

**REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND  
REGULATORY SERVICES MANAGER**

**TO: TAXI LICENSING SUB-COMMITTEE**

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**Report Author: Jackie Allen**  
**Tel. No: 661638**  
**E-mail: [jackie.allen@pendle.gov.uk](mailto:jackie.allen@pendle.gov.uk)**

## **HACKNEY CARRIAGE UNMET DEMAND SURVEY**

### **PURPOSE OF REPORT**

To consider the commissioning of an unmet demand survey.

### **RECOMMENDATION**

That hackney carriage proprietors be consulted as to whether they will fund the unmet demand survey and the results reported back to the next meeting of this committee.

### **REASON FOR RECOMMENDATION**

To establish whether the costs of carrying out an unmet demand survey can be recovered through the licence fees.

### **BACKGROUND**

1. In accordance with Section 16 of the Transport Act 1985, a survey to determine whether or not there was a significant unmet demand for Hackney Carriages in Pendle was carried out in 2013 and adopted in 2014.
2. The survey concluded that there was no evidence of significant unmet demand for hackney carriages in Pendle and the existing limit of 71 remained.
3. The Department of Transport "Best Practice Guidance" does not recommend quantity restrictions. If a local authority does take the view that a quantity restriction can be justified in principle, there remains the question of the level at which it should be set, bearing in mind the need to demonstrate that there is no significant unmet demand. This issue is usually addressed by means of a survey; it will be necessary for the local licensing authority to carry out a survey sufficiently frequently to be able to respond to any challenge to the satisfaction of a court. An interval of three years is commonly regarded as the maximum reasonable period between surveys.

4. It is suggested that the matter should be approached in terms of the interests of the travelling public, the people who use taxi services. What benefits or disadvantages arise for them as a result of the continuation of controls; and what benefits or disadvantages would result for the public if the controls were removed? Is there evidence that removal of the controls would result in a deterioration in the amount or quality of taxi service provisions?

## ISSUE

5. As it is now more than three years since the survey a further survey is now required in order to respond to any challenges that may be made against our Policy.
6. The cost of the previous survey was met by the proprietors of hackney carriages and was added to the licence fee over a period of three years.
7. The approximate cost of the survey is in the region of £6000 and would go out to tender to experienced consultants.
8. It is suggested that the cost of the survey is apportioned over a three year period and added to the hackney carriage licence fee.

## CONCLUSION

9. Pendle has set a limit of 71 hackney carriage licences and even this number, at times, is too many as vehicles congregate where there is a thriving night-time economy, which puts a strain on the number of rank spaces available and enforcement resources.

## IMPLICATIONS

**Policy:** The current policy is no more than 71 hackney carriage licences be issued. Included in this figure is 5 that must be wheelchair accessible.

**Financial:** The cost of the survey will have to met by the Council in the first instance and recouped over a three-year period from the hackney carriage licence fees.

**Legal:** There is a risk of a challenge of our policy if a survey is not carried out. The additional fee to cover the survey has to be advertised in accordance with the Local Government (Miscellaneous Provisions) Act 1976.

**Risk Management:** None arising directly from the report.

**Health and Safety:** None arising directly from the report.

**Sustainability:** None arising directly from the report.

**Community Safety:** None arising directly from the report.

**Equality and Diversity:** None arising directly from the report.

## APPENDICES

None.

## LIST OF BACKGROUND PAPERS

1. The Department of Transport "Best Practice Guidance".