

BIRMINGHAM CITY COUNCIL

**REPORT OF THE ACTING DIRECTOR OF REGULATION AND ENFORCEMENT
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

23 OCTOBER 2017
ALL WARDS

BIRMINGHAM TAXI DEMAND SURVEY REPORT

1. Summary

- 1.1 In 2008, the Licensing Committee introduced a moratorium on the issuing of new Hackney Carriage Licences, using the provisions of the Transport Act 1985 (s16).
- 1.2 The Department for Transport Best Practice Guidance recommends regular review, ideally every three years, of any such limitation of hackney carriage numbers by way of a demand study, the last was undertaken during 2014.
- 1.3 A further Birmingham Taxi Demand Survey Report has recently been undertaken on behalf of The Licensing Service by Ian Millership of CTS Traffic & Transportation Ltd.
- 1.4 The main survey conclusion from taxi rank observations is there is no evidence of significant unmet demand.

2. Recommendations

- 2.1 That the report be noted.
- 2.2 That the moratorium on the issue of any new hackney carriage vehicle licences continues for up to 3 years, subject to a further survey to establish demand within that period.

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3. Background

- 3.1 Birmingham has 1,219 licensed hackney carriage vehicles (black cabs) servicing a variety of 24 hour and part time ranks across the City and suburbs. In addition there are approximately 4,100 Birmingham Licensed Private Hire Vehicles operating within the City.
- 3.2 The last taxi demand study in Birmingham was presented to this Committee on 17 September 2014, at which time the consultant advised there was no evidence of significant unmet demand. As a consequence, the Licensing and Public Protection Committee confirmed they would continue the moratorium on issuing of new hackney carriage vehicle licences with the proviso a further unmet demand survey should be completed during 2017 in line with best practice guidance.
- 3.3 Historically licensing authorities had unrestricted powers to limit the number of hackney carriage vehicles they could license. The introduction of the Transport Act 1985 principally removed this power; section 16 of the Act provides that the grant of a taxi licence may be refused for the purpose of limiting the number of hackney carriage vehicles on the basis that:
- ‘if, but only if, the local licensing authority is satisfied that there is no significant demands for the services of Hackney Carriages, within the area to which the licence would apply, which is unmet’.*
- 3.4 In 2003, the Office of Fair Trading recommended the removal of Hackney Carriage Vehicle restrictions in its report *‘The regulation of licensed taxi and Private Hire Vehicles services in the UK’*.
- 3.5 In response to the Office of Fair Trading report and following a period of consultation, the Department for Transport issued *‘Taxi and Private Hire Vehicle Licensing Best Practice Guidance’* in October 2007. This was updated in February 2010 and includes a section relating to Quantity Restrictions of Taxi Licences outside London. Although the Department for Transport regards it as best practice not to impose quantity restrictions, it directs that if quantity restrictions are being considered and currently in place, then the Local Authority must establish that it is satisfied that there is *‘no significant unmet demand’*. The recognised method of establishing demand is through the use of a survey which should be repeated at least every 3 years.

4. Conclusion of the Report

- 4.1 The consultants appointed to undertake the recent survey, CTS Traffic & Transportation Ltd, carried out a thorough survey and produced a full and detailed report in August 2017.
- 4.2 The survey concludes there is no significant unmet demand for taxis in Birmingham.

- 4.3 The Executive Summary can be found at appendix 1 and the full text of the report is available at appendix 2, which can be downloaded from <https://www.birmingham.gov.uk/taxi-unmet-survey>.

5. Consultation

- 5.1 Over 260 hours of rank observation were undertaken, as well as consultation with the public, the trade, and other stakeholders such as disability groups, hotels, supermarkets, nightclubs, hospitals, restaurants etc. The results of this consultation are detailed within the Survey Report.
- 5.2 Trade representatives had the opportunity to meet with Ian Millership and discuss the initial findings of the survey, an opportunity which was enthusiastically taken up and resulted in a useful and well attended meeting.

6. Implications for Resources

- 6.1 The cost of commissioning and funding the survey has been met from fees collected in connection with the licensing of hackney carriage drivers and vehicles and maintained within budgets available to your Committee.

7. Implications for Policy Priorities

- 7.1 Establishing levels of unmet demand contributes to the aim of promoting improvements in the standards of services provided by licence holders and is compatible with our mission statement: Locally accountable and responsive fair regulation for all – achieving a safe healthy, clean, green and fair trading city for residents, business and visitors.

8. Public Sector Equality Duty

- 8.1 The actions described and recommendations made in this report are required to comply with Best Practice Guidance issued by Department for Transport. Whether the Committee decides to maintain or remove the moratorium, the decision will not have an adverse impact on the protected characteristics of licensed drivers or their customers. Consequently an Equality Analysis has not been completed in respect of this decision.

ACTING DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Nil