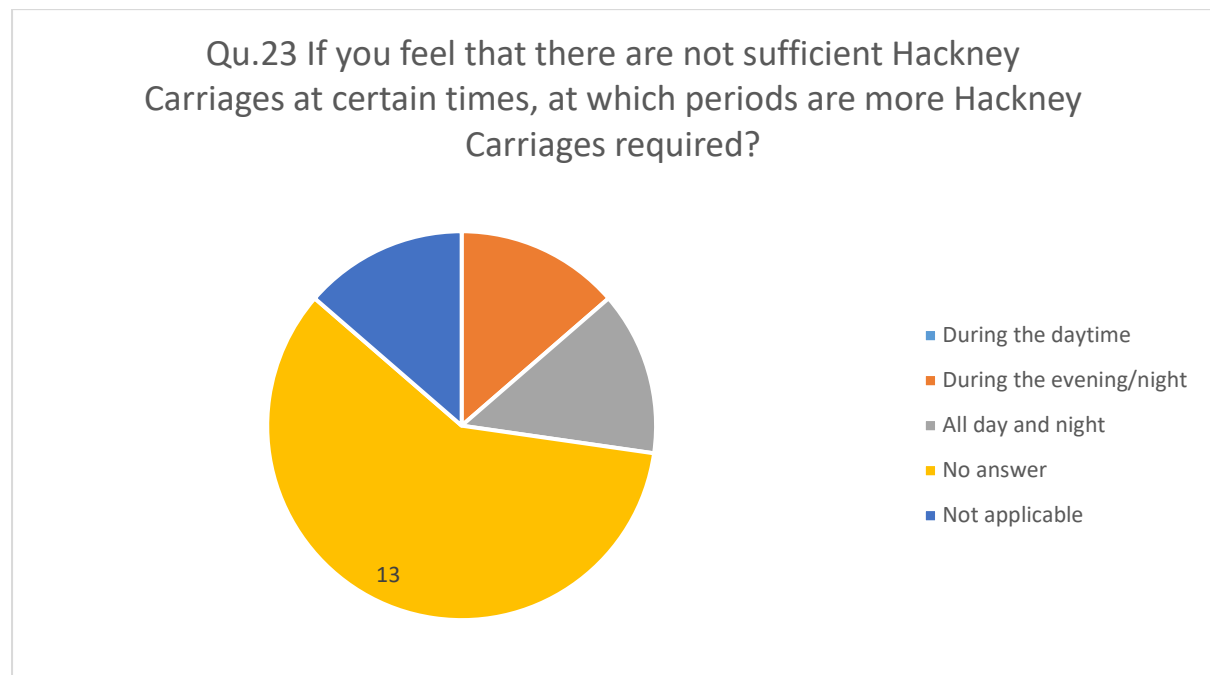


Pie chart 9

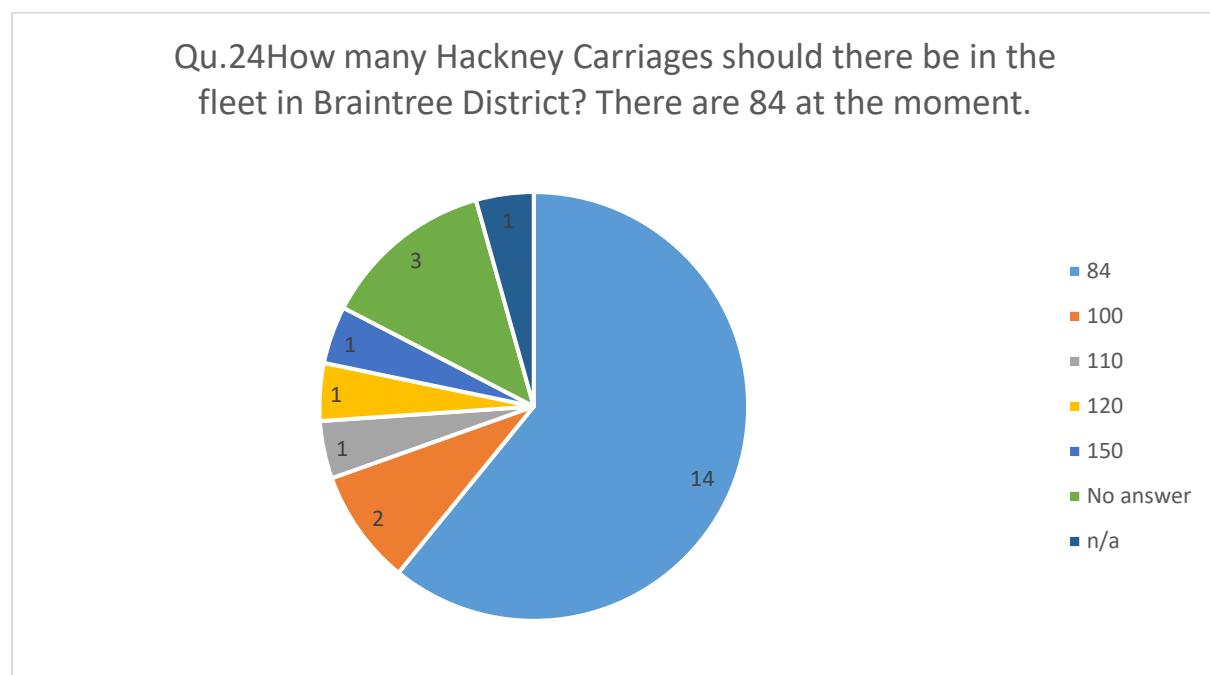
Qu.22 Are there sufficient Hackney Carriages in Braintree District to meet current levels of demand? Please choose the one option which reflects your opinion?



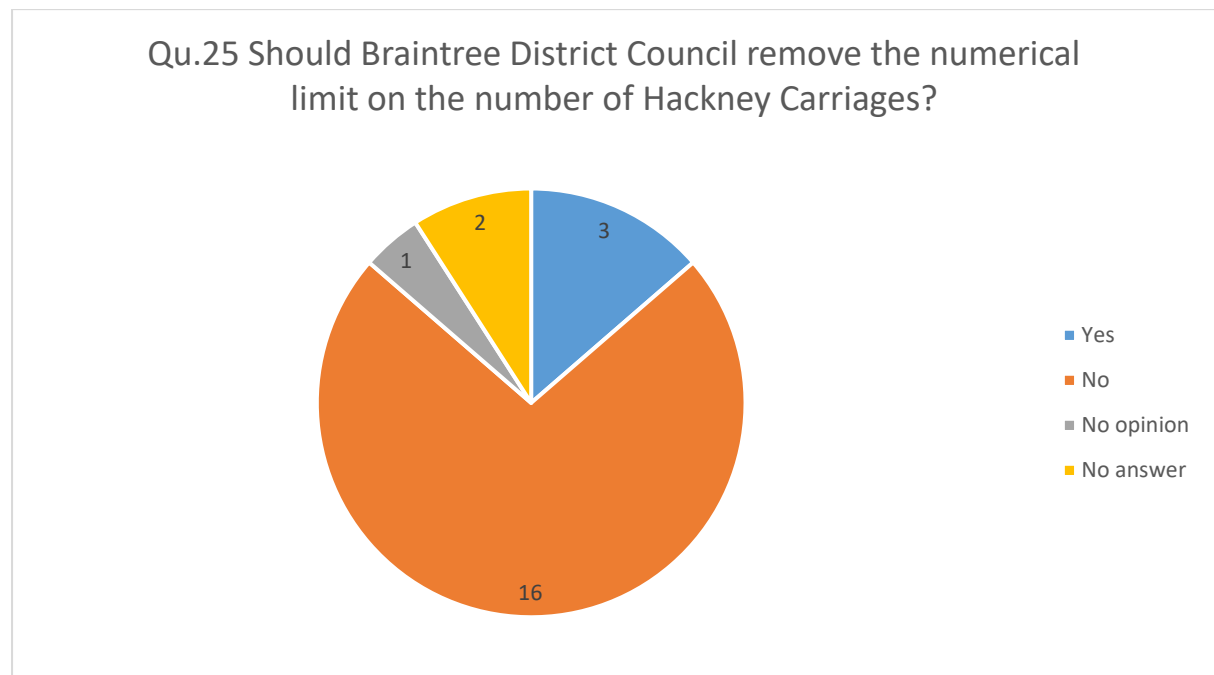
Pie chart 10



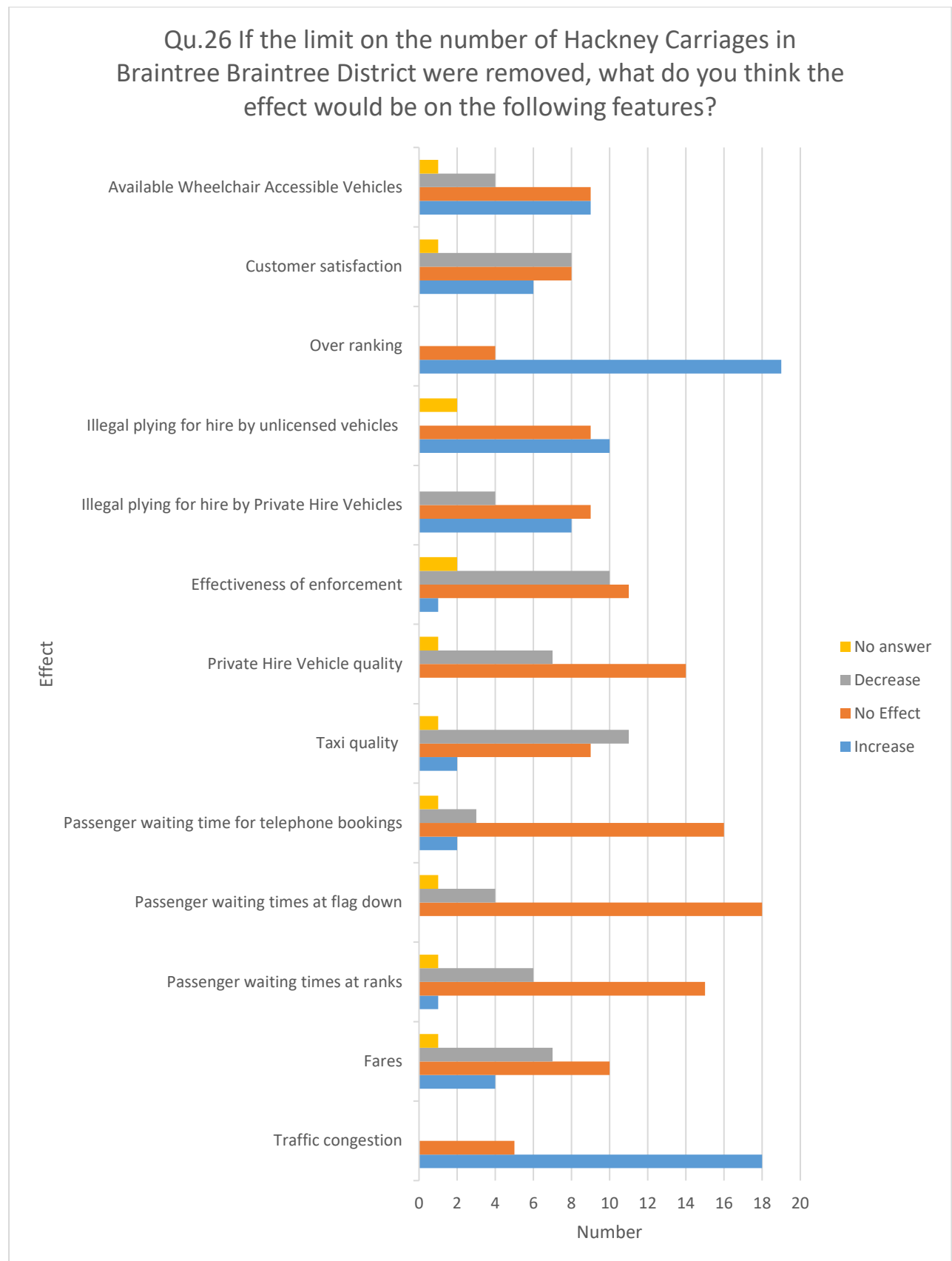
Pie chart 11



Pie chart 12



Bar chart 1

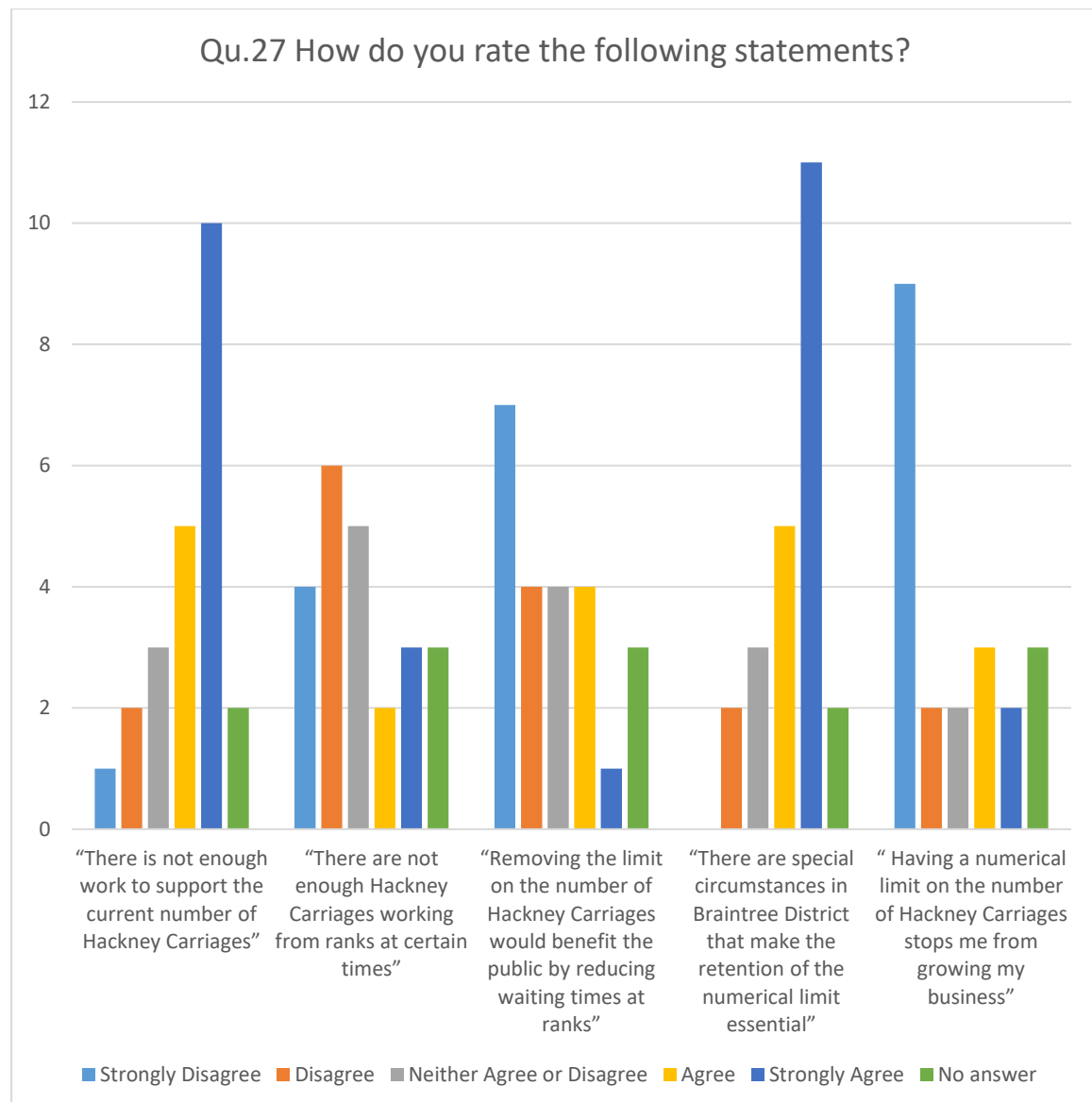


Qu.26 Any other comments

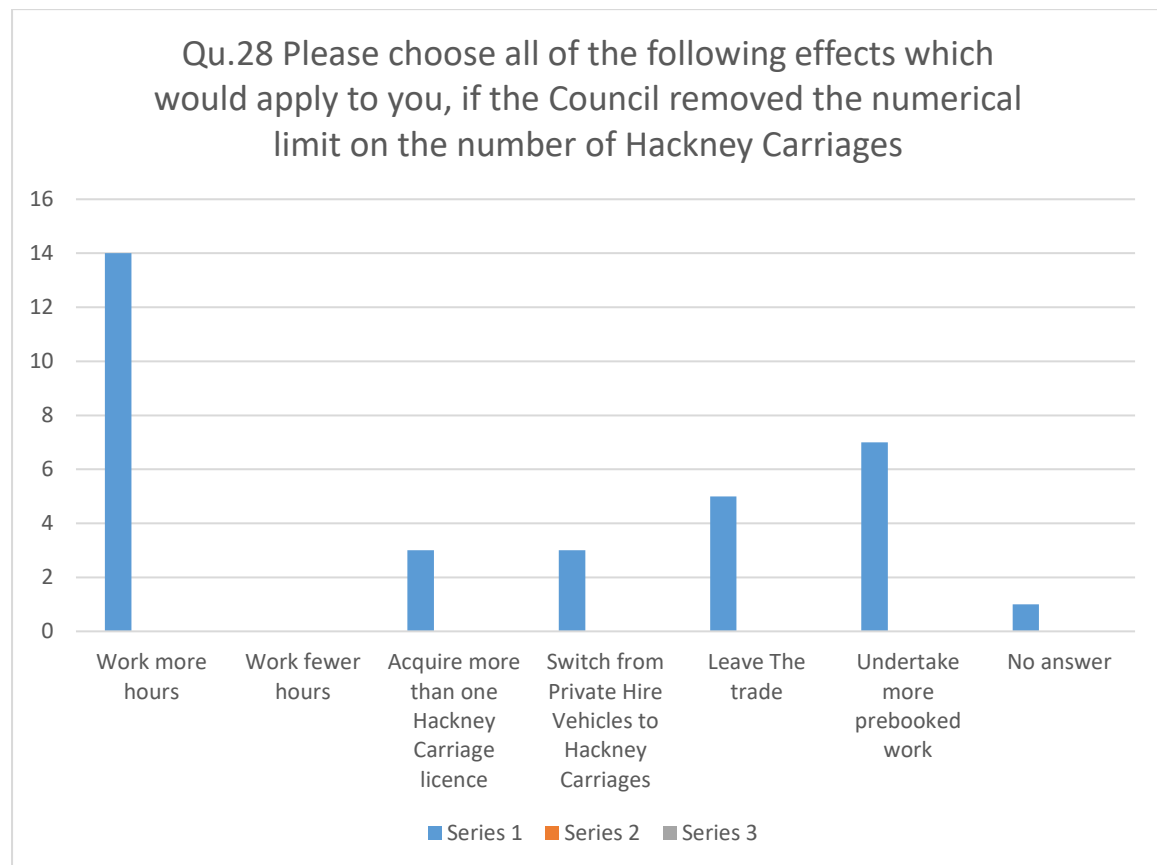
Table 11

Number	Any other comments
1	Competition is good for the public and business alike
2	I believe an increase in taxis would result in drivers having to work longer which I don't think is acceptable.
3	Currently there is not enough rank work for the 84 vehicles in the current post pandemic / cost of living crisis. More vehicles would have a devastating effect on local traffic congestion especially around licenced ranks.
4	Helping Drivers to complete legal paperwork faster to increase the shortfall in drivers so the vehicles around empty would be used.
5	If limit is removed then it will badly affect taxi business. There is nothing from taxi rank. Still we are struggling to find customers and moreover compromise on prices. If more taxis on rank then it will be difficult to earn enough money.
6	I don't understand how come some individuals have more than 2 plates. Some have 6 or more and they rent them or just keep them sitting in the yard. And then you have other individuals who have again 6 or more plates and they only use them for private hire. This is why customers struggle to find taxis at the rank. What's the point of having Hackney taxis to just use it for private work! There are a lot of solutions I am happy to share if needed but adding more plates doesn't make sense. It will only cause problems between drivers and loss of earnings for all.
7	There is not enough rank space for 84 Hackneys we have at the moment removing the limit will cause major problems around the ranks inevitably traffic congestion.
8	It is hard to find local drivers to work give existing requirements when drivers with no local knowledge are allowed to drive.
9	If the limit was removed, it would be a massive increase in rank, also more number of drivers (not enough earnings).
10	<p>Chelmsford removed the limit, it led to overflowing of taxis. Less rank space with cars queued outside ranks trying to find spaces, causing residential and congestion issues. It also made making a livelihood difficult for drivers, this has led to drivers charged fixed fares higher than the meter rate for shorter fares (compliance issues). I strongly suggest that you do not remove the cap and increase licences to a maximum of 100 covering Braintree and Witham district as a whole will not impact driver livelihoods or cause issues experienced in Chelmsford.</p> <p>I strongly suggest the is not removed but an increase up to 100 licences to be considered. By removing the limit, will increase the number of HCV licences that will lead to issue explained above as experienced in a neighbouring City</p>
11	From personal experience, if there was more hackney carriages it will increase congestion massively due to lack of space. At the moment with the case of Braintree town and Witham Station. There is not enough space at the moment and is already causing issues. Also With the increase, it would drive a lot of drivers away from the trade due to not earning enough on a weekly basis.
12	Being that I've only lived in Great Dunmow for 15 months and working for 24/7 doing a school run only, I don't know how many issues there are with a lack of Taxi's or mini cabs. I feel the 84 actual licenced drivers should be the best judged, because more drivers "could be" damaging to their earnings. But if the service isn't meeting the actual demand then perhaps a slight increase will help provide the service level required and the slight increase shouldn't cause to much of an issue for the 84.
13	People of our district won't have to pay sky prices for 2 miles journey.

Bar chart 2



Bar chart 3



Qu.28 Any other comments

Table 12

Number	<i>Any other comments</i>
1	<p>The Removal of the quantity restrictions will have the following effects: -</p> <p>1. Lack of rank space, will result in drivers continually driving around looking for rank space, therefore increasing emissions when the world are trying to reduce emissions 2. Drivers will not be able to renew vehicles regularly, therefore quality of vehicles will reduce. 3. Experienced drivers will leave the trade & replaced by inexperienced drivers 4. New drivers will leave after realising that they cant make a reasonable living 5. With more licensed vehicles, will result in drivers having to work longer hours to make a living, therefore a danger to the public due to tiredness 6. More vehicles = more administration, more enforcement, increase costs to licensing 7. More vehicles = less earnings & drivers leaving the trade 8. Example of costs, currently I would estimate to turn over a weekly salary of £1000, a driver would have to work between 60-70 hours per week. If a driver purchased a brand-new WAV with finance at an approx. cost £130.00 PW, add £200.00 PW Diesel, £50.00 PW Insurance that = £380 PW, leaving a balance of £620 PW, then add maintenance, Licensing fees & any other expenses, let's say a conservative cost of £50.00PW = £570.00 PW, divide that by 60 Hours PW & owner drivers with a new vehicle on finance are just about making minimum wage</p>
2	<p>I believe that an oversupply of taxis and private hire vehicles is a long way off and Braintree should be encouraging new drivers.</p>
3	<p>Since the pandemic passenger numbers on the trains have reportedly declined by 20%. The passengers I pick up all say 'isn't it great I don't have to go to the office every day!' Therefore, fewer customers for taxis. Taxi drivers at present are struggling to make a living, if the numbers of taxis are unlimited, clearly this will make it even harder to make a living. With unlimited taxis it would seem to contradict the Council's intention of going green, when many hundreds of taxis will be clogging up the districts roads and emitting unnecessary increasing pollutants. The Council would also have less control, whereas at the moment it has full control. Would it not be better (if the Council feel its necessary) to issue a certain number of plates and observe the outcome? If the Council has observed areas of unmet demand, it would be helpful if they could share that information with the drivers from which everyone concerned would benefit. There is insufficient rank space at the moment. How would the Council accommodate the increase in taxis? Generally speaking, private hire vehicles/company's take up any slack that the taxis are unable to cope with.</p>
4	<p>Working for a Private Hire company it would have a massive impact on private hire work. Having worked in the trade for 33 years it seems to me that probably a third of the 84 plates do not even work on the rank. Looking t the Witham rank that is the reason why at busy times customers tell me they can wait up to 45 minutes for a taxi.</p>

5	At this time there are a number of vehicles unused, but this is mainly due to a lack of drivers. If a Hackney Vehicle has been used in a 6-month period, the Council should recall the plate and issued to a driver who is willing to work it.
6	If the council remove the limit of Hackney carriage, it will affect the trade especially in this small town of Braintree/Witham/Halstead. Other councils done this such as Chelmsford but it didn't work at all. This will only cause more problems between drivers. Less work for everyone. More traffic, Customer unsatisfaction (driver will be pushing to go back). People will leave the trade.
7	I think removing the limit of Hackneys will have massive detrimental effect on the trade. Lack of space to rank up and with the council's policy of it the rank is full drive to next available rank will increase congestions and increase emissions not good for the environment. With not enough work for the Hackneys, we've already have in Braintree, this will mean drivers won't be able to renew their vehicles as often meaning older vehicles and vehicle quality may drop. Existing drivers will have no choice but the work longer hours in order to maintain earning what they are hopefully earning at the moment. You'll probably lose experience drivers due to lack of work. And have spoken to people who have said that they will apply for a Hackney if the limit is removed just so have somewhere to wait while they are working and have no intention of doing any rank work because they know there isn't any.
8	The quality of drivers has definitely dropped in the last few years. The council should look at increasing the number of local drivers rather than allowing drivers from outside the area to obtain licences
9	If you removed the numerical limit, it would be too many cars and not enough earnings.
10	Although disagreeing with the removal of restrictions on the number of licensed plates in the Braintree district, I believe changes need to be made to the system of obtaining plates and the current number of plates. At present, the system allows individuals to hold multiple plates and when these plates are no longer wanted or needed by an individual, they can sell them on for a significant sum of money. I believe that restrictions to the number of licensed plates one person can own should be enforced and plates should be returned to the council to be redistributed when no longer required. With only 84 licensed plates, there are a limited number of vehicles available to customers at any given time with drivers either not working or operating private hire. This can have negative impacts on wait times and the satisfaction of customers at ranks.
11	The current restriction prevents new entrants to the market to have an opportunity to work on the ranks, however a derestriction will lead to a disaster for the trade in general. Matters I have shared in this survey. I believe a limit of between 95-100 licences restricted will ensure that more taxis are available as the district grows for the coming 3 years. This can be reviewed again in a few years whether more are needed. I strongly do not recommend derestricting the numbers as it will lead to bad business for existing taxi drivers and Hackney Carriage firms.

12	If the limit would be taken off. I wouldn't see a point of keeping my hackney carriage plate. This will be due to the fact that I will become more of a private hire vehicle due to the amount of drivers that will be on the rank and I will not be able to make a living.
13	There is a monopoly in our district. At this moment of certain individuals and as per district research, which I read. There are fewer owners of plates and they set their fares for private hires. On top of that they charge a lot to rent from them for hackney carriages.
14.	With what's been happening over the last few years it's a natural progression to do more p/h in a h/c because of the situation.



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Consultation

Quantity Restrictions – Hackney Carriages and key policy considerations

Introduction

The Licensing Committee are seeking views from licence holders as to whether the Council should continue to restrict the number of Hackney Carriage (Taxi) licences it issues to 84. The Council would also like to hear your views on a range of other issues that are relevant to the licensed trade which may influence future policy.

This consultation questionnaire will be sent to all drivers, Hackney Carriage Proprietors and Private Hire Operators. If you wish the information within this questionnaire to be used but wish to remain anonymous, please indicate in question 1 below.

Please feel free to use additional sheets of paper to provide additional comment and reference additional comments, if appropriate, to the question number, to help us collate the feedback.

Whilst we would like you to complete the entire questionnaire, we appreciate that you may be limited for time, if this is the case, we would like you to at least complete the Mandatory Section (questions 1 to 29).

This consultation will close on 17th February 2023.

Thank you for your time.

For multiple choice responses, either circle or tick the answer which applies as directed.

Mandatory Section		
1.	Do you wish to remain anonymous? If you answer yes, the information you provide will be considered however this questionnaire will not be included as part of any Committee report.	A Yes B No

2.	<p>Could you please provide your Braintree District Council licence number. This could be your driver number, Hackney Carriage proprietor (vehicle plate number) or Private Hire Operator number. We ask for this information to confirm you hold one of the relevant licences issued by Braintree District Council.</p> <p>Licence number <input type="text"/></p>
3.	<p>As an additional validation check, could you please provide the first letter only of your surname? For example, if your name is Smith, please put S in the box.</p> <p>Surname <input type="text"/></p>
4.	<p>Do you normally drive a Hackney Carriage or Private Hire Vehicle? If you drive both Hackney Carriages and Private Hire vehicles please state.</p> <p>A Hackney Carriage B Private Hire Vehicle C Don't normally drive</p>
5.	<p>Are you a Hackney Carriage proprietor?</p> <p>A Yes B No</p>
6.	<p>If you are a Hackney Carriage Proprietor, how many vehicles are licensed by this authority?</p> <p>Number: <input type="text"/></p>
7.	<p>Are you a Private Hire Operator?</p> <p>A Yes B No</p>
8.	<p>If you are a Private Hire Operator how many vehicles are licensed by this authority?</p> <p>Number: <input type="text"/></p>

9.	<p>How long have you been involved in the Licensed Vehicle trade in the Braintree District?</p> <p>Please tick the range which applies to your experience.</p> <table border="1" data-bbox="478 376 1077 645"> <thead> <tr> <th>Years worked</th> <th>Please tick ✓</th> </tr> </thead> <tbody> <tr><td>0 to 2 years</td><td></td></tr> <tr><td>3 to 5 years</td><td></td></tr> <tr><td>6 to 10 years</td><td></td></tr> <tr><td>11 to 15 years</td><td></td></tr> <tr><td>16 to 20 years</td><td></td></tr> <tr><td>Over 20 years</td><td></td></tr> </tbody> </table>		Years worked	Please tick ✓	0 to 2 years		3 to 5 years		6 to 10 years		11 to 15 years		16 to 20 years		Over 20 years							
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10.	<p>If you drive a licensed vehicle on average how many miles do you drive a year when acting as a licensed driver?</p> <table border="1" data-bbox="478 757 1077 1137"> <thead> <tr> <th>Number of miles per year</th> <th>Please tick ✓</th> </tr> </thead> <tbody> <tr><td><5000</td><td></td></tr> <tr><td>5001 – 10000</td><td></td></tr> <tr><td>10001 – 15000</td><td></td></tr> <tr><td>15001 – 20000</td><td></td></tr> <tr><td>20001 – 25000</td><td></td></tr> <tr><td>25001 – 30000</td><td></td></tr> <tr><td>30001 – 35000</td><td></td></tr> <tr><td>Over 35000</td><td></td></tr> <tr><td>I do not drive a vehicle</td><td></td></tr> </tbody> </table>		Number of miles per year	Please tick ✓	<5000		5001 – 10000		10001 – 15000		15001 – 20000		20001 – 25000		25001 – 30000		30001 – 35000		Over 35000		I do not drive a vehicle	
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I do not drive a vehicle																						
11.	<p>If you drive a vehicle do you normally subscribe to a radio circuit for bookings? (If you circle option C Other, please add clarification in the space below.</p>	<p>A Yes</p> <p>B No</p> <p>C Other</p>																				
12.	<p>Do you use an App to take bookings?</p>	<p>A Yes</p> <p>B No</p>																				
13.	<p>What type of licensed vehicle do you drive most frequently? Please select from the following list.</p> <table border="1" data-bbox="478 1742 1401 2049"> <thead> <tr> <th>Vehicle Type</th> <th>Please tick ✓</th> </tr> </thead> <tbody> <tr><td>Purpose built taxi vehicle</td><td></td></tr> <tr><td>Saloon/Estate car</td><td></td></tr> <tr><td>Minibus / people carrier (wheelchair accessible)</td><td></td></tr> <tr><td>Minibus / people carrier (not wheelchair accessible)</td><td></td></tr> <tr><td>Executive vehicle</td><td></td></tr> <tr><td>Novelty vehicle</td><td></td></tr> <tr><td>Other (Please state)</td><td></td></tr> </tbody> </table>		Vehicle Type	Please tick ✓	Purpose built taxi vehicle		Saloon/Estate car		Minibus / people carrier (wheelchair accessible)		Minibus / people carrier (not wheelchair accessible)		Executive vehicle		Novelty vehicle		Other (Please state)					
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14.	Daytime working hours Thinking of an average week, throughout the year as a whole (as opposed to a particularly busy or quiet season) how many hours would you estimate that you work each day, during the daytime hours (from 06:00 hours to 18:00 hours)																	
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15.	Night-time working hours Thinking of an average week, throughout the year as a whole (as opposed to a particularly busy or quiet season) how many hours would you estimate that you work each night, during the night-time hours, (from 18:00 hours to 06:00 hours)																	
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16.	If you drive a hackney carriage, can you estimate the percentage of work you currently obtain from a rank.																	
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17.	During a typical week, approximately how many journeys do you pick up which require carriage of a wheel chair ? Please choose the quantity which most closely applies to you.	A None B 1 to 5 C 6 to 10- D 11 to 20 E more than 20																
18.	Do you rent a Hackney Carriage plate? A Yes B No (please go to question 20)																	
19.	If you rent a plate, would you be prepared to tell us how much the weekly rent is? £ _____																	

20.	<p>If you rent a plate, are you responsible for maintaining the vehicle?</p> <p>A Yes</p> <p>B No</p>
21.	<p>Prior to reading this questionnaire, were you aware that Braintree District enforces a numerical limit on the number of Hackney Carriages in Braintree District to 84?</p> <p>A Yes</p> <p>B No</p>
22.	<p>Are there sufficient Hackney Carriages in Braintree District to meet current levels of demand? Please choose the one option which reflects your opinion.</p> <p>A Yes, too many</p> <p>B Yes, generally sufficient</p> <p>C No, not during all periods</p> <p>D No opinion</p> <p>E Don't know</p>
23.	<p>If you feel that there are not sufficient Hackney Carriages at certain times, at which periods are more Hackney Carriages required?</p> <p>A During the daytime</p> <p>B During the evening / night</p> <p>C All day and night</p>
24.	<p>How many Hackney Carriages should there be in the fleet in Braintree District? There are 84 at the moment.</p> <p>Number: <input type="text"/></p>
25.	<p>Should Braintree District Council remove the numerical limit on the number of Hackney Carriages?</p> <p>A Yes</p> <p>B No</p> <p>C No opinion</p>

26.	If the limit on the number of Hackney Carriages in Braintree District were removed, what do you think the effect would be on the following features? Please tick ✓ the effects which apply.			
	Effect	Increase	No effect	Decrease
	Traffic congestion			
	Fares			
	Passenger waiting times at ranks			
	Passenger waiting times at flag down			
	Passenger waiting time for telephone bookings			
	Taxi quality			
	Private Hire Vehicle quality			
	Effectiveness of enforcement			
	Illegal plying for hire by Private Hire Vehicles			
	Illegal plying for hire by unlicensed vehicles			
	Over ranking			
	Customer satisfaction			
	Available Wheelchair Accessible Vehicles			
Any other comments?				

27.	How do you rate the following statements? Please tick the category which applies.					
	Statements	Strongly Disagree	Disagree	Neither Agree or Disagree	Agree	Strongly Agree
	“There is not enough work to support the current number of Hackney Carriages”					
	“There are not enough Hackney Carriages working from ranks at certain times”					
	“Removing the limit on the number of Hackney Carriages would benefit the public by reducing waiting times at ranks”					
	“There are special circumstances in Braintree District that make the retention of the numerical limit essential”					
	“ Having a numerical limit on the number of Hackney Carriages stops me from growing my business”					

28.	<p>Please choose all of the following effects which would apply to you, if the Council removed the numerical limit on the number of Hackney Carriages.</p> <table border="1" data-bbox="478 338 1401 831"> <thead> <tr> <th data-bbox="478 338 943 383">No change</th> <th data-bbox="943 338 1401 383">Please tick all which apply <input type="checkbox"/></th> </tr> </thead> <tbody> <tr> <td data-bbox="478 383 943 416">Work more hours</td> <td data-bbox="943 383 1401 416"></td> </tr> <tr> <td data-bbox="478 416 943 450">Work fewer hours</td> <td data-bbox="943 416 1401 450"></td> </tr> <tr> <td data-bbox="478 450 943 528">Acquire a Hackney Carriage vehicle licence</td> <td data-bbox="943 450 1401 528"></td> </tr> <tr> <td data-bbox="478 528 943 607">Acquire more than one Hackney Carriage vehicle licence</td> <td data-bbox="943 528 1401 607"></td> </tr> <tr> <td data-bbox="478 607 943 685">Switch from Hackney Carriages to Private Hire Vehicles</td> <td data-bbox="943 607 1401 685"></td> </tr> <tr> <td data-bbox="478 685 943 763">Switch from Private Hire Vehicles to Hackney Carriages.</td> <td data-bbox="943 685 1401 763"></td> </tr> <tr> <td data-bbox="478 763 943 797">Leave the trade</td> <td data-bbox="943 763 1401 797"></td> </tr> <tr> <td data-bbox="478 797 943 831">Undertake more prebooked work</td> <td data-bbox="943 797 1401 831"></td> </tr> </tbody> </table> <p data-bbox="478 864 861 909">Other (please provide details)</p>	No change	Please tick all which apply <input type="checkbox"/>	Work more hours		Work fewer hours		Acquire a Hackney Carriage vehicle licence		Acquire more than one Hackney Carriage vehicle licence		Switch from Hackney Carriages to Private Hire Vehicles		Switch from Private Hire Vehicles to Hackney Carriages.		Leave the trade		Undertake more prebooked work	
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Leave the trade																			
Undertake more prebooked work																			
29.	<p>Do you have any other comments that you wish to make regards the possible removal of the quantity restrictions placed on the number of Hackney Carriages (Taxis) in the Braintree District.</p>																		

Discretionary Section	
30.	<p>Do you feel safe working as a licensed vehicle driver in Braintree District?</p> <p>A Yes, all of the time</p> <p>B Yes, some of the time</p> <p>C None of the time</p>
31.	<p>If you feel unsafe working in Braintree District, could you please select which of the following applies to where or when you feel it can be unsafe? Multiple answers can be selected.</p> <p>A Daytime (06:00 to 18:00)</p> <p>B Night time (18:00 to 06:00)</p> <p>C In certain areas</p>
32.	<p>Are there any particular locations / times you feel are particularly unsafe?</p>
33.	<p>Would implementation of new CCTV or improvement of existing CCTV at ranks improve the perception of safety at ranks?</p> <p>A Yes</p> <p>B No</p>
34.	<p>If Hackney Carriages and Private Hire Vehicles were fitted with fixed cameras which record digital images within the vehicle, do you feel that this would improve safety?</p> <p>A Yes</p> <p>B No</p>
35.	<p>Should the fitting of CCTV in all vehicles be compulsory?</p> <p>A Yes</p> <p>B No</p>
36.	<p>Is there sufficient rank space in Braintree District</p> <p>A Yes</p> <p>B No</p>
37.	<p>Do you think new ranks are required?</p> <p>A Yes</p> <p>B No (go to question 40)</p>
38.	<p>If you feel new ranks are required, where do you think they should be located?</p>
39.	<p>Are there any ranks in Braintree District which need more spaces?</p> <p>A Yes</p> <p>B No (go to question 40)</p>

40.	If you feel that some ranks need more spaces, which ranks do you think need more spaces?
41.	<p>Please choose the option which best reflects your opinion of the current level of Hackney Carriage fares:</p> <p>A Too high</p> <p>B Too low</p> <p>C About right</p> <p>D Don't know/ no opinion</p>
42.	How often, or under what circumstances, do you think that Hackney Carriage fares should be increased?
43.	<p>In Braintree District, drivers are required to pass a knowledge test before being granted a licence. Do you agree with this policy?</p> <p>A Yes</p> <p>B No</p>
44.	<p>Do you feel that drivers receive sufficient training before being granted a Drivers Licence?</p> <p>A Yes</p> <p>B No</p>
45.	<p>If you feel that drivers do not receive sufficient training, which types of additional training would you like to see offered to drivers?</p> <p>Please select all that apply.</p> <p>A NVQ</p> <p>B Safeguarding awareness</p> <p>C Driving Skills Assessment</p> <p>D English language</p> <p>E Disability awareness</p> <p>F Knowledge test</p> <p>G Customer care</p> <p>H Other (please specify below)</p>
46.	<p>Should the Council introduce a standardised livery for all Hackney Carriages?</p> <p>A Yes</p> <p>B No</p> <p>C No opinion</p>

47.	What do you think the standardised livery should be for Hackney Carriages?
48.	<p>Do you think there should be more wheelchair accessible vehicles in the existing Taxi fleet?</p> <p>A Yes B No C No opinion</p>
49.	<p>Should the Council introduce a standardised livery for all Private Hire Vehicles?</p> <p>A Yes B No C No opinion</p>
50.	What do you think the standardised livery should be for Private Hire Vehicles?
51.	<p>Do you think there should be an exemption from the livery requirements for some private hire vehicles?</p> <p>A Yes B No C No opinion</p> <p>If yes what would this include?</p>
52.	<p>Do you think the Council should introduce a policy to ban petrol/diesel powered taxis and Private hire vehicles?</p> <p>A Yes B No C No opinion</p>
53.	<p>If the Council were to ban petrol/diesel powered vehicles when this should happen?</p> <p>A before 2025 B between 2025 to 2030 C after 2030</p>

54.	In your opinion what would be the effects of banning petrol/diesel-powered vehicles?
55.	<p>If you think there should be exceptions to any requirement to ban petrol/diesel-powered vehicles, what types of vehicles would this include?</p> <p>A Wheelchair accessible vehicles B 8-Seater minibuses C Novelty Vehicles D Other (Please state)</p>
56.	<p>Would you consider the purchase of a zero-emission vehicle(s)?</p> <p>A Yes B No</p>
57.	If you answered yes, please State why?
58.	If you answered no, please state why?
59.	<p>What would help incentivise you to purchase a zero emission vehicle? Please circle as many options as you wish.</p> <p>A Improved on road charging infrastructure B Grant/subsidies C Subsidised licence fees D Relaxation on age policy E Relaxation of relevant vehicle conditions F Relaxation on wheelchair accessible requirements (Hackney Carriage and Private Hire Operator) G Cheaper purchase prices H Other (Please state)</p>

[illegible]

Thank you for your time and attention to this survey.

Agenda Item: 7

Report Title: Licensing Committee Update	
Report to: Licensing Committee	
Date: 21 st March 2023	For: Noting
Key Decision: No	Decision Planner Ref No: N/A
Report Presented by: John Meddings, Principal Licensing Officer	
Enquiries to: John Meddings, Principal Licensing Officer	

1. Purpose of the Report

- 1.1 Members have requested regular updates on applications determined by Licensing Sub Committees and Drivers Panel. A summary of all applications determined since the last report submitted to the Committee on 18th January 2023.
- 1.2 The report will also highlight other significant issues relevant to licensing.

2. Recommendations

- 2.1 The report is for information only and Members are only required to note the content.

3. Updates

3.1 Alcohol

3.1.1 Protect Duty – Martyn’s Law

The Home Office have published a fact sheet, setting out more detail on the proposed Protect Duty. The fact sheet follows the announcement made on 19 December 2022 for the Duty now commonly referred to as ‘Martyn’s Law’, in tribute of Martyn Hett, who was killed alongside 21 others in the Manchester Arena terrorist attack in 2017.

<https://homeofficemedia.blog.gov.uk/2022/12/19/martyns-law-factsheet/>

3.1.2 Sensitive Information in Licensing Applications – SILA

When announcing Martyn's Law the Home Secretary, also updated Parliament on “Sensitive Information in Licensing Applications” (SILA). In her written statement on 19 December 2022.

Sensitive Information in Licensing Applications (SILA) forms part of the Government's anti-terrorism Protect Duty that will introduce a means by which licensing information, deemed sensitive, will be exempt from publication to

any publicly accessible platform. The Council awaits guidance on what to expect from SILA and how it may affect how Licence applications are to be handled.

3.1.3 Home Office has issued revised Section 182 guidance under the Licensing Act 2003

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

Section 4 of the Licensing Act 2003 provides that, in carrying out its functions, a licensing authority must 'have regard to' s.182 guidance and it is therefore binding on all licensing authorities to immediately take any revisions into account.

This revision introduces 10 Key Changes from the previous (April 2018) version include:

1. Right to work and entitlement substantially changed (4.21 onwards)
2. Lessening the burden on persons operating an alcohol delivery service (3.10)
3. New section on "Closure Notices" (4.83)
4. Home Office Immigration Enforcement is not responsible for Clubs (6.11)
5. Updates to TENs statutory limits (7.15)
6. There is no right of appeal in respect of late TENs following objection by the police or EHOs (7.34)
7. Full variations should not be used to "vary substantially the premises to which the licence relates" (8.76)
8. Operating schedules should be converted to conditions which must be "appropriate and proportionate for the promotion of the licensing objectives." (10.5)
9. Inclusion of the "Agent of Change" principle (14.66)
10. Removal of "Annex A – documents which demonstrate entitlement to work in the UK"

3.1.4 Age Verification technology in alcohol sales

The government is developing plans to improve access to services, safeguard privacy and combat fraud through the use of digital identities rather than relying on physical documents. This change will be legislated. The legislation is being led by the Department for Digital, Culture, Media and Sport (DCMS) who will be bringing legislation in this parliamentary session.

A potential issue/challenge is the mandatory condition set out in paragraph 3 of the Schedule to the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010, which requires presentation of identification bearing a holographic mark or ultraviolet feature upon request when purchasing alcohol.

Trials were run in 2022, testing age estimation technology and digital ID apps in a variety of retail environments. The age verification mandatory condition remained in place throughout. Similarly, a number of trials were run aimed to explore if technology could reduce queuing time to enter licensed premises.

The work was an important step to further understanding what needs to be in place to successfully embed age verification technologies into an existing robust monitoring and enforcement licensing regime. The trials generated a number of outcomes that provide important learning points for alcohol retailers and for those responsible for monitoring and enforcement.

The government will now carefully consider the next steps and provide further updates as soon as possible.

3.1.5 Six-month extension to alcohol duty freeze

In a statement to the House of Commons, Exchequer Secretary to the Treasury James Cartlidge laid out a plan designed to provide certainty and reassure pubs, distilleries, and breweries as they face a challenging period ahead.

While new duty rates usually come in on the 1 February each year, Mr Cartlidge set out that this year the duty rates decision will be held until the Chancellor Jeremy Hunt delivers his Spring Budget on the 15 March 2023.

Further, the Minister made clear that if any changes to duty are announced then, they will not take effect until 1 August 2023. This is to align with the date historic reforms for the alcohol duty system come in and amounts to an effective six month extension to the current duty freeze.

3.1.6 Office for National Statistic alcohol death data

Deaths caused by diseases known to be a direct consequence of alcohol, age, sex, and region provided by The Office for National Statistics data

- In 2021, there were 9,641 deaths (14.8 per 100,000 people) from alcohol-specific causes registered in the UK, the highest number on record.
- The number recorded in 2021 was 7.4% higher than in 2020 (8,974 deaths; 14.0 per 100,000) and 27.4% higher than in 2019 (7,565 deaths; 11.8 per 100,000), the last pre-coronavirus (COVID-19) pandemic year.
- Between 2012 and 2019, rates of alcohol-specific deaths in the UK had remained stable, with no statistically significant changes in the age-standardised rate.
- Consistent with previous years, the rate of alcohol-specific deaths for males in 2021 remained around double the rate for females (20.1 and 9.9 deaths per 100,000 people, respectively).
- Scotland and Northern Ireland had the highest rates of alcohol-specific deaths in 2021 (22.4 and 19.3 deaths per 100,000 people, respectively).
- Comparing with 2019, there have been statistically significant increases in the alcohol-specific death rate in England, Wales, and Scotland.

3.1.7 The King's coronation

The Government has announced licensing hours for pubs, clubs and bars across the King's coronation weekend will be extended by two hours. The

extension, from 11pm to 1am, will cover Friday 5th, Saturday 6th and Sunday 7 May 2023, across the bank holiday coronation weekend.

3.1.8 Licensing Act – Regulatory Easement

The Home Office is consulting to understand whether there is support for making permanent the regulatory easement or whether to return to the allowance set out in the Licensing Act.

The proposals:

Off-sales:

Option 1: Do nothing. This means that the easements provided by the Business and Planning Act 2020 lapse after 30 September 2023 and arrangements revert to those set out in the Licensing Act 2003. Any premises licence holder whose licence only allows on-sales will need to apply for a variation if they additionally wish to provide off-sales.

Option 2: Make permanent the temporary regulatory easements for off-sales under the Business and Planning Act 2020, whereby any on-sales alcohol premise licence automatically covers off-sales as well. This would apply to existing and future premises licence holders.

Option 3: If a venue has both an alcohol premises licence and a pavement licence, the area covered by the pavement licence would be automatically included in the premises licence.

Temporary events notices (TENs)

Option 1: Do nothing. This means that the easements provided by the Business and Planning Act 2020 lapse after 31 December 2023. The number of TENs permitted will revert to the numbers set out in the Licensing Act, which is 15 TENs per year for a total of 21 days.

Option 2: Extend the easement for a further twelve months, until 31 December 2024. This would mean that the number of TENs permitted will be 20 (from 15) and the maximum duration will be 26 days (from 21).

Option 3: Make permanent the extension to the number of permitted TENs provided by the Business and Planning Act 2020. This would mean that the number of TENs permitted will be 20 (from 15) and the maximum duration will be 26 days (from 21). This would apply to existing and future premises licence holders.

The consultation is open until 1 May 2023.

4. **Taxis**

4.1 Drivers Panel

Six reports were presented to Drivers' Panel for determination since the last update.

- Two vehicle applications were approved following applications that fall outside the vehicle standards policy.
- Three applications for drivers' licences were approved.
- A Dual Hackney Carriage and Private Hire Driver had their licence suspended.

4.2 Zero-emission capable vehicles – London

Transport for London (TfL) has announced that as of 1 January 2023 all private hire vehicles (PHV) licensed for the first time will be required to be zero-emission capable (ZEC) and meet the Euro 6 emissions standard. Vehicles already licensed by TfL must be no older than 10 years at time of re-licensing.

4.3 Zero Emission Capable (ZEC) vehicles

To meet the PHV ZEC requirements a vehicle must:

- Emit no more than 50g/km CO₂ and be capable of being operated with no (zero) exhaust emissions for a minimum range of 10 miles (16.093 km); or
- Emit no more than 75g/km CO₂ exhaust emissions and be capable of being operated with no (zero) emissions for a minimum range of 20 miles (32.187 km)
- As a minimum, the vehicle must meet the Euro 6 emissions standard if an internal combustion engine is part of the vehicle specification (i.e. hybrid vehicles).

The age limit of vehicles announced will come as a blow to many operators of car wedding services and will mean that some funeral operators fleets will need to be renewed.

5. Gambling

5.1 DCMS Committee to examine regulation of gambling

The Public Accounts Committee, National Audit Office and a House of Lords Committee have all called for more action to prevent problem gambling, with the DCMS Department and Gambling Commission coming in for criticism for their approach.

The Government's review of the Gambling Act 2005 concluded last year and a White Paper on reforms to regulation is expected to be published shortly.

The DCMS Committee inquiry will be investigating the progress the Government has made in addressing the issues raised by Parliament, how to ensure regulation can keep up with innovations in online gambling and the links between gambling and broadcasting and sport.

The DCMS Committee is inviting written evidence on the following questions by Friday 10th February 2023:

- What is the scale of gambling-related harm in the UK?
- What should the key priorities be in the gambling White Paper?
- How broadly should the term, 'gambling', be drawn?
- Is it possible for a regulator to stay abreast of innovation in the online sphere?
- What additional problems arise when online gambling companies are based outside of UK jurisdiction?

DCMS Committee Chair Julie Elliott MP said:

“Gambling acts as an enjoyable pastime for large numbers of players, but regulation is struggling to keep pace with the rapidly changing way in which it happens today. This puts people at risk of the devastating harm it can sometimes cause to lives. The DCMS Committee’s inquiry will look at the scale of gambling-related harm in the UK, what the Government should do about it and how a regulatory regime can best adapt to new forms of online gambling, based both in and outside the UK.”

6. Proactive Enforcement

- 6.1 Council officers undertook a routine operation with colleagues from Essex Police on 16 February 2023 to raise awareness and discuss knowledge gaps with respect to the ‘Ask for Angela campaign’ and drink spiking with licence holders in the Safer Street Area (Witham).

7. Licensing Team Update

- 7.1 Two new members have recently joined the Licensing Team as Licensing Administrators on fixed term contracts, both have previous licensing experience and have quickly settled into the team. These posts have been primarily created to processes the significant increase in private hire vehicle and driver licenses.