Borough of Pendle

Survey to assess demand for the services of hackney carriages 2023

August 2023

Executive Summary

This survey to assess the demand for the services of hackney carriages (otherwise known as the Unmet demand survey 2023) has been undertaken on behalf of the Borough of Pendle following the guidance of the April 2010 Department for Transport (DfT) Best Practice Guidance document, and all relevant case history in regard to unmet demand. This Executive Summary draws together key points from the main report that are needed to allow a committee to determine from the facts presented their current position in regard to the policy of limiting hackney carriage vehicle licences according to Section 16 of the 1985 Transport Act. It is a summary of the main report which follows and should not be relied upon solely to justify any decisions of a committee, but must be read in conjunction with the full report below.

The current review finds no evidence of any unmet demand for the services of hackney carriages either patent or latent that is significant in terms of Section 16 of the 1985 Transport Act that requires any further issue of hackney carriage vehicle plates at this time. This allows the committee to retain the limit, at its current level, and defend this if necessary.

Further, the limit provides benefit to the public in terms of stability and a very good service. Very few passengers experience waiting for hackney carriages. Had there been no limit the pandemic may have had a more serious impact on vehicle numbers and service given that overall passenger numbers are very small and almost certainly insufficient for any rank-only based hackney carriage operation to survive.

Current and proposed best practice from Government if the limit is retained is to undertake a further survey with rank work three years after the rank work undertaken for this survey, i.e. during Spring 2026 at latest.

Evidence was found that some of the small night ranks were being used albeit for very short and specific periods but need support and development whilst the trade must also play fair and ensure they retain their identification at all times when the public might hail or take them from ranks. Notwithstanding this there are some other night ranks that no longer have any passenger or vehicle value with changes in the economy.

LVSA

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1 General introduction and background

1.1 Licensed Vehicle Surveys and Assessment (LVSA) is a joint venture between CTS Traffic and Transportation Ltd (CTS) and Vector Transport Consultancy. These two companies have hitherto been the two leading practitioners of hackney carriage unmet demand surveys in recent years who joined forces in early 2017. The combined experience of this joint venture covers more than 245 similar studies undertaken since 1999. The contracting company for this survey, CTS, also undertook the previous survey for Pendle (with our having knowledge of the survey previous to that) and therefore has unrivalled knowledge of the operation of licensed vehicles in the area.

1.2 Pendle Borough Council is responsible for the licensing of hackney carriage and private hire vehicles operating within the Council area and is the licensing authority for this complete area. Further details of the local application of Section 16 of the 1985 Transport Act with regard to limiting hackney carriage vehicle numbers is provided in further Chapters of this report. Hackney carriage vehicle licences are the only part of licensing where such a stipulation in the form of a limit in the number of vehicle licences issued occurs and there is no legal means by which either private hire vehicle numbers, private hire or hackney carriage driver numbers, or the number of private hire operators can be limited.

1.3 This review of current policy is based on the Best Practice Guidance produced by the Department for Transport in April 2010. It seeks to provide information to the licensing authority to meet Section 16 of the Transport Act 1985 "that the grant of a hackney carriage vehicle licence may be refused if, but only if, the licensing authority is satisfied that there is no significant demand for the services of hackney carriages within its local area, which is unmet." This terminology is typically shortened to "no SUD".

1.4 Current hackney carriage, private hire and operator licensing is undertaken within the legal frameworks first set by the Town Polices Clause Act 1847. This has been amended and supplemented by various following legislation including the Transport Act 1985, Section 16 in regard to hackney carriage vehicle limits, and by the Local Government Miscellaneous Provisions Act 1976 with reference to private hire vehicles and operations. Many of the aspects of these laws have been tested and refined by other more recent legislation and more importantly through case law.

1.5 Beyond legislation, the experience of the person in the street tends to see both hackney carriage and private hire vehicles both as 'taxis' –a term we will try for the sake of clarity to use only in its generic sense within the report. We will use the term 'licensed vehicles' to refer to both hackney carriage and private hire.

1.6 The legislation around licensed vehicles and drivers has been the subject of many attempts at review. The limiting of hackney carriage vehicle numbers has been a particular concern as it is often considered to be a restrictive practice and against natural economic trends. The five most recent reviews were by the Office of Fair Trading in 2003, through the production of the Best Practice Guidance in 2010, the Law Commission review which published its results in 2014, the All-Party Parliamentary Group on Taxis deliberations in 2018 (resulting in the publication of part revisions of the Best Practice Guidance) and the recently concluded consultation on review of the remainder of the Best Practice Guidance. None of these resulted in any material change to the legislation involved in licensing.

1.7 In November 2016, the Department of Transport (DfT) undertook a consultation regarding enacting Sections 167 and 165 of the Equality Act 2010. These allowed for all vehicles capable of carrying a wheel chair to be placed on a list by the local council (Section 167). Any driver using a vehicle on this list then has a duty under Section 165 to:

- Carry the passenger while in the wheel chair
- Not make any additional charge for doing so
- If the passenger chooses to sit in a passenger seat to carry the wheel chair
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort
- To give the passenger such mobility assistance as is reasonably required

1.8 This was enacted from April 2017 but continued issues led to pressure for further change (some of which came in the second of two 2022 Acts).

1.9 These two new 2022 Acts make small but significant changes. The 2022 Acts are the "Taxis and Private Hire Vehicles (Safeguarding and Road Safety Act) (31 March 2022)" and the "Taxis and Private Hire Vehicles (Disabled Persons) (28 June 2022)".

1.10 The first of these Acts makes it mandatory for any licensing authority in England that has information about a taxi (hackney carriage) or private hire vehicle (phv) driver licensed by another authority that is relevant to safeguarding or road safety concerns in its area to share that information with the authority that issued that drivers licence.

1.11 The second Act amends the Equality Act 2010 to place duties on taxi and phv drivers and operators such that any disabled person has specific rights and protections to be transported and receive assistance when using a taxi or phv without being charged extra for doing so.

1.12 The Deregulation Act 2015 had two clauses relevant to taxi licensing – relating to length of period covered by licences (Section 10) and allowance of operators to transfer work across borders (Section 11) (both enacted October 2015).

1.13 The upshot of all these reviews in respect of the principal subject of this survey is that local authorities retain the right to restrict the number of hackney carriage vehicle licences.

1.14 The Law Commission conclusion (Law Commission, Taxi and Private Hire Services, Law Com No 347, May 2014, ref CM8864) included retention of the power to limit hackney carriage vehicle numbers but utilizing a public interest test determined by the Secretary of State. It also suggested the three-year interval encouraged for review of unmet demand levels also be used for rank reviews and accessibility reviews. However, there is currently no expected date either for publication of the Government response to the Law Commission, nor indeed any plans for further revisions to legislation. It should be noted that DfT did encourage authorities during the pandemic to delay unmet demand reviews beyond that three-year interval as they did not consider any review in the midst of the pandemic as being sufficiently typical to be of value. This was the view taken by Borough of Pendle, hence the delay in the review and commissioning of a survey.

1.15 Regard has also been had to the Statutory Taxi and Private Standards July 2020 which were published on 21 July 2020 and represented a milestone in transportation regulation, because for the first time the safeguarding of children and vulnerable people were put right at the heart of the taxi licensing system. This publication also noted that a more complete review of all sections of the 2010 Best Practice Guidance would occur in due course and consultation on a draft of this new document ran from March to June 2022.

1.16 The date for publication of the new DfT Best Practice Guidance remains 'imminent' but unknown, nor is the level of actual change that will occur fully known.

1.17 A more recent restriction, often applied by Councils to areas where there is no 'quantity' control felt to exist per-se, is that of 'quality control'. This is often a pseudonym for a restriction that any new hackney carriage vehicle licence must be for a wheel chair accessible vehicle, of various kinds as determined locally and/or that the vehicle must meet other specifications such as being hybrid or electric powered. In many places, this implies a restricted number of saloon style hackney carriage licences are available, which often are given 'grandfather' rights to remain as saloon style. This can also occur in areas with quantity controls and is indeed the case at Pendle where a mixed fleet of vehicles is in evidence, with Wheelchair Accessible Vehicle requirements on five of the hackney carriage vehicles. The option of removing the quantity restriction and replacing it with an "all-new vehicles must be wheel chair style" was recently considered by Pendle but rejected by the trade.

1.18 Within this quality restriction, there are various levels of strength of the types of vehicles allowed. The tightest restriction, now only retained by a few authorities only allows 'London' style wheel chair accessible vehicles, restricted to those with a 25-foot turning circle, and at the present time principally the LTI Tx, the Mercedes Vito special edition with steerable rear axle, and the Metrocab (no longer produced). Others allow a wider range of van style conversions in their wheel chair accessible fleet, whilst some go as far as also allowing rear-loading conversions. Given the additional price of these vehicles, this often implies a restriction on entry to the hackney carriage trade to those not prepared to make such a financial investment.

1.18 Some are now considering if similar changes might be made to encourage greater introduction of a more sustainable vehicle fleet, particularly in light of the suggestion in the Best Practice Guidance revision (Issued March 2022) consultation that alternatives to limiting numbers should be applied if they were felt to achieve the same aims. However, it is concerning that none of the alternatives include any requirement to prove that the policy chosen to replace any restriction on vehicle numbers as a quantity control has actually achieved its aims.

Unmet Demand Studies

1.19 After introduction of the Transport Act 1985, Leeds University Institute for Transport Studies developed a tool by which unmet demand could be evaluated and a determination made and if this was significant or not. The tool was taken forward and developed as more studies were undertaken. Over time this 'index of significance of unmet demand' (ISUD) became accepted as an industry standard tool to be used for this purpose.

1.20 Some revisions have been made following the few but specific court cases where various parties have challenged the policy of retaining a limit. (see further details in paras 1.24 and 1.25 below)

1.21 Some of the application has differed between Scottish and English authority's. This is mainly due to some court cases in Scotland taking interpretation of the duty of the licensing authority further than is usual in England and Wales, requiring current knowledge of the status of unmet demand at all times, rather than just at the snap-shot taken every three years in the case of England and Wales.

1.22 The DfT asked in writing in 2004 for all licensing authorities with quantity restrictions to review them, publish their justification by March 2005, and then review at least every three years since then. In due course, this led to a summary of the government guidance which was last updated in England and Wales in 2010 (but on 5 April 2012 in Scotland).

1.23 The Best Practice Guidance in 2010 also provided additional suggestions of how these surveys should be undertaken, albeit in general but fairly extensive terms. A key encouragement within the 2010 Best Practice Guidance is that "an interval of three years is commonly regarded as the maximum reasonable period between surveys". The 2010 Best Practice Guidance suggests key points in consideration are passenger waiting times at ranks, for street hailings and telephone bookings, latent and peaked demand, wide consultation and publication of "all the evidence gathered". The revised Best Practice Guidance still under consultation retains very similar guidance.

Unmet Demand Case History

1.24 In respect to case law impinging on unmet demand, the two most recent cases were in 1987 and 2002. The first case (R v Great Yarmouth) concluded authorities must consider the view of significant unmet demand as a whole, not condescending to detailed consideration of the position in every limited area, i.e. to consider significance of unmet demand over the area as a whole.

1.25 R v Castle Point considered the issue of latent, or preferably termed, suppressed demand consideration. This clarified that this element relates only to the element which is measurable. Measurable suppressed demand includes inappropriately met demand (taken by private hire vehicles in situations legally hackney carriage opportunities) or those forced to use less satisfactory methods to get home (principally walking, i.e. those observed to walk away from rank locations).

1.26 In general, industry standards suggest that the determination of conclusions about significance of unmet demand must take into account the practicability of improving the standard of service through the increase of supply of vehicles. It is also important to have consistent treatment of authorities as well as for the same authority over time, although apart from the general guidance of the Best Practice Guidance there is no clear stipulations as to what this means in reality

1.27 The 2010 Best Practice Guidance stated "Most local licensing authorities do not impose quantity restrictions; the Department regards that as best practice. This is restated in the currently draft new Best Practice Guidance.

1.28 This new draft Best Practice Guidance also adds para 9.3 quoting "The Competition and Markets Authority was clear in its 2017 guidance "Regulation of taxis and private hire vehicles: understanding the impact of competition" that "Quantity restrictions are not necessary to ensure the safety of passengers, or to ensure that fares are reasonable."

1.29 To summarise, the Department for Transport Best Practice Guidance only references 'quantity restrictions' and that not imposing them is regarded by the Department as 'best practice'. Further discussion of this is provided in Chapter 8 below including details of the numbers of authorities that retain such quantity restriction.

Conclusion to Chapter

1.30 In conclusion, the present legislation in England and Wales sees public fare-paying passenger carrying vehicles firstly split by passenger capacity. All vehicles able to carry nine or more passengers are dealt with under national public service vehicle licensing. Local licensing authorities only have jurisdiction over vehicles carrying eight or less passengers.

1.31 These are split between hackney carriages which are alone able to wait at ranks or pick up people in the streets normally without a booking, and private hire who can only be used with a booking made through an operator. If any passenger uses a private hire vehicle without such a properly made booking, they are not generally considered to be insured for their journey and any licence is invalidated.

1.32 For Pendle, the vast majority of driver licences are now 'dual' meaning a driver can choose the appropriate kind of vehicle as they wish. However, a small number of specific hackney carriage and private hire driver licences still remain.

1.33 In the minds of the travelling public the view of what a taxi is tends to be much more blurred than the formal definitions. The invention of the mobile phone and then the internet have not helped with definitions although this has been going on a long time but with many significant developments in the period of two or so years prior to the pandemic with the take-up of apps both for private hire and hackney carriage vehicle services.

1.34 The 'triple lock' licensing rule has also become accepted. A vehicle, driver and operator must all be licensed under the same licensing authority to provide full protection to the passenger and to comply with the legislative requirements.

1.35 However, it is also accepted that a customer can call any private hire company from any location they so choose to provide their transport although many would not realise that if there was an issue it would be hard for a local authority to follow this up unless the triple lock was in place by the vehicle used and was for the area the customer contacted licensing in, although attempts are being made to minimise this issue with growing liaison between licensing authorities.

1.36 Further, introduction of recent methods used by customers of obtaining vehicles for journeys, principally using 'apps' on mobile phones have also led to confusion as to how 'apps' usage sits with present legislation.

1.37 This continues to be debated with the key issue being if obtaining a vehicle using an app (most of which rely on proximity to choose a vehicle) is a pre-booking or not, given the often minimal time between the person making known their need on the app and a vehicle meeting that need. There are many threads to this element, with the latest involving Sefton Council and Uber with quoting of the full amount of detail and cases not appropriate until a final answer is eventually provided – almost certainly not in the new Best Practice Guidance however.

1.38 There is also strong current pressure on licensing authorities to work with the environmental sections of their authorities in order to assist in the reduction of vehicle emission issues within Government guidelines.

Coronavirus

1.39 The serious Covid-19 virus took hold in the UK during March 2020. Whilst life carried on almost as normal until mid-March of the same year, formal lockdown was applied from Tuesday 24th March 2020 until 24th February 2022 when final restrictions were removed. Significant reductions in movement had begun to bite from the previous week. The last dates in 2020 when on-street and rank surveys occurred in other areas were effectively Sunday 16th March 2020. Up to that point regular review on the three-year timetable had begun to be much more widely accepted.

1.40 The licensed vehicle trade was one of a few industries permitted to continue to operate throughout the pandemic and various lockdowns, albeit in a range of different ways due to reduced demand.

1.41 The lockdown began to be eased on 13th May 2020 in some sectors, with people encouraged to return to work if they were not able to work from home. Restrictions on outdoor exercise, golf courses, tennis courses and socialising at distance, with restart of construction also allowed. From 15th June 2020, bars, restaurants and hairdressers were allowed to return to a 'new normal'. The next wave of easement occurred on 4th July 2020.

1.42 However, a range of different re-restrictions were applied in various locations as cases began to rise again. Schools were re-opened in September, but a new 'rule of six' was introduced shortly after reducing the ability of people to socialise as rates of infection rose again, together with a 22:00 hours close time for all hospitality venues. In general, new restrictions tended to be introduced with a few days lead in but this ended with a new lockdown from Thursday 5th November2020 ending on Wednesday 2nd December 2020 that year.

1.43 After that, new Tiers were introduced (to try to minimise restrictions in parts of the country where the virus was less dominant) and then again another national lockdown was applied from early January 2021 but with the start of vaccinations providing some hope of an eventual overcoming of the impacts of the virus.

1.44 As levels of vaccination increased and infection / hospitalisations and deaths reduced, a new road out of lockdown was announced and implemented. The final stage, removal of most English restrictions, was delayed about a month but was finally instigated towards the end of July 2021. The Government focus has since then been on 'coping with the virus' although as Winter 2021 progressed infection levels tended to move upwards.

1.45 Later in Winter 2021 appearance of a new variant led to further concern and encouragement to partake in a booster vaccination programme as well as taking further care about interaction. Mask wearing was returned to being a legal requirement at the start of December 2021 in many, but not all of the previous circumstances. The situation around Christmas 2021 was very tense. Working from home was reinstated towards the end of 2021.

1.46 Early 2022 saw more confidence that the 'omicron wave' could be survived although in early January 2022 there was pressure on many industries arising from staff isolating. Various methods were being considered to minimise the impact of need to self-isolate. On 24th February 2022 all legal restrictions in England were removed with the focus clearly moving to 'living with the virus' although unintended consequences of rising fuel and other prices from the reopening of the economy were also exacerbated by the current issue of the Ukraine occupation.

1.47 During Autumn 2022 there was a high level of COVID infection but the link between infection and serious illness appeared to have been broken, although the need to keep levels of immunity to severe disease may well lead to further immunisation as time proceeds. Another booster injection was starting to be rolled out as part of the vaccination strategy.

1.48 Overall, the pandemic led to a significant period of lack of business for both hackney carriage and private hire vehicles, in various ways as the pandemic developed. Some of the impacts of this are discussed in public and driver attitude chapters below, as well as review of impact on demand in the rank chapter. More significant was the reappraisal of many as to their involvement with the taxi industry, and the general job market churn that was instigated not just in the taxi arena. In many areas there is clear knowledge that many who planned to retire brought that date forward whilst others found that the certainty of income from delivery driving was preferable to the vagaries of taxi passenger demand.

1.49 Various contract work appears to have remained a constant during the pandemic however (school transport, health transport and so on). However, airports were particularly badly hit. School contracts however, needed more vehicles and many licensed vehicles took on such work to provide guaranteed income.

1.50 Yet others found the shortage of private hire drivers meant more requirement on hackney carriages in the daytime, in turn meaning they could earn more in the week, and not be reliant on servicing less-preferable customers in the early hours of Saturday and Sunday morning.

1.51 A further issue we have observed is that even pubs, restaurants and night venues are now reducing their opening hours or days in reaction to rising costs and staff shortages. This can lead to taxi demand in an area becoming peaky or peakier with such change. This means spikes in passenger demand for licensed vehicles, which is always harder to meet in a timely manner for a given level of vehicles particularly in the later and night-time economy hours?

1.52 Further, the impacts of the developing war in Ukraine and other economic changes partly arising from Brexit is again putting pressure on costs of providing licensed vehicle services. Rising fuel prices have also added to the issues, albeit counter balanced with an increase in fare charges for Pendle.

1.53 The days when the main aim of a demand survey was checking if passenger demand had changed to see if supply remained sufficient have now been replaced by a much wider research need to identify both demand and supply side changes (such as drivers working shorter weeks, more time by drivers undertaking contracts or diversifying as delivery drivers and changed passenger use of ranks and locations arising from matters such as reduced rail travel, etc). Even long-standing areas with limited hackney carriage vehicle numbers have been impacted by having spare hackney carriage vehicle licences available for the first time in decades.

Local Licensing Policy

1.54 The local Private Hire and Hackney Carriage Licensing Policy document was adopted and dated April 2022. This refreshed document took on board the latest Department for Transport Guidance Statutory Standards July 2020 as part of the wider review of the Policy document.

1.55 Paragraph 4.6 of the local Pendle Policy document refers to the limitation policy and states "Pendle Council is satisfied that there is no significant unmet demand for the services of hackney carriages; therefore the Council has set a limit of the number of hackney carriages it licences to 71, five of which have a condition that they are wheelchair accessible vehicles. The council will determine where there is any significant unmet demand at regular intervals".

1.57 Appendix 1 of the policy document states private hire vehicles "shall not be a London style hackney carriage or similar vehicle".

1.58 The current Policy distinguishes hackney carriages by ensuring they are all red painted vehicles, with green front and rear plates and roof signs "FOR HIRE" or "TAXI". Private hire cannot be red in colour and must have blue rear plates together with stickers with the name of the private hire company they operate for on both front doors.

1.59 There is no guidance provided within the Policy documents in regard to booking offices (a normal national situation).

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2 Local background and context

2.1 Key dates for this Unmet demand survey 2023 for Borough of Pendle are:

- CTS Traffic and Transportation appointed on 9th January 2023
- as confirmed during the inception meeting for the survey held on 18th January 2023
- Survey was carried out between January and May 2023
- Pedestrian street survey work occurred in March 2023
- Video rank observations occurred in early March 2023
- Vehicle driver opinions and operating practices were canvassed using an all-driver survey issued by the council and available for completion during January and February 2023 (online and manual completion of survey offered as options)
- Key stakeholders were consulted throughout the period of the survey

2.2 The Borough of Pendle has a current population of 95,800 for 2021 initial census values (compared to 90,952 using the latest estimates for 2021 from 2011 data, 90,990 for the 2023 estimates from 2011, and 90,740 for the 2014 survey). This suggests although the area has seen growth in the nine years since the previous survey (albeit to 2021 not 2023) it is more than was originally expected, some 5% more than had been expected for 2023 not allowing for any growth being added from 2021 to the new data.

2.3 Whilst the Borough of Pendle is the planning and licensing authority for its area, transport policy and Highway matters are the principal responsibility of Lancashire County Council. Lancashire County Council overarches a total of twelve local districts. Nearby Blackburn with Darwen and Blackpool are both unitary authorities separate from the County Council structure but working closely with it. The Lancashire Enterprise Partnership (LEP) was established in 2011 with a focus on cross-area promotion.

2.4 In terms of background Council policy, Lancashire County Council are the authority that deals with overall transport policy and Highway matters. This means that rank provision is undertaken at County level along with traffic regulation and its enforcement undertaken on behalf of County by authorised officers of the Borough Council. As with other authorities the County ensures significant involvement of the Borough of Pendle in such decisions and associated enforcement of such.

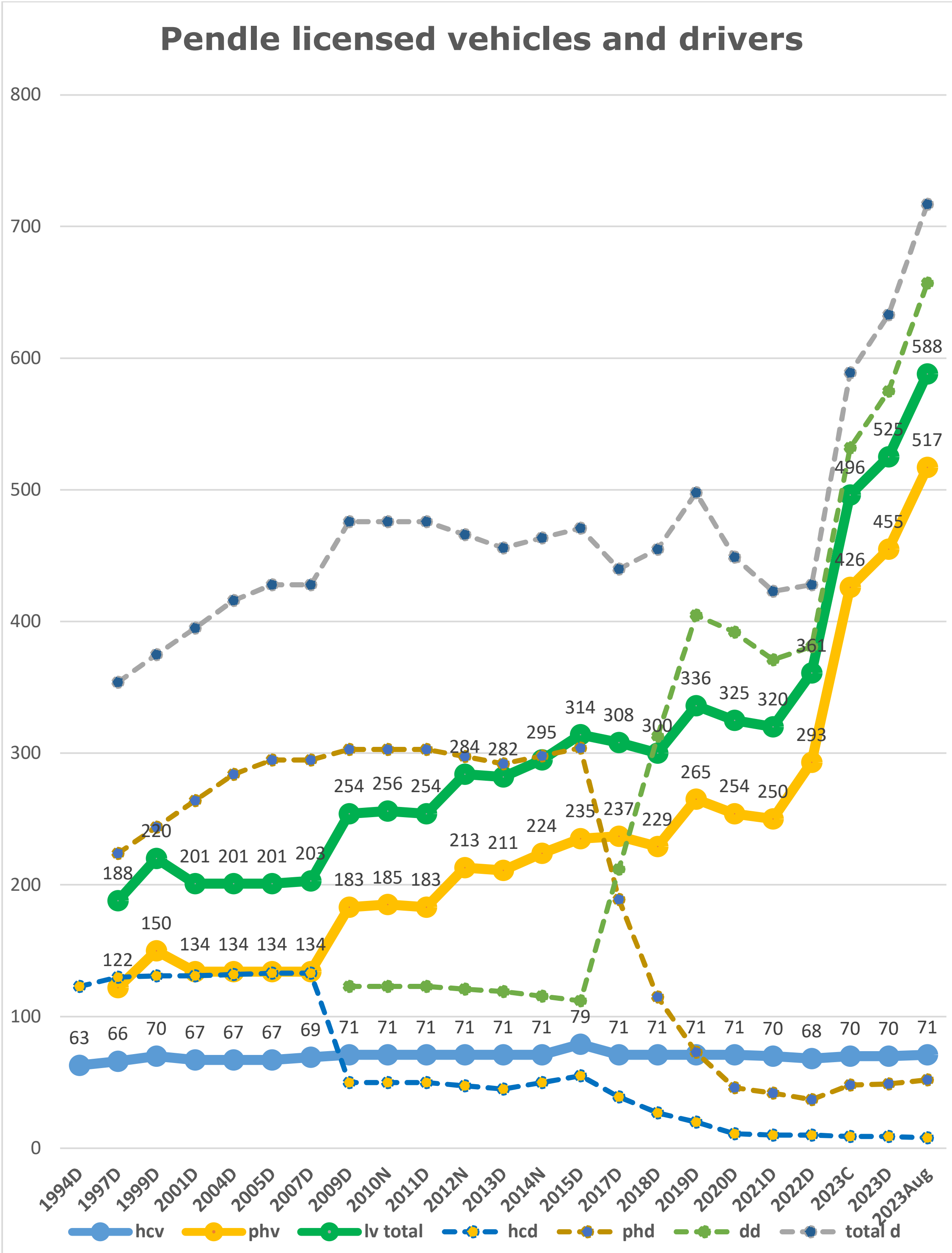
2.5 The current Lancashire Local Transport Plan 3 (LTP3) was adopted covering the period 2011 to 2021 and remains in place. It saw the development of the East Lancashire Highway and Transport Master Plan in 2014 (ELHTMP). The new local plan saw its Core Statement 2011-2030 (CS) developed from 2015 onwards. This is the spatial expression of the Sustainable Community Strategy. Para 8.96 of the Core Strategy cross references to the LTP3 and ELHTMP (via policy ENV4).

2.6 Para 8.103 of the Pendle CS references planned investment in transport focussing on east-west and north-south connections and links and improving the quality of the public transport infrastructure and services. As is normal there is no reference to hackney carriage or private hire in these strategic documents (although the proposed DfT BPG encourages taxi policy to be reported upwards to strategic level). The only reference in LTP3 was at para 5.35 'encouraging collaboration with taxi operators to have staff respectful of needs of all travellers'.

Focus on Licensing Matters

2.7 However, all licensing authorities have full powers over the licensing of the vehicles, drivers and operators serving people within their area. The Borough of Pendle has chosen to utilize its power to limit hackney carriage vehicle numbers. DfT sources suggest this limit has been in place since 1986. The Council retains a mixed vehicle hackney carriage fleet with about 5% of its current fleet Wheelchair Accessible Vehicle (WAV) style (see further below).

2.8 By drawing together published statistics from both the Department for Transport (D) and the National Private Hire Association (N), supplemented by private information from the licensing authority records (C), recent trends in vehicle, driver and operator numbers can be observed. The latest DfT information was published in Summer 2023 relating to information at the end of March 2023, slightly later than the local council information provided related to the time of the rank survey work.



Key: hcv = hackney carriage vehicles; phv = private hire vehicles, lv total = licensed vehicle total (sum of hackney carriage and private hire vehicles) hcd = hackney carriage drivers; phd = private hire drivers; total d = total of all drivers (both hackney carriage and private hire).

Licensing Statistics from 1994 to date - vehicles

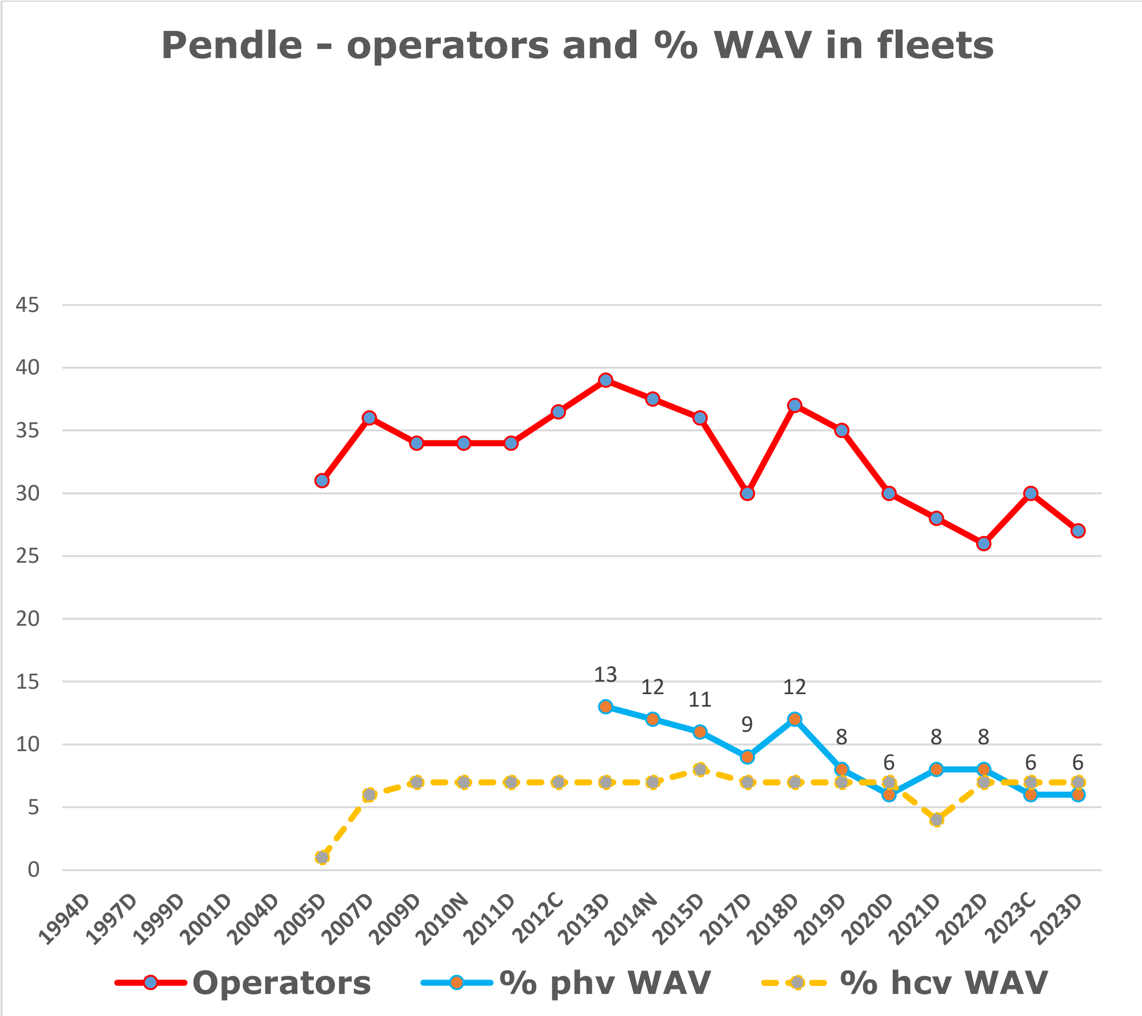
2.9 The first very clear statement from the graph above is the strong disparity between hackney carriage and private hire vehicles. Private hire vehicle numbers have been growing since 2007 and were only marginally reduced over the pandemic period. Latest figures show very high growth since 2021 although this is believed to be from vehicles principally working in other nearby areas.

2.10 Hackney carriage vehicle numbers have been limited since at least 1986 according to DfT statistics comments. Extra plates were added including five with requirement they were wheel chair accessible to reach the current limit of 71 by no later than 2009. The pandemic saw up to three plates delayed in being renewed with 70 plates being on issue at the time of the rank work being undertaken in early 2023 and the final plate due to return mid-Summer 2023.

2.11 The driver figures are complicated by an encouragement of a move to dual licences around 2015, although these had been in place since 2009 according to the DfT statistics. Total driver numbers had increased to 2009, stayed similar till 2011, declined to 2017, then increased to 2019, dropped in the pandemic but most recently increased relatively sharply.

2.12 Hackney carriage only driver numbers have remained low and reducing whilst private hire only had reduced but saw some marginal increase most recently. However, neither separate licence are high proportions of the total.

2.13 Information is also available from these sources to show how the level of wheel chair accessible vehicles (WAV) has varied. It must be noted that in most cases the values for the private hire side tend to be much more approximate than those on the hackney carriage side, as there is no option to mandate for private hire being wheel chair accessible. In some areas, to strengthen the ability of the public to differentiate between the two parts of the licensed vehicle trade, licensing authorities might not allow any WAV in the private hire fleet at all. This is not the case in Pendle, where WAVs, with certain provisions, across the fleet are encouraged. In fact, at the present time (see below), phv WAV are dominant.



Operator numbers and levels of WAV provision in the fleet

2.14 These figures show that private hire operator numbers have generally being decreasing since 2013 with the lowest level attained in 2022; however the latest DfT survey shows another small fall in numbers.

2.15 In terms of wheelchair accessible levels of vehicles, the current 7% hcv and 6% phv see the hcv level the highest it has been apart from in 2013, whilst the phv level is reduced from the highest levels and now just below the hcv level (although in numerical terms the phv side is over five times as many.

2.16 It should be noted that the formal Section 167 list of Pendle WAV vehicles shows seven of the 27 phv WAV are actually in place for contracts only and not generally available for public hire. Further, two of the companies operate mixed fleets of hackney carriage and private hire including WAV in both parts – one with one hackney and two private hire WAV, the other with two hackney carriage and three private hire WAV.

2.17 From the latest March 2023 DfT statistics, the average WAV level over all English licensing authorities, excluding London was 39% for the hackney carriage fleet. When the 58 authorities that have 100% WAV fleets are removed, this proportion is 22%. The overall level of phv WAV was 3% overall and 5% for the mixed fleet only authorities. Overall WAV levels were 11% in total and 10% for the mixed fleet only authorities.

2.18 At the time of the latest DfT survey, Pendle saw 7% hcv WAV, 6% phv WAV and 6% overall WAV putting it below average overall but ahead in terms of phv WAV levels (but mainly given a high proportion of the lv WAV are never available to the general public). Pendle was 115th equal out of the 197 authorities with mixed vehicle fleets in terms of the percentage of hcv WAV, alongside eight other authorities, none of which also had limits on vehicle numbers. The nearest authority in this group was Ribble Valley.

Limit Policy Review

2.190 Pendle undertook previous surveys in 2014 and 2010 with other surveys also undertaken but dates not known pre 2019.

2.18 For the record, the rank survey work in 2014 was undertaken in mid-December, with current surveys undertaken in the first week of March in 2023. This should not make any significant difference to results but is worthy of note.

Local Area changes

2.19 We are not aware of any major changes occurring in the area.

3 Patent demand measurement (rank surveys)

3.1 As already recorded in Chapter 2, control of provision of on-street ranks in Pendle is under the control of Lancashire County Council, although the County involve the Borough in decisions regarding ranks.

3.2 Our methodology involves a current review both in advance of submitting our proposal to undertake this survey and at the study inception meeting, together with site visits, where considered necessary (none were felt necessary for this survey). This provides a valid and appropriate sample of rank coverage which is important to feed the numeric evaluation of the level of unmet demand, and its significance (see discussion in Chapter 7).

3.3 Since the last survey, the bus station site in Nelson has been demolished and the associated rank disused. Four other locations have also been removed with three other ranks agreed as unused with the client at Inception. Another location, the Ace Centre, had closed whilst it was considered that one location could have potential for daytime usage.

3.4 Two ranks were covered full-time with five covered for their operational hours. The schedule was agreed at Inception.

Overview of rank operation

3.5 A total of 4,000 different lines of information were recorded at the fully observed rank locations. 77% of these were vehicle arrivals or departures, 22% records of pedestrian arrivals, 1% general notes about activities and 1% were records of people apparently leaving the rank without taking a hackney carriage.

3.6 These vehicle observations at or near ranks found a total of some 3,065 all-vehicle arrivals and departures (this includes private cars, goods vehicles, private hire vehicles and emergency vehicles that could affect operation of the rank). 58% of these were at Market St Colne, 19% at Hibson Road Interchange, 12% at Manchester Road, Nelson, 6% at the Duke of Lancaster, 3% at the Ace Centre and 2% at Municipal Hall, Albert Road, Colne.

Issues with other vehicles at ranks

3.7 Of these, 75% in total were hackney carriages. 16% were private cars, 4% private hire, 3% apparently non-local licensed vehicles (although some were local hackney carriages without their roof signs) and 1% goods vehicles. There were some hackney carriage movements at each of the locations observed.

3.8 As expected with the design of the rank, the Interchange rank saw 96% of the observed vehicles being hackney carriages. A small number of cars and two private hire did, however, use the rank during our observations.

3.9 90% of vehicles at Market Street Colne were hackney carriages. A further 4% were recorded as out of town licensed vehicles, but again the bulk of these may have been hackney carriages but without roof signs.

3.10 Half the vehicles observed at the Duke of Lancaster rank were local licensed hackney carriages, with a further 15% recorded as out of town (possibly local vehicles without their roof sign). 53% of the vehicles in the rank at Municipal Hall, Albert Road, Colne were hackney carriages, although 31% were local private hire (who usually moved out of the rank if a hackney carriage arrived). Further, the size of this rank meant that many hackney carriages actually operated ahead of the formal rank space.

3.11 The Ace Centre ranks were mainly used for private parking much of the time although several private hire also used these spaces with just two hackney carriages observed. There was just one apparent hackney carriage passenger here.

Rank usage overview

3.12 The rank observations were factored to estimate a typical week of demand in terms of passengers. The table below provides the results:

Rank	2023		2014		2010	
	Pass	%	Pass	%	Pass	%
Market St, Colne	1,497	74	2,559	52	1,190	42
Hibson Rd, Interchange, Nelson	473	23	1,637	33	560	19
Duke of Lancaster, Colne	35	1.7	316	6	148	5
Manchester Rd, Nelson	4	0.2	0		Not in place	
Municipal Hall, Albert Rd, Colne	2	0.1	Not surveyed		324	11
Ace Centre, Nelson	1	0.0	Not surveyed		Not surveyed	
Sagar St, Nelson	Gone		98	2	596	20
The Venue, Albert Rd, Colne	0	0.0	322	6	Not surveyed	
Thatch and Thistle, Nelson	Unused		Unused		Not surveyed	
Gisburn Rd, Barrowford	Gone		15	0.	Unused	
Church St, Barnoldswick	Unused		5	0.	97	3
Stanley St, Nelson	Gone		Gone		Unused	
Total	**2,011**		**4,952**		**2,915**	
Difference from previous survey	-59%					

3.7 For the current survey, as in all previous surveys, the bulk of passenger demand occurs at Market St, Colne. The proportion has increased since both the 2014 and 2010 surveys. This rank provides some 74% (was 52% and 42% in previous years) of all estimated passenger demand at ranks in the total Pendle licensing area. The number of passengers here was actually higher than the level in 2010, but still 58% of the 2014 level.

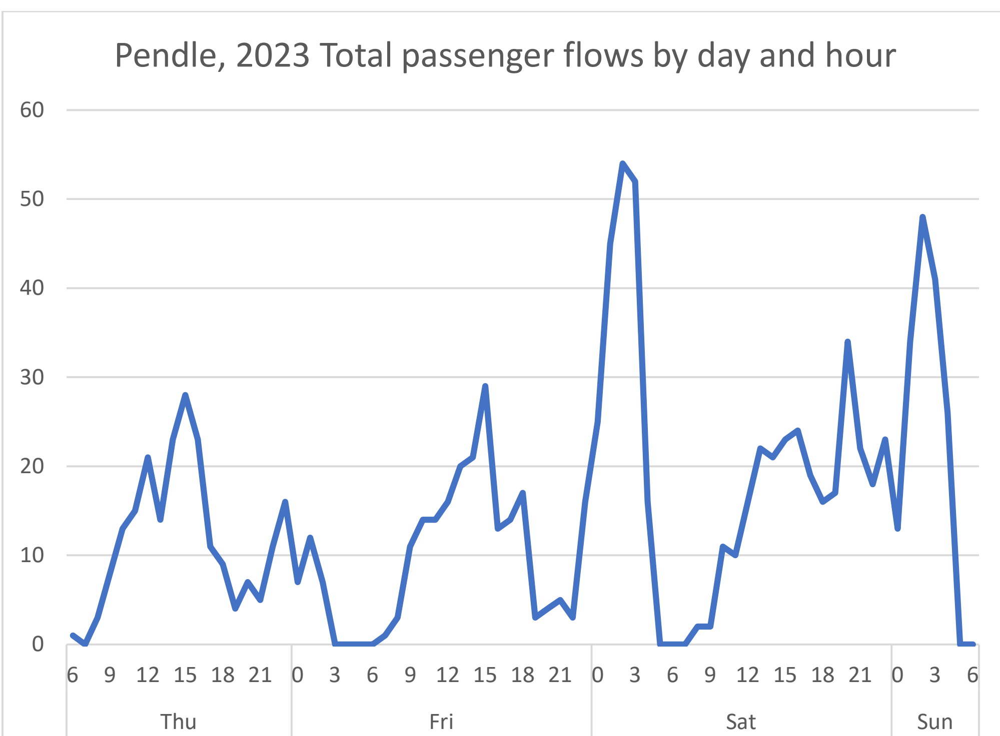
3.8 The second most used rank, and the only other with more than 1.7% of flows was the Interchange rank at Nelson. This saw 23% of 2023 flows although this was just 29% of the 2014 flow, possibly reduced with the reduction in rail usage due to the pandemic and after effects. Consideration of the level of rail flows at the stations in the Borough is provided below.

3.9 The only other rank with any modest level of passengers was that at the Duke of Lancaster, with 1.7% of 2023 passengers.

3.10 Three other ranks did see passengers, but no more than four, two and one respectively (Manchester Road, Municipal Hall, Albert Road, Colne and the Ace Centre).

3.11 The Municipal Hall, Albert Road, Colne did see vehicles waiting at the rank, but only on the Friday evening with actual passenger pick-ups not easily observed given that most vehicles seemed to move forward of the rank to collect passengers or leave the area. There were 14 vehicles observed at this location, but only one was seen taking passengers. The other rank in Albert Road, Colne, opposite the Venue was observed on all three evenings of the survey and saw no hackney carriage activity at all, and in fact very little vehicle activity of any nature.

3.12 The graph below demonstrates the overall picture of rank usage over the observation period.



3.13 The graph first shows that the area has relatively similar daytime profiles on Thursday and Friday, and to some extent Saturday, all with peak flows in the 15:00 hour.

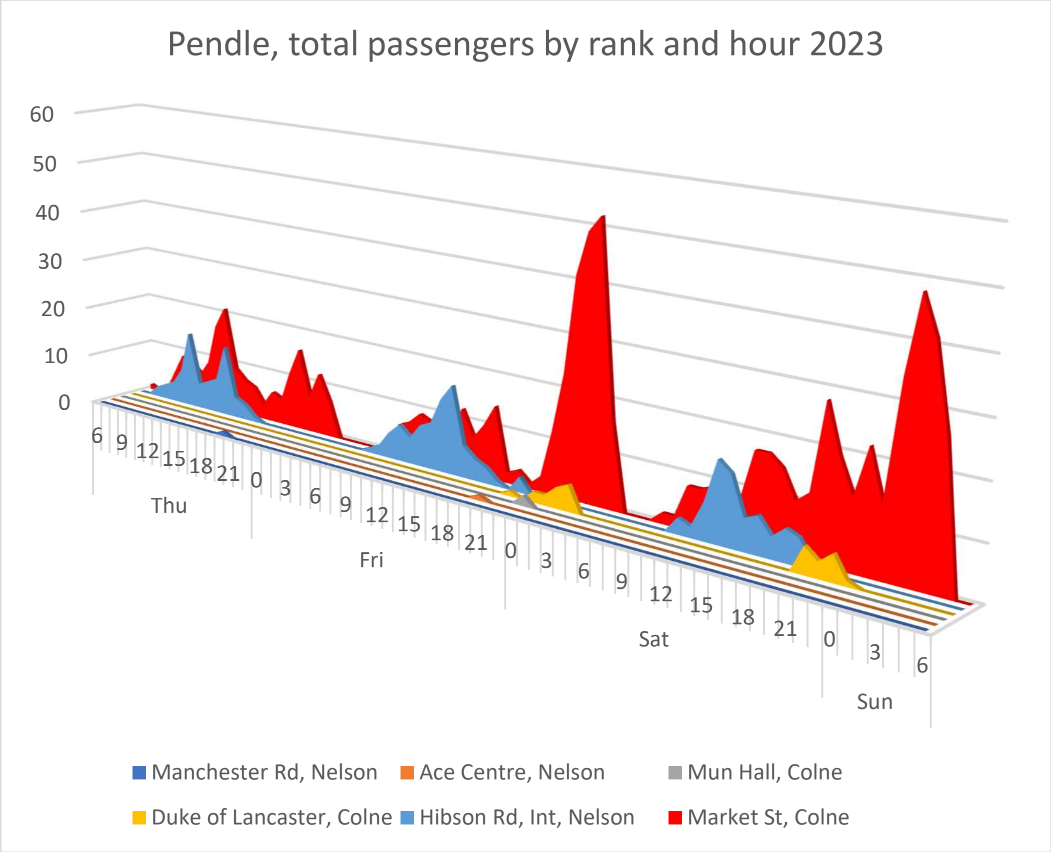
3.14 On the Thursday there is another peak at the end of the evening. On the Friday and Saturday there are much larger peaks with the largest passenger volume in total being the 02:00 hour in the early morning of Saturday, with the next highest peak level in the next hour, with the third highest flow being that in the 02:00 hour in the early morning of Sunday.

3.15 Average flows on Thursday are 10 passengers, 17 on Friday and 18 Saturday, not particularly different. Overall average flows are 15 passengers per hour, very low. These values reduce further when considering loaded vehicles and paid trips.

3.16 07:00 Thursday, 03:00 to 06:00 Friday, 05:00 to 07:00 Saturday and 05:00 and 06:00 Sunday saw no passengers, a relatively low level of hours given the generally low overall flows.

3.17 In terms of night demand, the peak flow over Friday/Saturday is 3.3 times the average, with that for Saturday/Sunday 2.6 times.

3.18 The following graph compares each site over the observation period:



3.19 This graph shows the dominance of the Market Street rank Colne at all times. This is also the main rank providing flows into the early hours on all mornings.

3.20 However, the Hibson Road Interchange rank in Nelson also clearly provides a good level of usage in context, and on Friday and Saturday provides the bulk of the late afternoon peak patronage. It also sees more usage later on Saturdays than either Thursday or Friday.

3.21 The Duke of Lancaster rank sees usage on both Fridays and Saturdays but only towards the end of each day and not much into the early hours. It operates more and longer on the Saturday night / Sunday morning.

3.22 The three other ranks that saw some passengers only rarely saw vehicles waiting and in total saw minimal numbers of passengers.

3.23 As already noted there was some usage of the Municipal Hall, Albert Road, Colne rank on the Friday but passenger usage was either out of camera shot or vehicles mainly waited here to service demand elsewhere, although the total demand even if all observed vehicles took passengers was not in more than 14 total vehicle departures.

Disability usage of ranks

3.24 In terms of the proportion of WAV style hackney carriages, overall 8% of hackney carriage operations appeared to be WAV style, very similar to the proportion in the fleet.

3.25 The share of the hackney carriages that were WAV was, however, much higher at the Interchange rank, at 17%, with Market Street Colne seeing 6% and Municipal Hall, Albert Road, 7%. None of the other ranks saw any WAV style hackney carriages.

3.26 During the course of our observations, there was no usage by any person in a wheel chair observed.

3.27 42 people were observed to need assistance to enter the vehicles (but who were not specifically in wheel chairs), with half of these at the Interchange and half of these at Market Street.

Plate activity levels

3.28 The Manchester Road rank, Nelson, was principally used by private cars with the occasional private hire vehicle. Just two hackney carriages were observed servicing this location, one of which collected a passenger.

3.29 The Ace Centre rank was also mainly used by private vehicles, although again two hackney carriages were observed, and a slightly larger number of private hire vehicles. Again, one passenger was observed.

3.30 Half the vehicles seen at the Duke of Lancaster rank were in fact hackney carriages, although all were saloon style. There were also some private hire and some vehicles possibly out of town, although the latter could also have been local hackney carriages not carrying their roof signs.

3.31 A test was undertaken on the Saturday of the rank observations to identify at key locations how many plates were active. This allows an estimate of the number of plates needed to meet demand at the measured level, and also allows any potential for 'playing-up' to the survey to be considered, i.e., were there a high proportion of vehicles active when the survey was being undertaken.

3.32 Sample observations were undertaken near the Nelson interchange rank and in Walton Street, Colne, to seek to observe active hackney carriage and other licensed vehicles in the area. Three one-hour samples were undertaken at either location. However, the last observation at the Interchange, before the last train, found no active hackney carriages.

3.33 All observations were cross-checked by the authority to confirm they were either valid local hackney carriages or private hire vehicles. Of the 126 different vehicle observations, 44% were found to be legitimate Pendle hackney carriage vehicles, 47% legitimate Pendle private hire and 6% vehicles that appeared to be licensed but were not either hackney carriage or private hire from the local fleet. There were three vehicles whose plate numbers were not clear, two of which from livery were local hackney carriages.

3.34 Of the current fleet of hackney carriage plates on issue, 39% of the total were seen at least once on that day. In terms of frequency, half of the observations were vehicles seen just once. A quarter were seen twice, 14% three times and 3.6% each either four, five or six times.

3.35 68% were only observed in Colne (31% of plates) and 21% only in Nelson (13% of plates). 11%, or three vehicles, were observed in both locations. The time period with most vehicles observed was the 23:30 to 00:30 period in Colne (18% of plates). Generally, the Interchange saw less active vehicles, with just 4% of plates seen in the Interchange early evening sample and 10% in the early afternoon sample.

3.36 In Colne, 11% of the fleet was seen in the early evening sample, 13% in the late afternoon and 18% for the late night sample.

3.37 Overall, these are not high levels of usage of the fleet at or near ranks even allowing for the Saturday observations.

3.38 However, it is also clear that more vehicles are responding to when demand is highest.

3.39 There is no evidence from this survey that there was any specific 'playing up' by the Trade to the observations being undertaken.

Extent of passenger waiting

3.42 A review of the calculated average passenger delays for the survey data found just five hours of those observed that had average passenger delay a minute or more. A further six hours saw some average passenger delay in an hour, but 59 seconds or less. This means there are only 11 hours of the 253 analysed that have any passenger waiting, or 4.3% of hours.

3.43 Another measure is the number of passengers who experienced a wait. In total there were just 21 during the hours observed. Of these 15 (72%) had waits between one and five minutes, three (14%) waited six to ten minutes and the final three waited 11 minutes or more.

3.44 The 21 that experienced waits were 2% of the total number of passengers observed during the surveys. This is very small.

3.45 The longest average passenger delay observed was just over 4.5 minutes at the Duke of Lancaster rank at 22:00 on the Saturday. The four passengers involved actually waited just under six minutes as a group.

3.46 Three other average passenger delays were between 2 minutes 21 and 2 minutes 46 seconds, two of which were at Market Street Colne in the 01:00 and 08:00 hours on the Friday. In that case, the group of three actually waited nearly 13 minutes in the 01:00 hour but nine other passengers travelled in the same hour without delay. The 08:00 delay was to the only passenger travelling in that hour, a case of thin demand.

3.47 The other 2 minute average passenger delay plus the final one over a minute were both at Nelson Interchange – and both in the 18:00 hour, one on the Friday and one on the Saturday. Both passengers waited between seven and eight minutes with a few other passengers also travelling in that hour.

3.48 Three of the under a minute average passenger delays occurred at the Interchange Nelson with the others at Market Street Colne. In all six, the worst actual wait was nearly seven minutes by one passenger.

3.49 In conclusion, although unmet demand exists and people do have to wait, the level and extent of such waiting is small. Further review of this and its interpretation in terms of significance of unmet demand follows below in a later specific Chapter.

3.51 It must be pointed out that a hackney carriage demand survey focusses on observed activity at hackney carriage ranks. There is no requirement for observation of private hire activity (nor often little easy opportunity to do so).

3.51 Hence, no record was made of private hire activity although it is not possible to discriminate between passengers making bookings and obtaining their vehicle at a rank and those turning up directly at ranks.

Rail patronage

3.52 The area contains three rail stations at Nelson, Colne and Briersfield. Only the Nelson station has a rank nearby.

3.53 Nelson station was 1,576th out of 2,642 UK stations in the latest information (to end of March 2022). Colne was 1,707th and Brierfield 2,080th.

3.54 Nelson station flows in the 2022 figures are 62% of what they were in the equivalent at the time of the last survey.

3.55 The estimated weekly number of passengers leaving Nelson station each week is in the order of 900. There were an estimated 473 average weekly passengers from the rank, which implies at most 52% of rail passengers leave in a hackney carriage, although the rank also services the bus station and Nelson town centre, so the actual usage from the rail service is likely to be much lower.

3.56 However, it is also true that a major demand generator, the station, is only producing in the order of 900 passengers per week, which must be borderline in terms of the level needed to allow rank operation that is worth servicing. It is unlikely the station alone would justify service to this rank.

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4 General public views

4.1 It is very important that the views of people within the area are obtained about the service provided by hackney carriage and private hire. A key element which these surveys seek to discover is specifically if people have given up waiting for hackney carriages at ranks (the most readily available measure of latent demand). However, the opportunity is also taken with these surveys to identify the overall usage and views of hackney carriage and private hire vehicles within the study area, and to give chance for people to identify current issues and factors which may encourage them to use licensed vehicles more.

4.2 Such surveys can also be key in identifying variation of demand for licensed vehicles across an area, particularly if there are significant areas of potential demand without ranks, albeit in the context that many areas do not have places apart from their central area with sufficient demand to justify hackney carriages waiting at ranks.

4.3 These surveys tend to be undertaken during the daytime period when more people are available, and when survey staff safety can be guaranteed. Further, interviews with groups of people or with those affected by alcohol consumption may not necessarily provide accurate responses, despite the potential value in speaking with people more likely to use hackney carriages at times of higher demand and then more likely unmet demand. Where possible, extension of interviews to the early evening may capture some of this group, as well as some studies where careful choice of night samples can be undertaken.

4.4 Our basic methodology requires a sample size of at least 200 to ensure stable responses. Trained and experienced interviewers are also important as this ensures respondents are guided through the questions carefully and consistently. A minimum sample of 50 interviews is generally possible by a trained interviewer in a day meaning that sample sizes are best incremented by 50, usually if there is targeting of a specific area or group (eg of students, or a sub-centre), although conclusions from these separate samples can only be indicative taken alone.

4.5 It is normal practice to compare the resulting gender and age structure to the latest available local and national census proportions to identify if the sample has become biased in any way.

4.6 More recently, general public views have been enlisted from the use of council citizens' panels although the issue with these is that return numbers cannot be guaranteed. The other issue is that the structure of the sample responding cannot be guaranteed either, and it is also true that those on the panel have chosen to be there such that they may tend to be people willing to have stronger opinions than the general public randomly approached.

4.7 Finally, some recent surveys have placed an electronic copy of the questionnaire on their web site to allow interested persons to respond, although again there needs to be an element of care with such results as people choosing to take part may have a vested interest.

4.8 For this study, a total of 100 persons were interviewed in and around the central areas of Colne and Nelson, with the on-line interview also made available by the Council on their website. The on-line response totalled some 83 responses, giving 183 in total, sufficient to provide the required picture of local views.

4.9 The on-street interviews were during busy daytime hours both to maximise response and minimise any safety issues to staff collecting the information.

4.10 We have found significant difficulty during 2022 in any interaction with the public in night hours, with increased unwillingness of people to be interviewed at those times plus aggressiveness if interviews were undertaken. For this reason, any consideration of later interviews was not taken forward for this survey. This has also made recruitment of even our trained staff to undertake any such work almost impossible.

4.11 To avoid issues for interviewers, an estimate of age and gender was made by the interviewer and recorded after completion of the interview. Those responding on-line provided their own gender and age categories.

4.12 Comparison was made to the estimates of gender and age splits from the initial information from the 2021 census. The 2021 values suggest for all 15 or over, 49% are male, 22% are 15-29, 40% 30-54 and 38% 55+.

For this survey, our sample interviewed about 7% more people appearing to be males than the census suggests, reducing to 4% more for the on-line sample. For age groups, the under 30's were similar in share in the on-street sample, but about 6% over for the mid group, and correspondingly under for the older group. The on-line sample saw just 2% under 30 and 63% of the older group, hence biased towards the older group.

4.13 For the on-street sample, a very high 83% said they had made one or more trips by licensed vehicle in the area in the past three months. The on-line sample stated 78%, very similar.

4.14 Just 1% (7% on-line) had done so by hackney carriage only, 75% (57%) had done so by private hire only and 7% (14%) by both types of vehicles.

4.15 People were asked how often they used both private hire and hackney carriage in the Pendle area. All responded, with the resulting estimate of trips per person per month being 1.1 for the on-street and 4.7 for the on-line, suggesting the on-line respondents were more frequent licensed vehicle users, perhaps not unexpected.

4.16 This mainly resulted from 18% of the on-line saying they used them three or more times a week, with none of the on-street sample responding thus. However, 36% of the on-street sample said once or twice a month whilst the most frequent on-line response, at 27%, was less than once a month but more than twice a year.

4.17 Overall, 83% of the on-street and 95% of the on-line respondents said they obtained licensed vehicles by phone methods. Interestingly, the on-line response saw 60% phone and 30% app whereas the on-street found 43% phone, 27% freephone and 8% app. In both cases 5% said other internet methods including general searches.

4.18 The on-street sample said 16% rank and 1% hail, the on-line 4% rank but still 1% hail.

4.19 Just under three quarters of those responding on-street provided at least one company they phoned if they needed to get a licensed vehicle. Two thirds of those on-line provided a response. The responses had a different structure, with the on-street seeing 53% naming three whilst only 5% of the on-line named three. The percentages for naming two were closer, 38% and 27% respectively whilst the opposite was true for those naming just one, 9% for those on-street and two thirds for those on-line. This is a marked difference suggesting better confidence in the on-line respondents in the company they named.

4.20 In 2014 there were a total of 363 mentions covering some 68 different companies or variations of names. For 2023, there were 180 mentions on-street and 75 on-line, with 21 different names.

4.21 From the total mentions, for both sets of responses one company came top with 13% to 31%, another second (13% to 16%), both of which were also mentioned in 2014, with 9% and 4% respectively. The top company in 2014 gained 10% of mentions but this time only obtained 2% and 1%. The next highest scored 5% and was a new company this time.

4.22 The third, fourth, fifth and eighth highest mentions were actually supermarket names, and accounted for a third of the on-street and 27% of on-line mentions. No other companies scored more than 7% of on-street and 3% of on-line mentions.

4.23 People were asked how often they used hackney carriages. A positive was that of those interviewed on-street none said they could not remember seeing one in the area, although 21% of those on-line responded they could not remember seeing one in the area. However, 76% of those on street and 33% of those on-line could not remember the last time they actually used a local hackney carriage.

4.24 The on-line respondents gave a much broader range of levels of usage compared to those on-street, who mainly said ‘once or twice a year’ (19%), with none saying more often than once or twice a month. For the on-line respondents, 11% said once or twice a week, less than once a month but more than twice a year and once or twice a year.

4.25 The resulting estimated usage per person per month is 0.05 for the on-street and 1.54 for the on-line; a significant difference but in line with other responses. This implies the on-line sample makes 4% of licensed vehicle trips by hackney carriage whilst those on-line have higher usage at a third of trips made. However, even for the on-line sample, the level of trip making is not high.

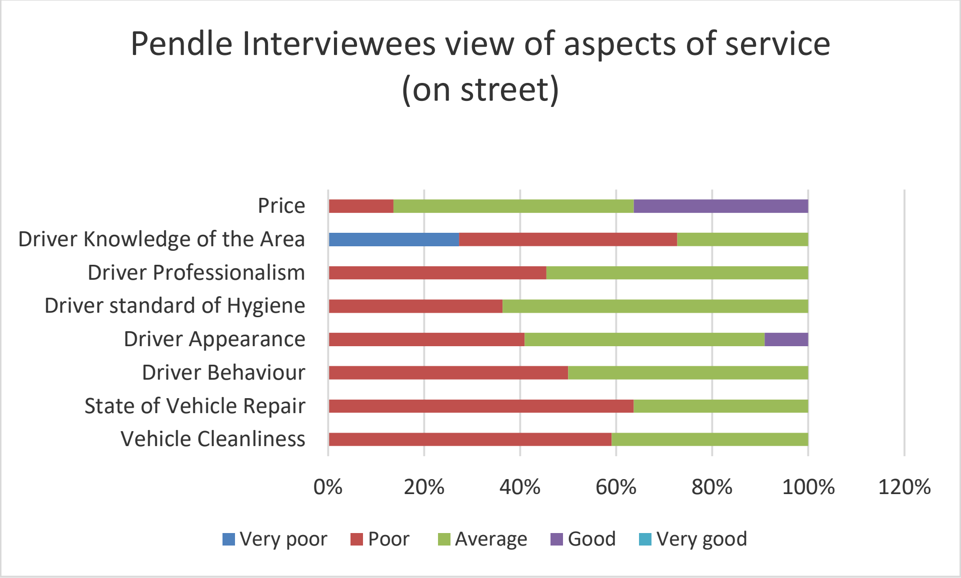
4.26 When asked about ranks people were aware of, two thirds of those on-street and just under a third of those on-line provided some 102 and 32 different responses in total. 5% of on-street and 8% of on-line provided three rank names, 45% and 8% provided two respectively and 50% and 85% provided a single rank.

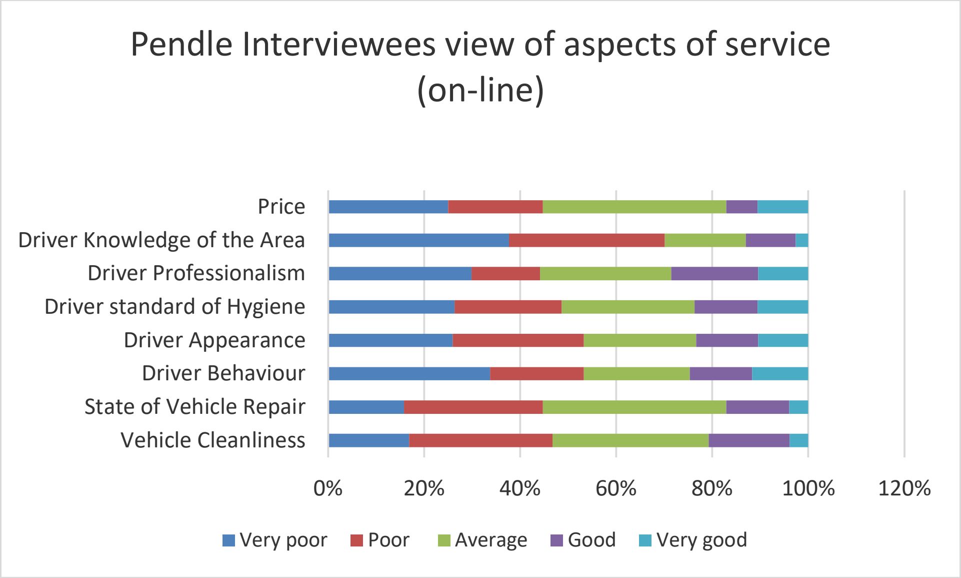
4.27 Many provided different names for different key ranks, with the Interchange rank identified seven different ways and Market Street four different ways. Taking these different names together, 48% of on-street and 34% of on-line named the Interchange rank. 26% and 34% respectively named Market Street.

4.28 Other locations mentioned included 17% of the on-street interviewees mentioning The Venue, 4% on-street and 6% on-line Manchester Road Nelson, and 2% / 13% ‘bus station Colne’. Albert Road saw 2% / 3% respectively with other mentions for Barnoldswick and the Duke of Lancaster, plus an unknown location in Colne.

4.29 72% of all those responding said they did not use the rank they named. The rank most said they used was the Venue, where 59% of those naming it said they used that location. A third said they used Manchester Road, Nelson. 37% of those specifically naming the Interchange said they used it (this ignores the other names used). 14% specifically naming Market Street Colne said they used it. This does suggest there is more value in the two small ranks in peoples' minds than perhaps might be expected.

4.30 People were asked to rate the service provided in the area for a range of elements. Just over a fifth of those interviewed on-street provided views whereas 93% of those on-line responding provided views, again suggesting those responding on-line are more those with interest in licensed vehicles. The graphs below shows the results.





4.31 These show that the on-street respondents have less strong, but generally more average views compared to the on-line who have a wider range of responses, focussed on very poor or poor but also with more good or very good scores

4.32 The worst performing element relates to driver knowledge of the area, unusually with price one of the better scoring items. Driver items are generally more positive than vehicle items.

4.33 In terms of changes that might increase peoples' usage of hackney carriages, many people provided multiple responses. Of the total responses, 48% of on-street and 26% of on-line said 'if they were more affordable'. 47% on-street wanted more hackney carriages to phone for and 5% on-line and none on-street wanted more hackney carriages to hail or obtain at ranks.

4.34 In terms of needing adapted vehicles, 76% on-street and 69% on-line said they did not need, nor know anyone who needed one. Of those needing an adapted vehicle, the bulk said they knew someone who needed a WAV, rather than any other kind of adaptation. This response suggests a relatively high need of adapted vehicles, principally WAV, in the area at this time.

4.35 People were asked if they had given up waiting or made other arrangements when trying to get a hackney carriage at a rank anywhere in Borough of Pendle area. On-street just one person had given up at Manchester Road, Nelson. On-line 11% said they had given up but only two named locations and both were Burnley, beyond the Pendle borders. This suggests latent demand is no more than 1% and in reality probably almost zero.

4.36 With reference to if people thought there were enough hackney carriages in the Pendle area, for on-street respondents 91% felt there were with 51% for the on-line. Just 8% on-street and 15% on-line thought there were insufficient hackney carriages with 1% and 35% respectively suggesting they were not sure.

4.37 Interviewees were asked how they thought their usage of licensed vehicles had changed compared to pre-COVID. Many made multiple responses. Of all responses, 38% and 44% said similar levels, 53% and 24% were using private hire vehicles more, and 8% for both said hackney carriages more.

4.38 For looking forward, of all responses, 71% on-street and 54% on-line said they expected to use both kinds of vehicle about the same. 28% and 15% said they were using private hire vehicles more and 1% and 11% hackney carriages more, with none from the on-street and 14% and 6% for private hire and hackney carriage from the on-line saying they would use them less.

4.39 When asked regarding the COVID security measures people thought might be essential, important, unimportant most on-street interviewees said none were important. Views on-line were again more spread but mainly focussed on them now being unimportant or less important.

4.40 All interviewees told us if they lived in the area or not. For the on-street, 99% were from the Borough of Pendle area. Interestingly for the on-line 88% said they were from the area.

5 Key stakeholder consultation

5.1 The following key stakeholders were contacted in line with the recommendations of the Best Practice Guidance:

- Supermarkets
- Hotels
- Pubwatch / individual pubs / night clubs
- Other entertainment venues
- Restaurants
- Hospitals
- Police
- Disability representatives
- Rail operators
- Other council contacts within all relevant local councils

5.2 Comments received have been aggregated below to provide an overall appreciation of the situation at the time of this survey. In some cases, there can be very specific comments from one stakeholder, but we have tried to maintain their confidentiality as far as is possible. The comments provided in the remainder of this Chapter are the views of those consulted, and not that of the authors of this report.

5.3 Our information was obtained by telephone, email, letter or face to face meeting as appropriate. The list contacted includes those suggested by the Council, those drawn from previous similar surveys, and from general internet trawls for information. Our target stakeholders are as far as possible drawn from across the entire licensing area to ensure the review covers the full area and not just specific parts or areas.

5.4 A google form was set up for people to provide their response. No responses were received.

5.5 For the sake of clarity, we cover key stakeholders from the public side separately to those from the licensed vehicle trade element, whose views are summarized separately in the following Chapter.

5.6 This is disappointing but given this consultation is not statutory, and the current tendency is for people not to respond unless they are directly answering a question that might lead to custom, there is little more that can be done. The only pointer is that, were there key issues, people would take opportunity to respond. The Taxi Licensing Service has not received any feedback either.

6 Trade stakeholder views

6.1 The Best Practice Guide encourages all studies to include 'all those involved in the trade'. There are a number of different ways felt to be valid in meeting this requirement, partly dependent on what the licensing authority feel is reasonable and possible given the specifics of those involved in the trade in their area.

6.2 The most direct and least costly route is to obtain comment from trade representatives. This can be undertaken by email, phone call or face to face meeting by the consultant undertaking the study. In some cases, to ensure validity of the work being undertaken, it may be best for the consultation to occur after the main work has been undertaken. This avoids anyone being able to claim that the survey work was influenced by any change in behaviour.

6.3 Most current studies tend to issue a letter and questionnaire to all hackney carriage and private hire owners, drivers and operators. This is best issued by the council on behalf of the independent consultant as was the case in this survey. Usual return is now using an on-line form of the questionnaire, with the option of postal return still being provided, albeit in some cases without use of a freepost return. Returns can be encouraged by email or direct contact via representatives. Some authorities cover private hire by issuing the letter and questionnaire to operators seeking they pass them on when drivers book on or off, or via vehicle data head communications.

6.4 In all cases, we believe it is essential we document the method used clearly and measure response levels. The Council issued all letters to the local trade. There were some 589 drivers.

6.5 By the time the consultation closed, there were some 51 responses. This is around a 9% response, fairly good for this sort of exercise.

6.6 On receipt of the responses, a check was undertaken to ensure there were no obvious duplicates or any other out of course entries. There were no clearly suspicious or erroneous entries found.

6.7 63% of the respondents said the licensed vehicle trade was their only or main source of income. 8% were not currently working but planned to return when demand increased again. 16% were working part time and had other additional sources of income. 14% were working part time but had no other sources of income. None of those replying said they were not working and had no intention of working in the licensed vehicle trade in the future.

6.8 18% of respondents said they drove hackney carriages and 65% said private hire, with 18% saying they drove both. Again, nationally our driver surveys are now seeing more response from private hire than has been the case but this response suggests strong hackney carriage wish to respond. It is also true that only 14% of vehicles are hackney carriage so in some respects the response is more typical of the whole fleet, although it is normally the case that private hire tend to consider these surveys not relevant to them.

6.9 The average length of service identified was 9.8 years. The longest quoted was some 38 years. Private hire years of service were 7, those that drove both 11.8 years and hackney carriage drivers 18.1, a clear difference.

6.10 When considering the spread of service, the largest proportion, 44% of respondents, said they had worked one to 5 years. 21% had worked either 6-10 years with 12% each 11 and 15 or between 16 and 20 years.

6.11 The highest percentage, 36%, of those responding said they worked five days. 28% said six days, 13% four days and 11% each either two or three days. The actual average number of days worked was 4.5 overall, 4.3 for private hire, 4.7 for hackney carriage and 5.1 for those driving both.

6.12 The average hours worked were 30 for hackney carriage, and 27 for both dual users and private hire. Maximum hours quoted were 74.

6.13 76% owned their own vehicle, with 16% saying that someone else also drove the vehicle they used. This had not marginally reduced post COVID (13% said they no longer shared).

6.14 Respondents were asked the kind of work they normally undertook. All provided at least one response. For the hackney carriages, 78% only worked ranks. 11% only undertook immediate hire bookings and 11% ranks, bookings and advanced bookings

6.15 For those saying they drove both kinds of vehicle, two thirds only undertook immediate hire bookings, with 11% each only servicing ranks, only undertaking advanced hires, or only undertaking chauffer or corporate work. The private hire respondents saw two thirds only undertaking immediate hire bookings, 18% immediate hire bookings and advanced bookings, 12% advanced bookings only and 3% chauffer or corporate work only.

6.16 73% of all respondents said they accepted pre-bookings. 63% did so by operator, 16% by direct telephone, 9% by phone or email, 3% using an app, 3% online, 3% via other drivers and 3% using a PDA.

6.17 Respondents were asked which ranks they worked. As expected only hackney carriages responded although some private hire did tell us the companies they worked for. 38% of respondents said Colne, 23% Nelson, 15% each Nelson Bus Station and 15% Colne Town Centre. 8% (one person) said they served the Manchester Road rank.

6.18 For the hackney carriages, just one was totally dependent on the ranks for all their work. Two others worked the ranks about 20-25% of the time, completing hours with private hire bookings. Three others saw 50, 60 and 85% of work from the ranks.

6.19 Respondents were asked about what determined when they worked. However, hackney carriage drivers mainly said they focussed on when they expected trade at the ranks, those who said they drove both said they mainly covered school contracts, and private hire said 58% working around family commitments, 33% to avoid busy traffic and 9% who preferred to work days.

6.20 74% said they felt there were enough hackney carriages in Pendle now.

6.21 71% said the limit remained the correct policy for the area, with many of these being private hire. One hackney carriage opposed the limit. Six private hire suggested more hackney carriages would improve the service to the public whilst another said they saw there were shortages at the ranks.

6.22 The main reasons people felt the limit benefitted the public was by reducing potential levels of pollution by keeping sufficient vehicles but not too many. They also said it gave a better chance for people to know their drivers better.

6.23 When asked if there might be benefits of removing the limit, some said that clearly more vehicles would mean more choice for the public, but many disagreed and said it would lead to over-ranking and more issues with there being too many hackney carriages for the overall demand levels.

6.24 Respondents told us how they felt rank fare paying trips had changed since three years ago, i.e. pre-pandemic to now. 43% said about the same, 33% said less but 19% said more. For bookings, equivalent values were 35%, 35% and 29%, suggesting a slight increase.

6.25 When asked about frequency of people using wheelchairs, both directly and transferring, usages quoted were low. For ranks, 14% said monthly, with no other frequency quoted. For transfers, 5% said daily from a rank and 18% monthly, higher than pure rank arrivals.

6.26 For bookings, 2% each said daily and also five to seven times a week, 5% twice weekly, 10% weekly, 2% fortnightly, 7% monthly or yearly and 2% six monthly. For transfer bookings values were generally more, seeing 5% daily, 12% each both more than once a week and weekly, 2% a few times a month, 7% monthly, 5% six monthly and 7% yearly.

6.27 For contracts there was an estimated 10% daily and 11% daily for transfers, 5% twice weekly and 5% more than once a week for transfers.

6.28 However, 'never' was the response for direct usage for 76% of those at ranks, 51% bookings, 70% contracts with 73%, 40% and 79% respectively for those transferring. In summary the most frequent wheelchair users tend to provide bookings, ranks and finally via contract work.

6.29 20% of drivers were aware of those who had given up working due to the impact of COVID on the industry. Numbers ranges from one to 20 per person responding. Three responded from the dual respondents, three from hackney carriages and seven from private hire. Some said they were aware of people who had passed away from COVID.

6.30 Nearly all took opportunity to explain how the pandemic had impacted their businesses. Several said they had not worked. Many pointed out income had reduced. Others said demand had changed particularly with people working from home. Some hackney carriage suggested some of their colleagues had swopped to work for private hire companies. Some said other recent changes had seen more impact than COVID.

6.31 Only private hire respondents wanted to provide more information about their plans for the future. These were not approached at this time.

6.32 A few other comments were made, but most related to the need to retain the current limit because there was currently insufficient work for the present fleet. One person was grateful for the good service provided by the licensing section.

7 Evaluation of unmet demand and its significance

7.1 It is first important to define our specific view about what constitutes unmet demand. Our definition is when a person turns up at a hackney carriage rank and finds there is no vehicle there available for immediate hire. This normally leads to a queue of people building up, some of whom may walk off (taken to be latent demand), whilst others will wait till a vehicle collects them. Later passengers may well arrive when there are vehicles there, but because of the queue will not obtain a vehicle immediately.

7.2 There are other instances where queues of passengers can be observed at hackney carriage ranks. This can occur when the level of demand is such that it takes longer for vehicles to move up to waiting passengers than passengers can board and move away. This often occurs at railway stations but can also occur at other ranks where high levels of passenger arrivals occur. We do not consider this is unmet demand, but geometric delay and although we note this, it is not counted towards unmet demand being significant.

7.3 The industry standard index of the significance of unmet demand (ISUD) was initiated at the time of the introduction of Section 16 of the 1985 Transport Act as a numeric and consistent way of evaluating unmet demand and its significance. The ISUD methodology was initially developed by a university and then adopted by one of the leading consultant groups undertaking the surveys made necessary to enable authorities to retain their limit on hackney carriage vehicle numbers. The index has been developed and deepened over time to take into account various court challenges. It has now become accepted as the industry standard test of if identified unmet demand is significant.

7.4 The index is a statistical guide derived to evaluate if observed unmet demand is in fact significant. However, its basis is that early tests using first principles identified based on a moderate sample suggested that the level of index of 80 was the cut-off above which the index was in fact significant, and that unmet demand therefore was such that action was needed in terms of additional issue of plates to reduce the demand below this level, or a complete change of policy if it was felt appropriate. This level has been accepted as part of the industry standard. However, the index is not a strict determinant and care is needed in providing the input samples as well as interpreting the result provided. However, the index has various components which can also be used to understand what is happening in the rank-based and overall licensed vehicle market.

7.5 ISUD draws from several different parts of the study data. Each separate component of the index is designed to capture a part of the operation of the demand for hackney carriages and reflect this numerically. Whilst the principal inputs are from the rank surveys, the measure of latent demand comes from the public on-street surveys, and any final decision about if identified unmet demand is significant, or in fact about the value of continuing the current policy of restricting vehicle numbers, must be taken fully in the context of a careful balance of all the evidence gathered during the survey process.

7.6 The present ISUD calculation has two components which both could be zero. In the case that either are zero, the overall index result is zero, which means they clearly demonstrate there is no unmet demand which is significant, even if other values are high.

7.7 The first component which can be zero is the proportion of daytime hours where people are observed to have to wait for a hackney carriage to arrive. The level of wait used is ANY average wait at all within any hour. The industry definition of these hours varies the main index user counts from 10:00 hours to 18:00 hours (i.e. eight hours ending at 17:59 hours). The present index is clear that unmet demand cannot be significant if there are no such hours. The only rider on this component is that the sample of hours collected must include a fair element of such hours, and that if the value is non-zero, review of the potential effect of a wider sample needs to be considered.

7.8 The other component which could be zero is the test identifying the proportion of passengers which are travelling in any hour when the average passenger wait in that hour is greater than one minute.

7.9 If both of these components are non-zero, then the remaining components of the index come into play. These are the peakiness factor, the seasonality factor, average passenger delay, and the latent demand factor.

7.10 Average passenger delay is the total amount of time waited by all passengers in the sample, divided by the total number of passengers observed who entered hackney carriages.

7.11 The seasonality factor allows for the undertaking of rank survey work in periods which are not typical, although guidance is that such periods should normally be avoided if possible particularly as the impact of seasons may not just be on the level of passenger demand but may also impact on the level of supply. This is particularly true in regard to if surveys are undertaken when schools are active or not.

7.12 Periods when schools are not active can lead to more hackney carriage vehicles being available whilst they are not required for school contract work. Such periods can also reduce hackney carriage demand with people away on holiday from the area. Generally, use of hackney carriages is higher in December in the run-up to Christmas, but much lower in January, February and the parts of July and August when more people are likely to be on holiday. The factor tends to range from 0.8 for December to 1.2 for January / February.

7.13 There can be special cases where summer demand needs to be covered, although high peaks for tourist traffic use of hackney carriages tend not to be so dominant at the current time, apart from in a few key tourist authorities.

7.14 The peakiness factor is generally either 1 (level demand generally) or 0.5 (demand has a high peak at one point during the week). This is used to allow for the difficulty of any transport system being able to meet high levels of peaking. It is rarely possible or practicable for example for any public transport system, or any road capacity, to be provided to cover a few hours a week.

7.15 The latent demand factor was added following a court case (R v Castle Point, 2002, see para 1.25 for further detail). It comes from asking people in the on-street questionnaires if they have ever given up waiting for a hackney carriage at a rank in any part of the area. This factor generally only affects the level of the index as it only ranges from 1.0 (no-one has given up) to 2.0 (everyone says they have). It is also important to check that people are quoting legitimate hackney carriage rank waits as some, despite careful questioning, quote giving up waiting at home, which must be for a private hire vehicle (even if in hackney carriage guise as there are few private homes with taxi ranks outside).

7.16 The ISUD index is the result of multiplying each of the components together and benchmarking this against the cut-off value of 80. Changes in the individual components of the index can also be illustrative. For example, the growth of daytime hour queueing can be an earlier sign of unmet demand developing than might be apparent from the proportion of people experiencing a queue particularly as the former element is based on any wait and not just that averaging over a minute. The change to a peaky demand profile can tend towards reducing the potential for unmet demand to be significant.

7.17 Finally, any ISUD value must be interpreted in the light of the sample used to feed it, as well as completely in the context of all other information gathered. Generally, the guide of the index will tend not to be overturned in regard to significant unmet demand being identified, but this cannot be assumed to be the case – the index is a guide and a part of the evidence.

Element	2023	2017	2014
Average passenger delay (mins)	0.1	0.03	0.017
Off peak level of delay	12.5	10	2.3
General incidence of delay	2.51	0.7	Zero
Peakiness of Demand	1	0.5	1
Seasonal Factor	1	1	1.2
Latent demand	1.01	1.0	1.137
Overall index of unmet demand	3.17	0.12	Zero

7.18 For Pendle in 2023, the demand profile is not peaky. This means that all other values in the equation are held at the measured level.

7.19 For the 2023 survey, information, off peak passenger queues were observed in 12.5% of hours.

7.20 Considering the other parts of the index, the level of average passenger delay is 0.1 minutes, the proportion of passengers travelling in hours with over a minute of delay is 2.51%; and the latent demand factor (for the full data set) is 1.01.

7.21 The overall value of ISUD (including all ranks) is 3.17. This level is far from being significant in terms of the industry standard evaluation that takes the value of 80 as a cut-off determining unmet demand as being significant, but it remains a strong change compared to previous values. Further discussion regarding this occurs in the synthesis section below taking this in overall context.

8 Views about limit policies

8.1 The present DfT Best Practice Guidance still current from April 2010 states in paragraph 47 “Most local licensing authorities do not impose quantity restrictions; the Department regards that as best practice”. This statement is restated in the new Best Practice Guidance still under consultation in para 9.4. However, there is also a strong cohort of authorities where the limit policy is retained and believed to be important.

8.2 At the present time our review of the March 2023 DfT statistics Table 0108 shows there were 267 English licensing authorities. At March 2023 there were 71 (26.5%) of authorities with a limit, 5 (2%) with limits in some parts of the authority, 3 (1%) with limits for some vehicle types, 2 (0.5%) with no hackney carriages at all and 186 (69%) without quantity limits. This was very similar to the overall 28% quoted as being limited in 2014 (88 authorities of the 313 existing then (Law Commission Report para 11.3 footnote 5), and the 26% in 2022 despite many losses of regulated areas to unitary authorities.

8.3 It should be noted that the category ‘limits for some vehicle types’ is by others identified as ‘quality’ not ‘quantity’ control and that there are many other authorities that require any new hackney carriage to be wheelchair accessible but DfT do not ask for this to be reported so this category is actually under-reported.

8.4 Two authorities in recent years have tested if they have unmet demand and then determined not to return any limit (Warwick and Cheshire West).

8.5 There have been a number of encouragements for authorities to remove limits and plans to outlaw them. None have been entirely successful although the current move towards unitary authorities is presently leading to many new authorities choosing a single licensing authority for the new area which leads to removal of limits in any constituent areas, often with minimal consultation on that specific element. A most recent example is the new Buckinghamshire, with the new Yorkshire combined authority following suit.

8.6 The best recent open review of the benefits and disbenefits of limits was undertaken by the Law Commission and published in May 2014. The initial proposal was that limits should be made illegal by revoking the 1985 Transport Act Section 16 in full. Their suggestion was application of appropriate quality controls rather than quantity restriction. The proposal received around 1,500 responses most of which opposed the removal of quantity restrictions.

8.7 The key to opposing quantity restrictions by the Law Commission was that economic literature is generally hostile to these. The economic arguments are that the free market is the best means of determining the necessary level of taxi provision, that unmet demand surveys may not be capable of registering true levels of demand patent and latent and that they might have negative effects on passenger waiting times and fares. Finally, the economic case suggests quantity control is a blunt instrument for controlling entry.

8.8 The counter response was that economic models, albeit diverse and sophisticated, are not reliable in predicting the effect of actually removing such controls. The explanation suggested is that particular features of this highly regulated market distort the normal effects of competitive forces. The classic example quoted for this is New York where limits were returned on the basis that the market was not capable of working properly to provide a proper level of supply.

8.9 Compared to the arguments for removing limits, which are generally initially obvious that more vehicles means more choice for customers, the arguments against are much more complex.

8.10 It is true that a limit makes it hard or usually impossible for any current driver in the trade without their own vehicle to obtain one – i.e. a protected market for current vehicle owners. However, it is also true that many drivers choose not to own a vehicle for a range of reasons, principally the cost of ownership and maintenance.

8.11 The Law Commission report (Taxi and Private Hire Services, May 2014) firstly points out the impact of increasing vehicle numbers on driver income in a period when demand was generally level or reducing for vehicles servicing ranks. This also had public impacts in terms of increased congestion, air and noise pollution, not just from more vehicles, but from more vehicles circulating more to obtain trade.

8.12 Concerns were raised that derestricted markets could see reduced ability of drivers to maintain vehicles or to invest in new ones. This has become more important recently with reference to potential need to invest in more sustainable fleets. The hackney carriage market also tends to be more provided by individuals rather than companies focussing the need for personal investment rather than company investment.

8.13 A further result of having more vehicles in the hackney carriage market tends to be that drivers will work to an expected income. Their principal way of ensuring that would be to increase hours as need occurred, leading to the potential for drivers working too long hours to the detriment of their health and that of their passengers.

8.14 Our recent reviews of areas with and without limits has provided further evidence that the hackney carriage market does not work normally. Most people would believe that reductions in demand with the same level of vehicles permitted would decrease unmet demand levels. We have not found this to be the case.

8.15 Many areas have seen strong reduction in demand, even now that the pandemic impacts have generally been diluted, but have still seen levels of unmet demand increase. We would also suggest that there could well be authorities without limits where unmet demand exists. When many authorities were undertaking air quality reviews, there was a warning in each report that strictures on vehicle types could lead to unmet demand from the suppression of the number of vehicles.

8.16 This is principally because of churn in the overall demand and supply markets. Initially the pandemic saw the cessation of most rank operations. However, as time moved on, ranks began to return to use whilst many private hire operations continued to see adverse impacts as their markets remained closed – e.g. airports, rail stations. Being company-based, private hire companies have tended to agglomerate and focus their supply on key markets. This has led to many no longer providing 24/7 service or being willing to over-staff to allow for variation in demand. This has generally increased demand for rank-based services.

8.17 Further, those operating hackney carriages tend to be an amalgam of a large number of individuals all making personal and different decisions about when they provide services to the public. Many are now finding themselves able to earn the living they choose without operating at times that customers can be more difficult and general situations less safe, i.e. nights and weekends. This reduces supply from the same level of vehicles leading to the unmet demand increases. This is worsened where some have chosen to leave the industry.

8.18 Another key argument for limits is the overall stability this implies to the trade remaining.

8.19 In pure economic theory the market between supply and demand is expected to find its own level. Whilst this usually proves true, the key issue is the length of time this can take to occur. It is certainly not instantaneous and some trade representatives (e.g. Liverpool) has suggested the balance time may be years rather than months.

8.20 The Law Commission report (Taxi and Private Hire Services, May 2014) para 11.34 also noted that retaining restrictions might have enforcement cost benefits. Not only would the number of vehicles to review be kept at a level, but the threat of losing a licence with a potential value might well encourage better compliance from licence holders.

8.21 Other valid points included that simple removal of quantity control can not guarantee provision of supply at all times of high demand. As a balance, nor could increased fares have a similar effect.

8.22 The Law Commission report (Taxi and Private Hire Services, May 2014) concluded “evidence from consultation suggests that we cannot be confident that removing quantity restrictions would bring significant consumer benefits”. (Para 11.60).

9 Summary and synthesis

9.1This Unmet demand survey 2023 on behalf of the Borough of Pendle has been undertaken following the guidance of the Department for Transport Best Practice Guidance and other recent case history regarding unmet demand and its significance. It has been undertaken using the current status of law and practice as at the end of July 2022.

Background and context

9.2 This survey is the latest review of the status of unmet demand within the Borough. It was undertaken between January and May 2023, with video rank observations in March, an all-trade driver survey in January and February, on-street pedestrian interviews in March and key stakeholder consultation throughout the period.

9.3 Hackney carriage vehicle numbers have been fixed at 71 since 2009. DfT information suggests the limit was first put in place in 1986. Private hire vehicles have always been a much larger contingent in the authority.

9.4 Since the pandemic, up to three plates were delayed being re-issued, but the final of these has now returned to the fleet and is active. There were 70 plates active at the time of the rank survey work.

9.5 Since 2018, the number of private hire vehicles has grown significantly and has continued to do so even since the survey. There was no impact on private hire vehicle numbers during the pandemic. The growth is partly attributed to some vehicles that work in other authority areas rather than local growth in demand.

9.6 However, driver numbers fell during the pandemic but have increased sharply recently.

9.7 The level of wheel chair accessible vehicles in the hackney carriage fleet has remained stable at between six and eight % over recent years. It should be noted however that around a quarter of the WAV private hire are exclusively used for contract work and are not publicly available.

9.8 In terms of overall position Pendle was 115th equal out of 197 English authorities in percentage of hcv WAV.

9.9 The limit was last reviewed in 2014 and 2010 with the most recent planned survey delayed by the pandemic as in many other authorities.

Rank observations

9.10 The principal change in ranks since the last survey resulted from the demolition of the former Bus Station site in Nelson, together with removal of four long unused locations. Further, at inception it was agreed three other locations were no longer used. Another site saw its main demand generator close. Some ranks considered to have potential for usage were also observed.

9.11 77% of all observed activity at ranks was by various kinds of vehicles. 22% of movements were by pedestrians with a small 1% of records being people walking away from ranks and 1% other notes of activity.

9.12 Of the vehicle movements, 58% were at Market Street Colne, 19% at Hibson Road, Interchange rank, and 12% at Manchester Road Nelson with other locations seeing just 6%, 3% and 2%.

9.13 16% of vehicle movements were private cars, 4% private hire, 3% possibly non-local licensed vehicles (some were local hackney carriages without roof signs), and 1% goods vehicles.

9.14 The Ace Centre pair of ranks mainly saw private parking. The Municipal Hall rank saw 31% local private hire who usually moved away if a hackney carriage arrived. 90% of vehicles at Market Street and 96% at the Interchange rank were local hackney carriages.

9.15 Estimated weekly passenger demand from ranks has reduced by 59% since the last survey.

9.16 Market St Colne now sees 74% of estimated weekly demand, rising from 52% in 2014, whilst the only other significantly active location, the Interchange, Nelson, has dropped from a third share to just 23%.

9.17 Four other ranks saw passengers, but three locations saw just four, two and one in our weekly estimated values. The Duke of Lancaster rank saw 1.7% of the estimated weekly total passengers. The passengers at the Municipal Hall, Albert Road rank may be an underestimate because of the way the rank worked, with possible pick-ups beyond the rank out of camera shot. However the level of these was only small (14 vehicles), and only on one night.

9.18 Total passenger flow profiles are similar on Thursdays, Fridays and to some extent Saturdays, and all seek peak flows in the 15:00 hour each day.

9.19 All days have later peaks but only Friday/Saturday and Saturday/Sunday have higher peak flows. 02:00 on early Saturday morning sees the highest flow, followed by the flow in the next hour with the third highest flow being the early hours of Sunday, 02:00. However, despite low overall flows the number of hours without passengers at all was relatively low, just ten hours in total over the 72-hours observation period.

9.20 Average passenger flows per hour are 10 Thursday, 17 Friday and 18 Saturday. What is normally a major generator of passengers to ranks, the principal station at Nelson, only generates at best 900 passengers per week, very low.

9.21 The Duke of Lancaster rank was only used on Fridays and Saturdays.

9.22 The proportion of WAV observed at ranks equalled the level in the fleet. However, the level rose to 17% at the Interchange rank.

9.23 No wheel-chair travellers were observed accessing hackney carriage vehicles at ranks, with 42 people observed needing assistance to enter vehicles.

9.24 The Manchester Road rank in Nelson was mainly used by private vehicles as was the Ace Centre rank.

9.25 Of the total taxi-like vehicles observed on the Saturday evening, 44% were legitimate Pendle hackney carriages, 47% legitimate Pendle private hire.

9.26 The remainder proved impossible to confirm where they were from, although some appeared to be local hackney carriages but without their roof signs.

9.27 39% of the present hackney carriage fleet were observed at least once on the Saturday during the sample observation hours. Half were seen just once, a quarter twice, 14% three times and 3.6% each four five or six times.

9.28 Of the legitimate hackney carriages 68% were only seen in Colne and 21% in Nelson with just three vehicles seen in both locations. The largest proportion of the fleet seen was in the 23:30 to 00:30 hour on the Saturday showing reaction to high demand by the fleet.

9.29 Review of delays encountered found these were minor overall. There were just five hours when average passenger delay was a minute or more (classic unmet demand). A further six hours saw some delay resulting in average passenger delay less than a minute. This total eleven hours is just 4.3% of all hours observed.

9.30 Just three people waited more than 11 minutes and only 21 in total had any wait, 2% of the total number of passengers observed.

9.31 Unmet demand does therefore occur, but its level and extent is small.

On street public views

9.32 100 on-street interviews were undertaken with people across the area, covering the main centres of Colne and Nelson. In addition, the council promoted an electronic form of the survey which produce 83 responses. This was in comparison to the totally council-led 2014 public consultation using their former consultation panel.

9.33 Both elements of the survey saw more male response than the census would suggest, with the on-street seeing more mid-age and the on-line more the older group (with a dearth of younger responses).

9.34 In this survey, a very high 83% said they had made on or more trips by licensed vehicle in the area in the last three months (78% on-line). This split to 1% / 7% by hackney carriage only, 7% / 14% both kinds of vehicle and 75% / 57% private hire only (on-street/on-line splits).

9.35 Estimated overall licensed vehicle usage at 1.1 / 4.7 trips per person per month per person saw the much higher on-line response coming from 18% saying they used licensed vehicles three or more times a week.

9.36 Usual usage was 83% / 95% phone, again with the higher value being from the on-line responses. App was 30% for the on-line but only 8% for the on-street. Rank and hail values were 16% rank on street, and 4% on-line with both saying 1% for hailing.

9.37 In terms of companies used, compared to 2014 there were a lot less mentions and companies this time. Two companies mentioned in 2014 came top and second in 2023, with 13%/31% and 13% / 16% of mentions (on-street / on-line). The top company from 2014 this time only got 2 / 1 % of mentions. In 2023, the third, fourth, fifth and eighth highest mentions were Supermarket names, accounting for 33% / 27% of mentions.

9.38 None of the on-street and 21% of the on-line said they could not remember seeing a hackney carriage in the area, but 76% and 33% said they could not remember when they last used a hackney carriage.

9.39 Overall frequency of usage of hackney carriages was low, with 0.05 and 1.54 trips per person per month, or 4% / 33% share by hackney carriage.

9.40 Rank knowledge provided a range of names for the top two ranks, with 48 / 34% mentioning Interchange, 26 / 34% Market Street with people also mentioning The Venue, Manchester Road Nelson and Albert Road with some others also mentioned, all at very low numbers. Overall, 72% said they did not use the ranks mentioned, although this varied.

9.41 Overall, on-street respondents had less strong but generally more average views than those on-line who focussed more on very poor or poor scores. Driver knowledge scored worst although price seemed to score better than other items, unusual. However, 'if they were more affordable' was actually the highest reason people might use hackney carriages or use them more.

9.42 The level of need for wheel chair accessible vehicles saw 76% / 69% not needing them, suggesting a higher need than in other areas where the values are normally over 90% not needing them. The main focus on need was for WAV style.

9.43 Latent demand was estimated at 1% or less.

9.44 91% on-street and 51% on-line felt there were enough hackney carriages with 8% / 15% thinking there were insufficient.

Key stakeholder views

9.45 Despite numerous attempts at contact, there was no key stakeholder response at all.

Trade views

9.46 The response rate for the driver survey was around 9%, fairly good.

9.47 63% of respondents said the licensed vehicle trade was their only or main source of income, with 8% not working at the time of questionnaire but planning to return when demand increased again.

9.48 65% of respondents were private hire and 18% hackney carriage, with 18% saying they drove both. This almost matches the 14% of vehicles that are hackney carriage, although this kind of survey usually gets much higher hackney carriage numbers.

9.49 Average length of service was 18.1 for hackney carriage but 7 for private hire.

9.50 Average working days were 4.7 for hackney carriage, 4.3 for private hire and 5.1 for those driving both. Average hours were 30, 27 and 27 respectively.

9.51 78% of responding hackney carriages said their main work was from the ranks although 11% only undertook immediate hire bookings and did not service ranks at all. 11% undertook ranks, bookings and advanced bookings. In terms of share of work, only one actually said they were totally dependent on ranks, with others saying 85%, 60%, 50% and 20-25%.

9.52 For the full response, 73% accepted pre-bookings but this mainly reflected private hire given the larger response.

9.53 In terms of ranks served, 38% said Colne, 23% Nelson, 15% Nelson Bus Station, 15% Colne Town Centre with one saying they serviced Manchester Road.

9.54 74% felt there were enough hackney carriages now. 71%, therefore including many private hire, felt the limit remained the correct policy for the area. Main reasons for benefit were reducing pollution and giving passengers better chance to know the driving team. One hackney carriage opposed the limit with several private hire also doing so. When given opportunity for sharing potential benefits of removing the limit, most took opportunity to reiterate they thought there would not be any. Others did say more vehicles would always improve service levels.

Formal evaluation of significance of unmet demand

9.55 The present ISUD (index of significance of unmet demand) value is higher now than in previous surveys. All elements of the index have increased and the peakiness of demand value has changed from 0.5 to 1, worsening the overall index.

9.56 However, the overall index remains well below the accepted cut-off that defines the level of unmet demand as significant (3.17 compared to 80). This means the overall view is there is sufficient numbers of vehicles at the present time to allow retention of the limit, and at its current level.

Synthesis

9.57 Hackney carriages in the Borough remain active and service principally the main two ranks, one in each major centre. Other ranks are used when the venues near them see usage, often on just one or two nights per week.

9.58 Since 2014 there has been a significant loss of demand but the number of vehicles has remained stable.

9.59 The area is relatively unique in not really losing any private hire vehicles during the pandemic although there were clearly drivers that stopped working. Conversely, some hackney carriage plates paused and have only just returned to service.

9.60 Levels of demand at ranks are very low and clearly insufficient to meet the needs of the number of vehicles. Whilst some hackney carriages do supplement income with bookings and contracts, those responding to the survey did depend fairly heavily on the low rank demand levels. This potentially suggests many hackney carriages that no longer work the ranks chose not to complete the questionnaire.

9.61 Normally a major generator of trade, the principal station at Nelson, produces no more than 900 passengers per week.

9.62 On the Saturday just under 40% of the fleet were observed, a very low level also possibly suggesting many hackney carriages have found other niche markets not related to weekend or rank working.

9.63 A positive is that at least one driver and several passengers were aware of and used the Manchester Road rank which therefore should be the target of some attempt to reduce its abuse by private vehicles.

9.64 A further positive is that, although unmet demand levels are up since 2014, the overall level of service is very good to the ranks and the value is a long way from where the observed unmet demand would be termed significant.

9.65 Most hackney carriages seem to focus on one or other of the main towns with few working both.

9.66 All elements of the industry generally support the retention of the limit and most strongly oppose any idea of its removal.

9.67 There is appears to be a habit of some drivers not using roof signs which needs to be dealt with for public safety.

9.68 The overarching picture from this survey is the remarkable continuation of a hackney carriage trade at levels of demand which must be difficult to service whilst making a reasonable living. It appears that many hackney carriages must earn a living other than from the ranks, and possibly many of those did not respond to the survey maybe in fear of losing their valued hackney carriage licences.

9.69 What is clear is that there is very little encouragement for anyone to add an extra vehicle to this current fleet. Were an option taken to allow new plates but only for a specific style of vehicle (be it WAV or sustainable fuel) it is very unlikely any would be added as it would be hard to justify the investment to enter the trade.

9.70 However, it is also clear that this review of the overall operation, using the unmet demand template, has provided a very valuable database of knowledge of the operation that has demonstrated several valuable pointers.

9.71 Not least of these is clear evidence that some of the smaller ranks do retain value and could be at low cost developed further to the benefit of trade and public.

10 Study Conclusions

10.1 On the basis of the evidence gathered in this Unmet demand survey 2023 for Borough of Pendle, our key conclusion is that there is no evidence of any unmet demand for the services of hackney carriages either patent or latent which is significant at this point in time in the Borough of Pendle licensing area. The limit appears to benefit the public interest overall.

10.2 This allows the committee legitimately to retain the limit on vehicle numbers, and to do so at the present level if it so wishes. Further, this decision could be defended if challenged.

10.3 Department for Transport Best Practice Guidance – both the 2010 current and the (unknown) update both encourage a new survey within a three-year timeline if the limit is retained.

10.4 The present limit on vehicle numbers continues to provide benefit to the public in terms of stability and very good service. Only low levels of passengers experienced any waiting for vehicles to arrive.

10.5 There is need for support and development of some of the night service to ranks in both main towns. it needs the hackney carriage trade to play fair and ensure all keep to the requirements in terms of how vehicles are identified.