



Committee: LICENSING COMMITTEE

Date: THURSDAY, 16 MARCH 2023

Venue: MORECAMBE TOWN HALL

Time: 1.00 P.M.

A G E N D A

1. **Apologies for Absence**

2. **Minutes**

Minutes of meeting held on 5 January 2023 (previously circulated).

3. **Items of Urgent Business authorised by the Chair**

4. **Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

Matters for Decision

Exclusion of the Press and Public

5. **Exempt Items**

The Committee is recommended to pass the following recommendation in relation to the following items:

"That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that it could involve the possible disclosure of exempt information, as defined in

paragraph 1 of Schedule 12A of that Act.”

Councillors are reminded that, whilst the following items have been marked as exempt, it is for the Committee to decide whether or not to consider them in private or in public. In making the decision, Councillors should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and also whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In considering their discretion, Councillors should also be mindful of the advice of Council officers.

6. **Existing Dual Drivers Licence Holder** (Pages 4 - 16)

Report of the Licensing Officer

7. **Existing Dual Drivers Licence Holder** (Pages 17 - 24)

Report of the Licensing Officer to follow

The press and public will be re-admitted at this point

8. **Annual Report - Licensing Service** (Pages 25 - 33)

Report of the Licensing Manager

9. **Licensing Workplan 2023** (Pages 34 - 42)

Report of the Licensing Manager

10. **Area Demand Survey 2022/23** (Pages 43 - 124)

Report of the Licensing Manager

11. **Review of Licensing Fees for Animal-related Licensing** (Pages 125 - 130)

Report of the Director for Communities and the Environment

12. **Review of Licensing Fees for Taxi/Private Hire and Miscellaneous Licensing** (Pages 131 - 137)

Report of the Licensing Manager

Published 15 March 2023

ADMINISTRATIVE ARRANGEMENTS

(i) **Membership**

Councillors Colin Hartley (Chair), Mike Greenall (Vice-Chair), Fabiha Askari, Gerry Blaikie, Roger Cleet, Andrew Gardiner, Jake Goodwin, Tim Hamilton-Cox, Sally Maddocks and Margaret Pattison

(ii) **Queries regarding this Agenda**

Please contact Democratic Services - email democracy@lancaster.gov.uk.

(iii) Changes to Membership, or apologies

Please contact Democratic Support, telephone 582000, or alternatively email democracy@lancaster.gov.uk.

MARK DAVIES,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on , 2023.

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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LICENSING COMMITTEE**Annual Report – Licensing Service****16 March 2022****Report of Licensing Manager****Annual Report****PURPOSE OF REPORT**

To provide an annual report to members of Licensing Committee on private hire/hackney carriage related matters, including volume of applications, complaints, and enforcement activity.

This report is public.

RECOMMENDATIONS

- (1) That members note the contents of the report.

1.0 Introduction

- 1.1 At the meeting of Licensing Committee on 3rd February 2022 members approved the Private Hire and Hackney Carriage Licensing Policy. Point 3.13 of the policy states the following in terms of reporting on Licensing Authority performance.

Licensing Officers will provide an annual report to the Licensing Committee outlining the number of private hire/ hackney carriage related applications received, the determination of those applications, and highlighting the number of applications where the decisions were made not in accordance with the Councils policy.

The report will also provide details of the number of complaints received in respect of drivers/ vehicles and operators and an overview of the nature of complaints and how the complaints were dealt with.

The annual report will also include an overview of any legal cases and appeals.

- 1.2 Attached at **Appendix 1** is a summary of the collated information for 1st January– 31st December 2022.

2.0 Applications

- 2.1 The Licensing service deals with a variety of Hackney Carriage and Private Hire applications, many of which are determined by Officers under delegated powers. Members are only party to decision-making in certain circumstances, it is therefore important to highlight the volume of applications received, the outcomes and highlight any exceptional cases. This will assist when reviewing application standards and the hackney carriage and private hire licensing policy.
- 2.2 The table below shows the type of licences currently issued by Lancaster City Council and administered by the Licensing service; it equates currently to 878 active hackney carriage and private hire related licences in the Lancaster district. There were 788 licences active in 2021 which shows an 11% increase in total numbers.

Type Of Licence	Total no. active licences	Duration (licence length)
Private Hire Drivers	41	1 or 3 Years
Hackney Carriage Drivers	26	1 or 3 Years
Dual Licensed Drivers (HC and PH)	427	1 or 3 Years
Private Hire Vehicles	225	4/6/12 Months
Hackney Carriages	108	4/6/12 Months
Private Hire Operators	51	1 or 5 Years

- 2.3 The number of new drivers' (44), vehicles (21) and operator (1) licences issued in the calendar year has been higher than the previous year. There has been a 175% increase in new driver applications as a direct result of the funding that was made available to applicants as part of the covid recovery response.
- 2.4 Licences are subject to renewals, if a matter arises upon application to renew a driver's licence that may call into question the driver's fitness, e.g. a relevant conviction or motoring offence; this decision is delegated to Licensing Committee. If the renewal application meets the required standard, officers administer and issue the licence. A total of 97 drivers renewed their licence in 2022. (Hackney carriage, private-hire and dual)

On 3 occasions during that time members were required to determine driver renewal applications. In all 3 occasions members departed from Council policy (as permitted) and the licence was granted.

The first case was due to a driver having a relevant conviction. Members made the decision to depart from the policy as the driver had a clean history and members felt that a warning letter was most appropriate in the circumstance.

The second case was also a driver with a relevant conviction. Members made the decision to depart from the policy as they were satisfied with the drivers account of the offence. No further action was taken.

The third case related to a driver receiving 6 points on their DVLA licence for using a mobile handheld device when driving. Members made the decision to depart from policy as the driver gave a reasonable explanation for their behaviour, apologies and assurances were offered as part of their submission to members. No further action was taken.

- 2.6 On 2 occasions members were required to review the suitability of two licensed drivers.

The first driver had 9 points on their DVLA drivers licence. Members made the decision to depart from the Council policy and to suspend the drivers licence until they had attended the Taxi Remedial Course with Blue Lamp Trust. The driver attended and passed the course prior to the suspension taking effect.

The second case was due to a relevant conviction. Members made the decision to depart from the policy due to the long clean licensing history of the driver in question and were satisfied it was an isolated incident. The driver received a warning letter.

- 2.5 Vehicle licences are renewed at 4/6/12 monthly periods depending on the age of the vehicle, therefore each of the 333 licenced vehicles have renewed their licence at least once within the 12-month period.

Vehicles are tested prior to licensing by the Councils Vehicle Maintenance Unit. The total number of vehicle tests carried out, including retests, tests following an accident and standard testing in relation to age of vehicle is 691.

3.0 Summary of Complaints

- 3.1 62 complaints have been reported and investigated by the licensing service between 1st January 2022 and 31st December 2022. Unfortunately, the system that the Licensing team record all complaints on is unable to break the total number of complaints down into categories of licence types or nature of complaints.

- 3.2 Complaints usually relate to one or more of the following:

- Driver or Operator Conduct
- Vehicle Safety
- Driving Standards
- Overcharging/Long Routes
- Cleanliness
- Lack of Customer Care

Complaints in the last 12 months have included allegations of the following:

(Poor driving standard, unauthorised vehicle signage, no availability of wheelchair accessible vehicle, driver asking inappropriate, personal questions, unclean driver and vehicle, drivers who have not assisted elderly passengers, that have acted impatiently or without empathy)

- 3.3 When the licensing service receives a complaint, it is allocated to an investigating officer. That officer then collates all relevant information, which can include obtaining CCTV, statements from witnesses, liaison with Police and checking booking records etc. Part of the process is to also inspect the internal client records of the licensed driver/operator. This may show the complaint as a one-off incident or highlight a pattern of behaviour which is of concern. It is those cases that are presented to Licensing Committee.
- 3.4 Licence holders are notified of any complaint made against them and given the opportunity to respond to any allegation made, in addition, witnesses are often sought; in most reported complaints, it is one parties word against another and difficult to prove/disprove any wrongdoing. That is the importance of up to date, thorough record-keeping, so trends or pattern of behaviour can be identified, and the appropriate course of action swiftly taken.

- 3.5 As part of the updated licence conditions for Private hire operators (PHO), they must adopt, implement, review, and update their customer service and complaints policy which includes managing the conduct of drivers and the timeframe for responding to complaints. Listed in the conditions are specific requirements in relation to the handling of complaints and the operator responsibilities. At least every 6 months, the PHO must submit the complaint log to the licensing service.

This will assist the Licensing Authority in ensuring all relevant matters are recorded on the client (driver) records and discussed with the operator to ensure complaints are handled in a consistent, fair manner.

4.0 Enforcement/Compliance Activity

- 4.1 The licensing team undertake a variety of enforcement duties, of both a proactive and reactive manner. Activity is carried out by Council Officers but can involve other agencies such as the local Police, DVSA and Lancashire County Council.

The main purpose of licensing enforcement is to:

- Secure the health, safety and welfare of members of the public who either make use of the licensed activity or who are affected by it in some way.
- Deal immediately with serious risks.
- Promote and achieve sustained compliance with the law.

- 4.2 The total number of inspections carried out on licensed vehicles is 93. 63 of those vehicles inspected have been satisfactory. 13 vehicles have been issued with defect notices which gives the vehicle proprietor a fixed period of time to ensure repair to the vehicle is made. Defects have included, bodywork damage, incorrect signage/positioning of licence plates and cleanliness of vehicle. The number of vehicles suspended is 17 and they were all due to not having a valid insurance certificate, vehicles being off road due to accident damage and poor vehicle standards.

5.0 Appeals and Hearings

- 5.1 In 2022, 3 drivers had their licence revoked. On all 3 occasions drivers appeared before Licensing Committee to have their suitability in terms of fitness and propriety reviewed. This was in light of complaint(s) made to the service and consideration of historic matters.
- 5.2 Members will be aware that any driver aggrieved by the decision of the Licensing Authority can appeal to the Magistrates Court within 21 days of receiving the decision notice. There has been 1 appeal, that was later dismissed by the Magistrates Court. The other two drivers did not appeal within the 21-day appeal period.
- 5.3 One of the revocation cases was an urgent item, the licence was therefore revoked with immediate effect at an Officer level. As members will be aware, urgent items which present a serious risk to the safety of the public are dealt with by the Chair of Licensing Committee and Chief Executive (or Director of Service). In these circumstances a decision is taken and reported back to members at the next scheduled Licensing Committee meeting. For members information, the immediate revocation related to a

complaint received that related to a driver inappropriately touching a female customer. It was reported to this Committee in January 2022.

- 5.5 There has been 1 revocation of a private hire operator's licence, this was in response to a complaint received by the Licensing Service. The licence holder also had their drivers licence revoked. This decision was appealed to Magistrates Court, who found in the Councils favour and upheld the decision.

It would be unusual for vehicle licences to be the subject of a hearing or appeal. Members would only hear matters in relation to vehicles if an application fell outside of the relevant vehicle specification or application procedures. e.g. Removal of plates/signage request/Tuk-tuk licensing etc

6.0 Licensing Workplan

- 6.1 Actions completed since previous update:

- Increased number of licensed drivers operating in the district (Scheme ends 31 March 2023, 31 1-year licences issued)
- Implemented Private Hire and Hackney Carriage Licensing Policy (April 2022)
- Recruitment of Licensing Officer, Jasmine Elkins
- Re-introduced Commercial Services (Several local businesses have utilised paid services post covid)
- Hackney Carriage Fare Review
- Introduced Electronic Booking System for Vehicle Tests
- Hackney Carriage Unmet Demand Survey (Every 3 years)

- 6.2 The Licensing workplan (2023) provides an overview of planned project work for the year, it does not deal with the day-to-day routine activities of the team which would have to take priority over planned reviews and developments. The work plan contains project work, service and policy reviews that have been identified over the last few years as areas that will need scrutiny and review.

- 6.3 The work plan for the service did highlight a number of key tasks to be actioned in the next 12 months in relation to hackney carriage and private hire licensing, all with varying frequency and priority status.

The workplan includes;

- Promotion of Commercial Services
- Review of the Councils Statement of Licensing and Gambling Policy
- Street Trading Review (Consent and Licence Requirements)
- Hackney Carriage Stands – Comprehensive Review of locations, signs and lines.
- Licensing fee review – Full cost recovery exercise
- Multi-agency operations
- Hackney Carriage Fare Review (Annual Requirement)

7.0 Conclusion

- 7.1 There are 878 active hackney carriage and private hire licences operating in the Lancaster district. The Licensing service are responsible for the administration, compliance and enforcement associated within the relevant licensing regime and legislation for each of those licences.
- 7.2 The private hire and hackney carriage licensing policy became effective on 1st April 2022, since then the licensing service has worked alongside the local trade to ensure compliance, with awareness and education being a priority. Investigations and inspections are important to ensure compliance from licence holders, Licensing officers are proactively and reactively responding to reports and complaints to ensure public safety is maintained. Vehicle inspections and standards have seen improvement, with the complete fleet now under the requirements of the new policy. (April 1st, 2023).
- 7.3 Progress is being made with the 2023 licensing workplan, each item will be prioritised based on local need and resources within the department and each item reported to Licensing Committee at the appropriate time.

CONCLUSION OF IMPACT ASSESSMENT

(Including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):

None identified

LEGAL IMPLICATIONS

None identified

FINANCIAL IMPLICATIONS

None identified

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

None identified

SECTION 151 OFFICER'S COMMENTS

The report is for noting, no comments required.

MONITORING OFFICER'S COMMENTS

The report is for noting, no comments required.

BACKGROUND PAPERS

Contact Officer: Miss Jennifer Curtis
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Email: jcurtis@lancaster.gov.uk
Ref: AR2023

Information to be included in annual report

Number of Licensing applications determined

Type of application	Licence granted		Licence refused	
	Application within policy	Application outside of policy	Application within policy	Application outside of policy
PH driver new	1	0	0	0
PH driver renewal	8	0	0	0
HC driver new	0	0	0	0
HC driver renewal	5	1	0	0
Dual driver new	43	0	1	0
Dual driver renewal	84	2	0	0
PH vehicle new	21	0	0	0
PH vehicle renewal	124	0	0	0
HC vehicle new	0	0	0	0
HC vehicle renewal	78	0	0	0
PH Operator new	1	0	0	0
PH Operator renewal	18	0	0	0

Number of compliance visits/ inspections

Licence	Numbers undertaken		
	Satisfactory	Verbal/ written warning	Formal action (Defect Notice issued for vehicles)
PH Drivers	0	0	0
HC Drivers	0	0	0
Dual driver	0	0	0

PHV (vehicle test)*	448	0	0
HCV (vehicle test)*	243	0	0
PHV inspection**	23	0	8
HCV inspection**	40	0	5
PHO	1	0	0

PHV/ HCV test * denotes vehicle test as part of licence application process at VMU

PHV/HCV inspection** denotes reactive inspection undertaken by licensing officers during the course of the licence

Use of suspension and revocation provisions

Licence	Suspension		Revocation	
	Immediate	Delayed	Immediate	Delayed
PH driver	0	0	0	0
HC driver	0	0	0	0
Dual licensed driver	0	0	1	2
PHV	10	0	0	0
HCV	7	0	0	0
PHO	0	0	0	1

Complaints – Total Number 62

62 complaints have been reported and investigated by the licensing service between 1st

January 2022 and 31st December 2022. Unfortunately, the system that the Licensing team record all complaints on is unable to break the total number of complaints down into categories of licence types or nature of complaints.

Licence	Complaints			
	Driver or operator conduct/ Vehicle safety	Driving standards	Overcharging / long routes etc	Cleanliness
PH driver	x	x	x	x
HC driver	x	x	x	x
Dual licensed driver	x	x	x	x
PHV	x	x	x	x
HCV	x	x	x	x
PHO	x	x	x	x

X denotes not applicable

LICENSING COMMITTEE**Proposed Licensing Work Plan 2023****16 March 2023****Report of Licensing Manager****PURPOSE OF REPORT**

To seek The Committees approval (with or without modification) of the proposed Licensing work plan for 2023.

The report is public

RECOMMENDATIONS

- (1) **That the attached draft Licensing work plan for 2023 be approved by the Committee with or without modification**

1.0 Introduction

- 1.1 The proposed work plan attached at **Appendix 1** provides an overview of planned project work for the year 2023. The work plan does not deal with the day-to-day routine activities of the team which would have to take priority over planned reviews and developments.
- 1.2 The work plan contains project work, service and policy reviews that have been identified over the last few years as areas that will need scrutiny and review. The committee may already be familiar with a substantial number of the elements identified in the work plan as matters previously raised by or discussed by this committee or require annual consideration.
- 1.3 The committee may wish to add to, remove or otherwise modify the workplan.

2.0 Proposal Details

- 2.1 The proposals detail planned project type work in relation to Licensing Act activities, taxi licensing and street trading. Additional projects may be required dependent upon any changes to national guidance, legislation, case law or other relevant consideration

3.0 Details of Consultation

- 3.1 There is no plans to undertake any formal consultation regarding the proposed work plan, other than to seek committees' approval with or without amendment to the draft

work plan outlined at **Appendix 1**.

4.0 Officer Preferred Option

- 4.1 For committee to agree the attached work plan noting the indicated priorities given for each of the items it contains.

5.0 Conclusion

- 5.1 The work plan as proposed contains key reviews and developments that the Licensing Manager considers to be key priorities and deliverable within the timeframe set.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):

The work plan identifies a number of policy reviews which will be subject to impact assessments as appropriate.

LEGAL IMPLICATIONS

Each policy review will be conducted within the appropriate legal framework and compliance with best practice guidance where appropriate.

FINANCIAL IMPLICATIONS

Any financial implications arising from individual elements of the work plan will be detailed in the specific reports.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

SECTION 151 OFFICER'S COMMENTS

MONITORING OFFICER'S COMMENTS

BACKGROUND PAPERS

None

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Licensing Team
Proposed Project Workplan 2023/24

Project	Scope	Reason	Risks	Timeline	Update February 2023
Promote Commercial services	To promote paid service "Licensing Direct" and Personal licensing training courses.	<p>To assist business recovery post pandemic.</p> <p>Provide an opportunity to generate income.</p>	<p>Reduced capacity in team to meet demand (Sickness/Annual Leave)</p> <p>Sourcing Trainers</p>	Ongoing	<ul style="list-style-type: none"> A number of LD services have been utilised by local businesses in January 2023 (3). To generate further income for the service, marketing of the services offered is required.
To review the Councils Statement of Licensing Policy (Valid for 5 years)	Review content and aspirations of the Council in terms of how it will deal with Licensing Act 2003 matters, including applications, hearings, reviews and enforcement.	Statutory Requirement	Legal Challenge	March 2023 – June 2023	<ul style="list-style-type: none"> Urgent Review Required.
To review the Councils	Review content and aspirations of the Council in terms of how it will deal with	Statutory Requirement	Legal Challenge	March 2023 – June 2023	<ul style="list-style-type: none"> Urgent Review Required.

Statement of Gambling Policy (Valid for 3 years)	Gambling Act 2005 matters, including applications and enforcement.				
To produce model Licensing conditions for use with Licensing Act applications, variations and reviews	<ul style="list-style-type: none"> To assist applicants, responsible authorities, Committee and other persons in proposing licensing conditions relevant to individual licensing applications, variations and reviews. The availability of a pool of conditions which all parties have access to will promote consistency and will assist enforcement. To produce a pool of Licensing conditions which are clear, appropriate and enforceable A draft document will be produced for the Committee with a request for the committee to agree consultation prior to consideration of proposals and consultation responses received 	<ul style="list-style-type: none"> Efficiency Consistency Support for Licensing Direct commercial service 	None identified. Use of model standards would not prevent use of bespoke conditions if required.	Alongside timeline for SoLP March 2023 – June 2023	<ul style="list-style-type: none"> Will form part of the Statement of Licensing Policy Review
Review of street trading Policy	<ul style="list-style-type: none"> To liaise with colleagues in Economic Development, Public Realm and Food Safety Team regarding potential improvements to the current street trading policy in respect of consent/ licence and prohibited streets for street trading 	<ul style="list-style-type: none"> The current policy does not take account of where on permitted streets trading can take place To help ensure a balanced and level 	<ul style="list-style-type: none"> Some mobile traders may lose income and become unsustainable 	Low Priority – Resource intensive	<ul style="list-style-type: none"> Licensing Manager pulling together info from relevant departments available to the public and

	<ul style="list-style-type: none"> • Ensure that permitted street traders are subject to appropriate public safety checks • Formal consultation regarding any proposed changes 	<p>playing field approach between high street businesses and mobile street traders</p> <ul style="list-style-type: none"> • To help avoid mobile traders locating outside inappropriate locations e.g. schools • Options to introduce a charging policy and increase revenue 			aligning with legislation.
Review of hackney carriage rank provision	<ul style="list-style-type: none"> • It is understood that Lancashire County Council intend to conduct a review of hackney carriage rank provision across the County. The Council welcomes this and would seek to work in partnership with the County Council and Lancaster Councils hackney carriage trade • That the hackney carriage trade be invited to provide written proposals regarding hackney carriage rank provision at the earliest opportunity 	<ul style="list-style-type: none"> • To improve availability of Hackney carriages to the public 	<p>Failure to review ranks regularly will lead to issues of non-compliance and or out of date signs and lines.</p> <p>The trade requires ranks in suitable locations.</p> <p>Difficult to establish Officers</p>		<ul style="list-style-type: none"> • No work has commenced on this project. • A number of ranks have been affected by roadworks, with many being inaccessible without warning.

	so that these can form part of the first stage of the review		at Highways to assist with review		<ul style="list-style-type: none"> A number of HC ranks were updated by LCC following contact with Highways. (Nov 21) Current Unmet demand survey may provide some insight into rank activity and highlight area for attention or concern.
<p>Hackney Carriage Fare Review 2024/25</p> <p>Annual Requirement</p>	<ul style="list-style-type: none"> Methodology and frequency of fare reviews was determined by the Council Cabinet in April 2022. It was determined that RPI (retail price index) would continue to be used as a methodology and reviews are to be conducted annually. Using RPI rate from November and rounding down calculations to the nearest 5p. 	<ul style="list-style-type: none"> To ensure fares reflect the cost of living. 	<ul style="list-style-type: none"> Further decrease in availability of drivers/vehicle in the District – licensed trade becomes unsustainable 	November 2023	<ul style="list-style-type: none"> Current review ongoing, Advertising and Consultation required, consideration given to public/trade before updated fares come into force on a specified date.

					<ul style="list-style-type: none"> Keeping abreast with developments with alternative methodology, no further progress with IoL. Annual review to begin November 2023.
Licensing Fees review	<ul style="list-style-type: none"> Licensing Manager to conduct a full Licensing fee review based on full cost recovery. 	Licensing Fees were maintained in 2022 – no review was undertaken	<p>Fees were frozen as part of the covid response, adjustments may be required to ensure full cost recovery.</p> <p>Legal Challenge - Judicial review</p>	To implement new fees from April 2023	<ul style="list-style-type: none"> Benchmarking is being undertaken with Lancashire and Cumbrian Authorities. Costing exercise completed with service accountant
Multi-Agency Vehicle Operation	<ul style="list-style-type: none"> Planned Operation with partner agencies, Lancashire 	<ul style="list-style-type: none"> To ensure the licensed fleet of HC/PHVs are 	<ul style="list-style-type: none"> Members of the trade become 	Spring /Summer 2023	<ul style="list-style-type: none"> Planning has begun, Licensing

	<p>Constabulary/DVLA/VOSA .</p> <ul style="list-style-type: none"> Provides an opportunity to complete a high number of vehicle inspections, check compliance with licence conditions. The trade will not be notified of when the operation will be conducted, if requested they will be required to present their vehicle for inspection. 	<p>mechanically fit and roadworthy.</p> <ul style="list-style-type: none"> Additionally, that condition/signage requirements are met. 	<p>complacent regarding compliance with licence conditions, leading to a poorly maintained fleet.</p>		<p>Officers have engaged with partner agencies to co-ordinate availability and confirm location.</p>
Scrap Metal Compliance and Enforcement Activity	<ul style="list-style-type: none"> Ensure all those operating in/around the District have the relevant licences To improve compliance and standards in the District Facilitate a multi-agency approach, involving internal and external partners 	<ul style="list-style-type: none"> It has been highlighted that the number of licensed Scrap Metal Dealers has reduced since legislation/licensing requirements in 2013 Compliance visits and spot checks have not been conducted in previous years due to other service priorities 	<ul style="list-style-type: none"> Illegal activity in the District increases, putted added pressure on colleagues in other departments and external partners eg. Police 	Throughout 2023	<ul style="list-style-type: none"> Licensing Officers conducting checks on previous licence holders, encouraging application if business operation remains. Contact(s) made through Waste crime group Staged approach to enforcement.

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Colour coding Key (priority)

	Lowest Priority
	Medium Priority
	Highest Priority

Colour coding Key (Progress)

	On track or completed
	Behind schedule but progressing ok
	Significantly behind schedule, delayed, at risk or no progress

LICENSING COMMITTEE**AREA DEMAND SURVEY 2022/23****16 March 2023****Report of the Licensing Manager****PURPOSE OF REPORT**

To enable Members to consider the findings of the survey conducted by LVSA (Licensed Vehicle Surveys and Analysis).

This report is public.

RECOMMENDATIONS

Members are asked to consider the final report from the survey provider, LVSA (Licensed Vehicle Surveys and Analysis), and to consider what action to take in the light of the findings of the survey.

1.0 Report

- 1.1 Lancaster City Council currently limit the number of hackney carriage proprietors' licences at 108. This is detailed in section 5 of the Private Hire and Hackney Carriage Licensing Policy implemented by Licensing Committee in April 2022.
- 1.2 The Transport Act 1985 (s16) provides the key legal provision in respect of numbers of hackney carriages to be licensed. This provides that the grant of a taxi (hackney carriage) licence may be refused, for the purpose of limiting the numbers of licensed taxi 'if, but only if, the local licensing authority is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet'.
- 1.3 In maintaining such a policy the Council must provide evidence that there is no significant unmet demand for hackney carriage services within the area in order to be in a position to refuse any new applications for additional licences. For this purpose, it is considered necessary to commission an independent survey to assess the level of demand for hackney carriage services, and that such survey should be conducted by an organisation specialising in this area of work.
- 1.4 Members may recall that in late 2019 a hackney carriage area demand survey was carried out by LVSA (Licensed Vehicle Surveys and Analysis) on the Council's behalf; It concluded that there was no significant unmet demand for hackney carriages and recommended that the Council maintain the existing policy restricting the number of hackney carriages licensed to 108.

There is a general acceptance that the findings of hackney carriage demand surveys are valid for no longer than three years. Therefore, a further survey was required in 2022/23.

- 1.5 In November 2022, a report was brought before Licensing Committee for noting, it outlined a proposal from LVSA (Licensed Vehicle Surveys and Analysis) to undertake the area demand survey for 2022/23. LVSA (Joint trading name of CTS Traffic and Transportation Ltd and Vector Transport Consultancy) have been the providers of the area demand survey on behalf of Lancaster City Council on 4 previous occasions.
- 1.6 The final report outlining the findings of the area demand survey are attached at **Appendix 1**.

Members will note from the attached report that on the basis of the analyses conducted, LVSA has concluded that there appears to be no significant unmet demand for hackney carriages at this time.

Summary

- 1.7 This latest unmet demand survey for Lancaster saw the principal information gathered between November 2022 and February 2023. Rank observations were undertaken in mid-November, on-street interviews in late November, and driver views obtained by mid-February 2023. Key stakeholders were approached throughout the survey period.

Vehicles

- 1.8 The graphs on page 16 of the reports provides some background information in respect of licensing statistics. It shows the two small additions made to hackney carriage vehicle numbers around 2000 and 2008 and marginal reductions in the total numbers in 2004, 2012 and 2022 (although the latter only represents the fleet available at the time of the survey, with one plate not on issue at that time). There are now 12% more hackney carriage vehicles than in 1994 but 49% more private hire.

However, private hire vehicle numbers, not limited, and directly theoretically responsive to market levels of need, saw their maximum growth between 1997 and their peak in 2005. Since that time, there has been a general trend of reducing numbers although they saw 8% growth just before the last survey but then declined by 21% (a decline already starting pre-pandemic but worsened by it) before finally seeing some growth again from the time of the DfT review in March 2022 to the time of the rank survey in November 2022.

This means the proportion the hackney carriage vehicles are of the fleet has dropped from 43% in 1997 to 36% at the current time (was 31% in 2019), although this remains a high proportion for an area with long term hackney carriage vehicle limits. The local fleets have a number of private hire companies for whom hackney carriages regularly work which means the two fleets are far from distinct. In this case it appears that many private hire vehicles have been supplanted by hackney carriages that also spend a significant proportion of their time on private hire operating circuits due to low rank demand levels.

Drivers

- 1.9 There has been a switch towards dual driver licences, although this transfer is not complete and it appears the level of those retaining vehicle type specific licences seems to have stabilised. Although this generally led to a reduction in overall apparent driver numbers until 2017 (reflecting the removal of duplicate holdings)

there was some growth just before the last survey although after that decline returned, again with the low point occurring at the time of the 2022 DfT data collection, with a slight upturn since.

The graph at this time is suggesting the low point has been reached in driver and vehicle numbers and that an upturn has begun.

Private Hire Operators and wheelchair accessible vehicles (WAVS)

- 1.10 The graph on page 18 shows a very similar profile for operator numbers compared to overall private hire vehicle numbers. The slight evidence of stability around the last survey did not last, and recent information suggests a general decline in operator numbers.

With reference to WAV style vehicles, the number of formal WAV in both fleets has remained stable at 15 vehicles each since the 2021 DfT survey. However, the private hire level rose from none in 2016 to the current 8% now (a level stable over the last 18 months).

Considering the overall level of WAV (wheelchair accessible vehicles) in the licensed vehicle fleet using the March 2022 DfT statistics, Lancaster has around 10% of its total vehicle fleet (hackney carriage and private hire) that are WAV style.

Rank Observations

- 1.11 The sample of rank hours observed was used to produce an estimate of the typical level of patronage at each rank. The table at page 23 of the report shows the resulting average weekly estimates of rank usage by passengers and compares this to results available from previous surveys.

The headline from the table is that total weekly estimated demand for the service of hackney carriages from ranks in the Lancaster licensing area has halved since the last survey. The estimated level is some 70% less than the peak value observed in 2010. Whilst there had been decline from 2010 through the next two surveys, the level of demand between the 2016 and 2019 surveys had remained stable giving signs of hope that the rank stability had led to passenger stability. The pandemic – or other factors – have clearly seen hackney carriage rank demand reduce significantly.

General public views

- 1.12 A key element which the 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 the 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. (Pages 31-38 of the report)

Stakeholder views

- 1.13 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

Generally, little feedback was obtained from stakeholders. The council licensing section are not aware of any other issues about availability of licensed vehicles being raised, which suggests there are no significant issues since people would tend to make their views known were there any such issues as established contacts are already in place between the licensing service and stakeholders.

Trade stakeholder views

- 1.14 The survey providers and licensing made use of internal contact details and ensured members of the trade were contacted and reminded to share their views via an online questionnaire, alternatively they could provide written response. (Brackets indicate 2019 figures for context)

There were only 12 (five last time) responses received, 50% (40%) from hackney carriage, 33% (40%) from private hire and 17% (20%) from those that drove both kinds of vehicle. Of these, two thirds said the licensed vehicle trade was their only or main source of income. 25% were part of the trade but not presently working although intending to return when demand had increased again, with one person (8%) being a part time trade person who had other sources of income. None of those responding said they did not plan to return.

The drivers responding had an average of 14 (16) years' experience but ranging from recent starters to 30 years (eight to 28).

There were a lot of pessimistic responses about impact of the pandemic although quite a few were more hopeful looking forward. Several were clear they had taken other jobs and one was not sure if they would renew their licence when it ended. Of those responding, 44% took immediate hire from bookings, 38% immediate hire from ranks and 19% advanced hire work.

Page 42 and 43 details their responses to the questionnaire.

Five of the twelve respondents made further comments. One asked for the return of the taxi forum. One felt passengers were not aware of the difference between hackney carriage and private hire and also stated that Penny Street and North Road ranks both saw significant issues with private cars parking on them and preventing hackney carriages using them. Another pointed out the low level of rank work and the low morale, which was leading to potential customers picking up the negative mood of the trade. They felt that adding any more hackney carriages would probably lead to more leaving the trade than joined.

The overall tone of the responses were relatively concerned for the future. One suggested the limit was one of the few positive points at the present time.

Conclusions

- 1.15 The independent collation of evidence of demand for hackney carriages in the Lancaster licensing area found a very disturbing picture of a strong decline in use of hackney carriages across the authority area. This covers reductions in both volume and extent of ranks used. Morecambe now effectively only has one, daytime only, rank. Lancaster has two ranks, one more attuned to night demand, plus the private

rank whose patronage has naturally reduced with decline in rail patronage not yet returned to pre-pandemic levels. Ironically the peak usage of the rail station matched the last survey period almost exactly, making the differences observed worse.

The overall evidence is that the current limit on hackney carriage vehicle licences is providing the last vestiges of stability but is providing public benefit to those using licensed vehicles in the area. Without the limit the decline in usage may well have been much worse. However, if hackney carriages are to remain a key part of public transport provision in Lancaster, urgent action is needed to keep them.

It is essential to make sure that the North Road rank is strongly protected from private vehicle usage. Zero tolerance of abuse at all times is needed. To ensure this is possible, it may be necessary to extend the rank even further. This could be achieved by giving up the many unused rank spaces within the town. The all-day space needs to be for two vehicles, perhaps moving partly backwards into the heavily abused double yellow line section. The night section needs to begin operation at 20:00 or even 18:00 once the use for loading ceases, not leaving a gap in between where other vehicles can get established.

A decision is needed if Penny Street needs to be retained or not. The present location has around six spaces. It might be more appropriate to reduce this to two spaces but design them to be much more clearly a rank, and then ensure they are enforced. However, this should only be undertaken if the trade commit to using the rank. The public strangely said they used it.

Discussion is needed with the trade, and perhaps with the night trade in Morecambe if a better night rank provision is needed there. The former rank there which was much more easily enforceable and obvious was always much more highly used. It may be, however, that this demand has now moved to private hire and app-based (almost certainly using the same vehicles but not rank-based).

If the Council wish to retain an active hackney carriage rank-based operation in the authority, the limit should be retained although it is possible that the number could be set as a moratorium on new plates rather than a fixed limit, allowing the level of plates to reduce. The actual rank-based demand element of the hackney carriage trade clearly cannot support anywhere near as many vehicles.

2.0 Options

The options available to members are:

- a) To note the contents of the survey findings, and;
- b) To maintain the existing policy restricting the number of hackney carriage licences and to restrict the number to 108.
- b) To consider reviewing the existing policy on the issue of hackney carriage licences.

3.0 Conclusion

- 3.1 Lancaster City Council currently limit the number of Hackney Carriage licences to 108. In doing so, an independent survey must be conducted every 3 years to ascertain if there is any unmet demand for the services of hackney carriages in the local area. The outcome of the survey can be used to support any refusal of

applications for hackney carriage licences and steer officers and members when proposing policy matters.

- 3.2 An independent survey has been conducted by LVSA (Licensed Vehicle Surveys and Analysis). A joint trading name of CTS Traffic and Transportation Ltd and Vector Transport Consultancy. They have conducted the survey on behalf of Lancaster City Council on 4 previous occasions.
- 3.3 As set out in the survey, the methodology for assessing usage/demand and providing a comprehensive evidence-based summary of the area demand for hackney carriages included trade consultation, public views, analysis of rank-based demand, including direct observation and engagement with key stakeholders.
- 3.4 The 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 the point in time the survey was undertaken. The committee is therefore able to retain the current limit and do so at its present level. There is specifically no need to add any further licences. There could be a clear case for not renewing any spare licences that might appear.
- 3.5 The committee must determine if it considers retention of a rank-based hackney carriage operation important to the area. If so, significant action needs to be encouraged some of which is beyond the remit of the licensing service. In essence, current used ranks need strong and zero tolerance enforcement at all times, and up to three ranks need to see significant development, which requires action and agreement from Lancashire highways.
- 3.6 Members are asked to consider the report and survey findings and determine whether to limit the number of hackney carriages to 108. Additionally, members may wish to review current policy on the issuing of hackney carriage licences. Members will recall that as part of the private hire and hackney carriage licensing policy consultation and review, members decided a further 2 hackney carriage licences could be issued, the requirement was that the vehicle(s) had to be zero emission and wheelchair accessible – no applications have been received to date.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

There are no such implications arising from this report.

FINANCIAL IMPLICATIONS

There are no financial implications arising from the report at this stage. The costs associated with the area demand survey are recovered directly through hackney carriage licence fees, with 108 vehicle proprietors paying a proportion of the cost of the survey over 3 years. (Approx £93.00 per licence holder)

Should Members be minded reviewing the policy on limiting the number of licences issued, the budget implications would be explored further at that stage.

LEGAL IMPLICATIONS

There are no direct legal implications at this stage. If Members are minded continuing to

limit the number of licences to 108, the detailed analysis conducted by LVSA would be used to support refusal of any subsequent application for an additional hackney carriage licence.

BACKGROUND PAPERS

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Lancaster City Council
Unmet demand survey
March 2023

Executive Summary

This survey of unmet demand for hackney carriages has been undertaken on behalf of Lancaster City Council following the guidance of the April 2010 DfT Best Practice Guidance document, and all relevant case history with reference 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 with respect 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.

Rank usage in the area has halved since the last survey which occurred just in advance of the pandemic (but was not impacted by it). Despite reduced usage of hackney carriages at ranks, unmet demand has increased but not to a great extent, and the level of significance of unmet demand value is just under 9, a long way from the level of 80. Even if the private station rank performance is added in the level only rises to just under 42. The permit requirement at the station is clearly leading to worse service than would otherwise occur, but that issue is outside the influence of the Council.

The level of usage by people travelling in wheel chairs in the area is exactly the same now as in the last survey – an important and valuable benefit. Latent demand both in terms of asking people and in terms of measuring those walking away is actually reduced, showing improved passenger confidence that a hackney carriage will arrive if you wait. Passenger surveys show a big shift to use of apps, and in some cases app usage may be considered to be hailing, which is a public safety concern. The level of paid journeys per vehicle per day was very low in the last survey – 4.9; that value is now 2.7 and it is clear that no hackney carriage can survive on rank passengers alone.

The present survey found a very changed picture of a strong decline in use of hackney carriages across the authority area. Both volume and extent of ranks used has reduced. The current limit on vehicle licences appears to be the last vestige of any stability for the hackney carriage fleet. It does appear to provide public benefit to the area – without it there would have been much more significant reduction in hackney carriage vehicle numbers.

The situation is at the point that the limit could now be amended to be a moratorium on issue of new hackney carriage plates, which would mean there might end up some reduction in plates although often setting such a policy can perversely lead to some holding on to licences due to their perceived value.

If hackney carriages remain an important feature of the licensed vehicle and public transport service of Lancaster City, urgent action is needed to keep them viable. Actions are needed regarding protecting ranks for hackney carriage usage – particularly at North Road. If Penny Street is to be retained it needs revision and encouragement for use by both passengers and trade. Serious discussion is needed about if night rank provision is needed in Morecambe or not. The big issue is that provision and revision of ranks requires co-operation with the County and these changes are not within the direct gift of the authority. However, the action is important because abuse of active hackney carriage ranks is a strong matter of public safety.

Further, promotion is needed to confirm to the travelling public in the City and those visiting the differences between hackney carriage and private hire and in particular when you are insured for your journey and not. Exactly what and how you can use an app is also an important matter of education as the blurring between app use and hailing is not as trivial as it might appear.

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1 General introduction and background

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 and who joined forces in early 2017. The combined experience of this joint venture covers in the order of 250 similar studies undertaken since 1999. The contracting company for this survey, CTS, also undertook the previous four surveys for this authority, in 2019, 2016, 2013 and 2010.

Lancaster City 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 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.

The Best Practice Guidance

This review of current policy is based on the Best Practice Guidance produced by the Department for Transport in April 2010 (BPG). 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”.

Several sections of the BPG were revised by the introduction of the “Statutory Taxi and Private Hire Vehicle Standards” (STPHVS) document on 23rd July 2020 (see further detail below). None of these resulted in any material change to the elements regarding unmet demand and its review. At the end of March 2022, consultation began on a fully revised version of the BPG, with responses due back by 20th June 2022 but no final date for acceptance of the revised document. An initial review suggested again no material change in the elements regarding unmet demand and its review.

Legal Background

Current hackney carriage, private hire and operator licensing is undertaken within the legal frameworks first set by the Town Police Clauses Act 1847 (TPCA), 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. This latter Act saw application of regulation to the then growing private hire sector which had not been previously part of the TPCA. Many of the aspects of these laws have been tested and refined by other more recent legislation and more importantly through case law.

Public Experience

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 vehicle' to refer to both hackney carriage and private hire.

Legislative Developments

The legislation around licensed vehicles and their 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 (BPG 2010), the Law Commission review which published its results in 2014, the All-Party Parliamentary Task and Finish Group which reported in September 2018, the Government Response in February 2019 leading to a part revision of BPG 2010, and the 2022 consultation on a more comprehensive BPG 2010 review (BG 22). None of these resulted in any material change to the legislation involved in licensing.

Legislative Additions

There have been some actual changes to legislation (not guidance) put in place over recent years.

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).

In November 2016, the Department of Transport (DfT) undertook its consultation regarding enacting Sections 165 and 167 of the Equality Act 2010. These allowed for all vehicles capable of carrying a wheel chair being placed on a list by the Council (Section 167) leading to any driver that uses a vehicle on this list having 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 so chooses to travel in a seat to make provision for proper and safe carriage of the wheel chair
- To take such steps as are necessary to ensure the passenger is carried in safety and reasonable comfort
- To give the passenger such mobility assistance as is reasonably required

Since enactment in April 2017 issues with discrimination have not reduced as much as expected and further change occurred with one of two 2022 Acts put in place (see below).

The two 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)".

The first 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.

The second 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.

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.

At the time of writing of this report, no date had still been given for formal publication of the new DfT Best Practice Guidance following the close of the consultation period.

Recent Research and Reviews

With respect to the principal subject of this survey, local authorities retain the right to restrict the number of hackney carriage vehicle licenses. 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 horizon also be used for rank reviews and accessibility reviews. In the end, no comprehensive legislative review occurred and the focus is now on the expected updated BPG22.

During the pandemic, the DfT formally advised authorities to delay unmet demand reviews beyond this three-year interval as they advised any review in the midst of the pandemic was not sufficiently typical to be of value. Most authorities accepted this review.

Alternatives to limiting vehicle numbers

A more recent restriction, often applied 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. 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.

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.

Some authorities do not allow vehicles which appear to be hackney carriage, i.e. mainly the London style vehicles, to be within the private hire fleet, whilst others do allow wheel chair vehicles. The most usual method of distinguishing between hackney carriages and private hire is a 'Taxi' roof sign on the vehicle, although again some areas do allow roof signs on private hire as long as they do not say 'Taxi', some turn those signs at right angles, whilst others apply liveries, mainly to hackney carriage fleets, but sometimes also to private hire fleets.

More recent considerations have added how greater and speedier introduction of more sustainable vehicle propulsion might be encouraged in the licensed vehicle fleets. Air quality zones have also had significant impacts, and in many areas more recently agglomeration of councils has modified overall policies towards licensed vehicles.

Further, the plans to introduce Section 161, and the determination of a proportion of WAV that any fleet must have by the Secretary of State (a quota), are a long way from even any consultation being undertaken. This issue was considered by the Law Commission but they stated 'we did not consider quotas of wheel chair accessible vehicles to be a suitable issue for treatment within a national licensing framework' (Law Commission Final Report para 12.60), nonetheless they reiterated that any such quotas should be decided by individual licensing authorities in response to local needs. They also quoted DPTAC suggestion the quota should be over 30% and that the Joint Committee on Mobility for Disabled People had suggested a minimum of 50% (Law Commission Final Report para 12.61). The often quoted 35% quota was from an earlier European Research document.

The Index of Significant Unmet Demand (ISUD) Tool

After introduction of the 1985 Transport Act, Leeds University Institute for Transport Studies developed a tool by which unmet demand could be evaluated and a determination made 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.

Some revisions have been made following the few but specific court cases where various parties have challenged the policy of retaining a limit.

Some of the application has differed between Scottish and English authorities. 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. However, the three-year survey horizon has become generally accepted given the advice of the BPG and most locations that review regularly do within that timescale.

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 more recently in Scotland).

The BPG 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 BPG is that “an interval of three years is commonly regarded as the maximum reasonable period between surveys”. BPG 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”.

Unmet Demand Case History

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.

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).

2019 saw three challenges with respect to surveys of unmet demand. All three found in favour of the current methodology being undertaken. A key focus was the need for a robust and up to date independent survey report being available.

In one case it was made clear the current guidance is based on the 2010 BPG, which supercedes previous notes and DfT advice, whilst in another case having a valid survey meant those challenging had no case for their proposed challenge, and in the final case an authority was clearly told they could not rely on a very old survey which itself could not be produced. In the end a fresh survey was undertaken, finding no unmet demand, but undertaken on the established standards only.

In general, industry standards suggest (but specifically do not mandate in any way) that the determination of conclusions about significance of unmet demand should 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 BPG there is no clear stipulations as to what this means in reality, and certainly no mandatory nor significant court guidance in this regard.

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.

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.”

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’. There are only minor changes proposed to this in the new BPG.

Cross Border and Sub Contracting Implications

Recent legislation needing clarification has some operators believing they can use vehicles from any authority as long as they are legally licensed as private hire. At first, under the ‘Stockton’ case, this was hackney carriages operating as private hire in other areas (cross-border hiring). More recently, under the Deregulation Act, private hire companies are able to subcontract bookings to other companies in other areas if they are unable to fulfil their booking, but the interpretation of this has become quite wide.

The ‘triple lock’ licensing rule has also become accepted. A vehicle, driver and operator must all be under the same licensing authority to provide full protection to the passenger. However, it is also accepted that a customer can call any private hire company anywhere 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.

Further, introduction of recent methods of obtaining vehicles, principally using ‘apps’ on mobile phones have also led to confusion as to how ‘apps’ usage sits with present legislation.

All these matters can impact on hackney carriage services, their usage, and therefore on unmet demand and its significance.

During September 2018 the All-Party Parliamentary Group on taxis produced its long-awaited Final Report. There was a generally accepted call for revision to taxi licensing legislation and practice, including encouragement for local authorities to move towards some of the practical suggestions made within the Report. The Government has broadly supported the recommendations of this Task and Finish Group.

Despite some opposition from members of the group, the right to retain limits on hackney carriage vehicle numbers was supported, with many also supporting adding a tool which would allow private hire numbers to be limited where appropriate, given reasonable explanation of the expected public interest gains. This latter option is now being taken forward in Scotland, with two studies published and the Scottish Government preparing guidance, although the Government response did not support this option.

As already stated, other groups have provided comments giving their views about licensing matters but the upshot remains no change in legislation from that already stated above. The Scottish Government are moving forward in terms of their application of the potential limiting of private hire vehicle numbers but this is specific to Scottish law and not presently relevant to the English licensing authorities.

The "Protecting Users Statutory Guidance" (now the "Statutory Taxi and Private Hire Vehicle Standards" (STPHVS) was issued in July 2020 for application and advice of such application to DfT by the end of January 2021. Whilst again the taking forward of the wider BPG review is mentioned in terms of a further consultation, exact times for this nor the likely implementation date for this are not given. The April 2010 BPG therefore remains valid for our review.

For completeness, STPHVS seems to require by the end of January 2021 (subject to the continued impact on time resources of the COVID-19 pandemic) the following:

- Making publicly available a cohesive taxi licensing policy document
- Clearly documented ways the licensing authority will share information between relevant stakeholders
- Provision of a robust system for recording complaints that is clearly made known to passengers
- Sufficient training for those making decisions about licence issue
- Clear assessment of option of mandating CCTV in vehicles
- Specific requirements for private hire company records

Coronavirus

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.

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.

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.

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 November 2020 ending on Wednesday 2nd December 2020 that year.

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.

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.

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.

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.

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.

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.

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 resulting in many private hire vehicles being unusable, whilst rail patronage remains reduced with patterns of travel strongly revised towards off-peak travel.

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.

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?

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 some authorities. A further knock-on has been change to how those involved in the trade interact with their licensing authorities, with most face-to-face contact effectively removed.

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, 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. However, our experience suggests that even spare plates and reduced demand can still result in unmet demand increasing as a result of change in the range of elements that need to balance to provide better public service.

Conclusions to this Chapter

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. Further, the jurisdiction focusses on the vehicles, drivers and operators but rarely extends to the physical infrastructure these use, principally ranks.

The vehicles are split between hackney carriages which are alone able to wait at ranks or pick up people in the streets 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.

2 Local background and context

Key dates for this survey of demand for hackney carriages for Lancaster City Council are:

- appointed Licensed Vehicle Surveys and Assessment (LVSA) on 8 November 2022
- in accordance with our proposal of November 2022
- as confirmed during the inception meeting for the survey held by telephone on 14 November 2022
- this survey was carried out between November 2022 and February 2023
- On street pedestrian survey work occurred in early November 2022 (split between Wednesday, Thursday, Friday and Saturday)
- the video rank observations occurred in mid-November 2019
- Licensed vehicle driver opinions and operating practices were canvassed using an electronically available and posted out survey during November 2022 for return by mid-January 2023 (with some time extension and chasing undertaken)
- Key stakeholders were consulted throughout the period of the survey
- A draft of this Final Report was reviewed by the client and reported to the appropriate Council committee following acceptance by the client.

Lancaster City Council is one of twelve districts within the higher tier Lancashire County authority, with two further authorities in the formerly larger area that are now unitaries. Both those two authorities, plus seven further authorities within Lancashire, retain limits on vehicle numbers and review this regularly although there is one further district that retains the limit but has not recently reviewed this formally. This current survey is occurring at the same time as that for five other Lancashire authorities (all at different stages of completion).

The authority has a current population of 142,900 from the initial results of the 2021 census (a very similar number to the estimated population for 2019 at the time of that survey).

The area has four main population centres, Lancaster, Morecambe, Heysham and Carnforth. Most of the population is in the first two locations, with about a third of population in Carnforth and the rural parts of the council area. The area lies just off the principal M6 route between the Midlands, North West and Scotland, and has the only station on the West Coast main line within the area at Lancaster. Both highway and public transport link Morecambe, Heysham and Carnforth using secondary routes, albeit routes now included in the considerations of the 'Northern Powerhouse'.

Highway and transport powers are mainly at the higher tier County authority level. Until 2000, ranks were under the control of the local authority, but in

2000 the County took these powers over such that any rank is now provided by and maintained by the County. However, the County works in conjunction with the district on establishing ranks as part of an overall parking strategy or review, but the local district is also able to provide taxi bays under their special provisions which allow such to be provided under local authority auspices with consent from the County. Typical options use bays with limited daytime waiting for ranks at night, very helpful when new night venues open and need urgent action on rank provision.

A further matter which impacts on the hackney carriage licensing for the area is that the school and social services transport function is also undertaken at County level, providing contracts to both the hackney carriage and private hire industry of the area, some of which go beyond the district boundary, and some of which can be provided cross-county rather than at district level. This can provide places where local policy ends up superseded by County policy, further discussion of which follows.

For Lancaster the Local Plan evidence base stems from the Local Transport Plan 2011 to 2021 which established the overarching strategy for the county. This remains a statutory document but transport policy has changed since that time. It led to the Lancaster Highway and Transport Masterplan approved in October 2016. The key aims of the Masterplan are improving access from the area to the M6. An upgraded M6 junction to the north of the City sought to provide better access to the University by relieving pressure on the Lancaster central gyratory. In 2018 the latest Local Plan document was published covering 2011-2031 and the fourth LTP is being developed in line with that structure and narrative.

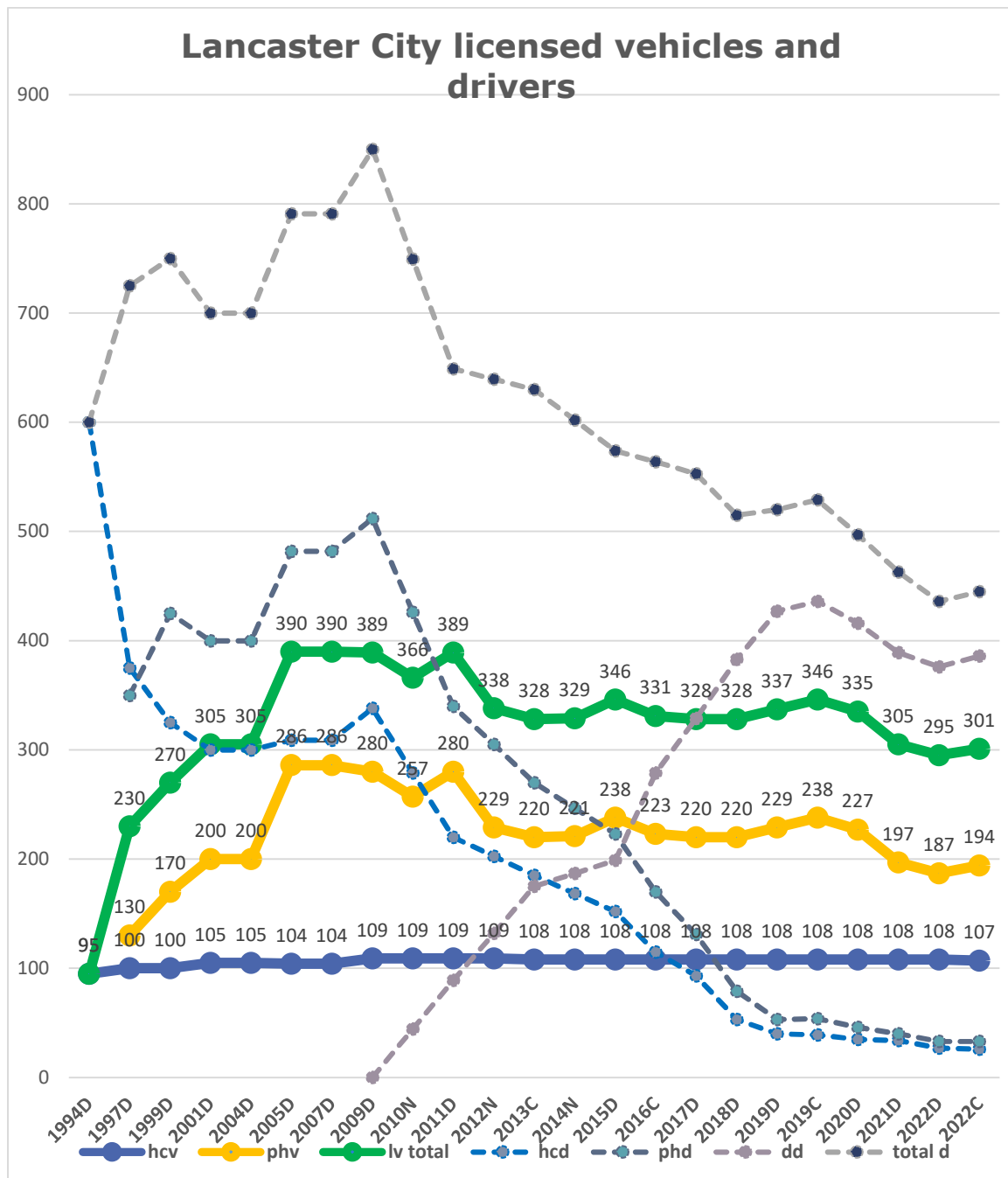
Local Plan Topic Paper 3 'Strategic Transport Consideration of Alternative Policy Approaches' (May 2021) considers alternative options considered in the Climate Emergency Local Plan Review. Its focus is on encouraging increased sustainable transport usage.

With reference to licensed vehicles, the principal mention across the transport policy inputs is their use as part of the third hierarchy of choice after ultra-low emission buses and other buses. The suggestion is to seek ultra-low emission licensed vehicles with policies seeking to favour them over other non low-emission vehicles.

The Local Transport Plan encourages taxi operators to work with transport authorities to ensure staff respect the needs of all travellers. However, being a strategic and County-led document, the focus is less on local taxi operating principles and more on higher level national strategy. Transport interchanges are likewise seen to be important, but again the higher-level focus leaves them not mentioning specifics of local taxi operation.

Lancaster City Council has chosen to utilize its power to limit hackney carriage vehicle numbers, and as far as we are aware has done so since at least 1994. The authority has held very regular reviews of this limit and its level (see further below). This resulted in plate issues of five in both 1996 and 2001 and four in 2005, all of which were required to be wheel chair accessible style and which must remain in this style. Current saloon owners have no such requirement and can choose to use WAV style or otherwise, and revert to saloon if they so wish.

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 detailed numbers supporting the picture below are provided in Appendix 1. Due to the comparative size, the operator figures are shown in the second picture.



Licensing Statistics from 1994 to date

The graph above shows the two small additions made to hackney carriage vehicle numbers around 2000 and 2008 and marginal reductions in the total numbers in 2004, 2012 and 2022 (although the latter only represents the fleet available at the time of the survey, with one plate not on issue at that time). There are now 12% more hackney carriage vehicles than in 1994 but 49% more private hire.

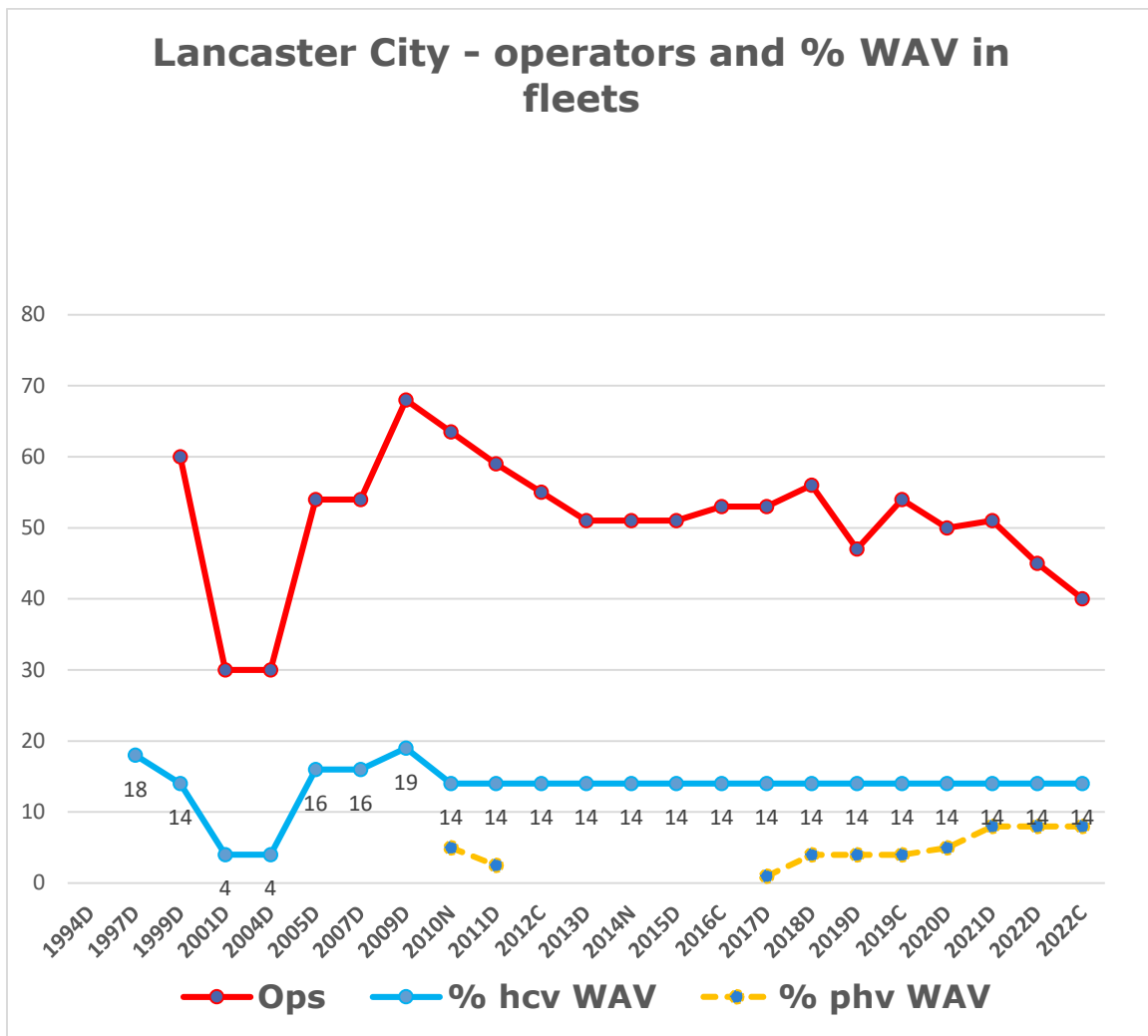
However, private hire vehicle numbers, not limited, and directly theoretically responsive to market levels of need, saw their maximum growth between 1997 and their peak in 2005. Since that time, there has been a general trend of reducing numbers although they saw 8% growth just before the last survey but then declined by 21% (a decline already starting pre-pandemic but worsened by it) before finally seeing some growth again from the time of the DfT review in March 2022 to the time of the rank survey in November 2022.

This means the proportion the hackney carriage vehicles are of the fleet has dropped from 43% in 1997 to 36% at the current time (was 31% in 2019), although this remains a high proportion for an area with long term hackney carriage vehicle limits. The local fleets have a number of private hire companies for whom hackney carriages regularly work which means the two fleets are far from distinct. In this case it appears that many private hire vehicles have been supplanted by hackney carriages that also spend a significant proportion of their time on private hire operating circuits due to low rank demand levels.

With respect to drivers, there has been a switch towards dual driver licences although this transfer is not complete and it appears the level of those retaining vehicle type specific licences seems to have stabilised. Although this generally led to a reduction in overall apparent driver numbers until 2017 (reflecting the removal of duplicate holdings) there was some growth just before the last survey although after that decline returned, again with the low point occurring at the time of the 2022 DfT data collection, with a slight upturn since.

In fact the whole trend of the graph at this time is suggesting the low point has been reached in driver and vehicle numbers and that an upturn has begun.

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.



Operator numbers and levels of WAV provision in the fleet

This graph shows a very similar profile for operator numbers compared to overall private hire vehicle numbers. The slight evidence of stability around the last survey did not last, and recent information suggests a general decline in operator numbers.

With reference to WAV style vehicles, the number of formal WAV in both fleets has remained stable at 15 vehicles each since the 2021 DfT survey. However, the private hire level rose from none in 2016 to the current 8% now (a level stable over the last 18 months).

Considering the overall level of WAV in the licensed vehicle fleet using the March 2022 DfT statistics, Lancaster has around 10% of its total vehicle fleet (hackney carriage and private hire) that are WAV style. This is very similar to four other authorities with limited hackney carriage vehicle numbers, North East Lincolnshire, North Tyneside, Wigan and Mid Sussex (for the last two of whom there are recent demand surveys), and eight other authorities without limits (including one recently having lost its limit due to becoming part of a unitary authority).

National averages are 40% hcv WAV, 4% phv WAV and a net 13% WAV overall. Lancaster is 130th equal out of the 280 English licensing authorities in the all-vehicle comparison although many of those authorities which are above Lancaster in the table are the fully WAV authorities. It should also be pointed out that when authorities with 100% WAV hcv and no WAV hcv are removed from the total in 2022, 206 authorities remain with an average hcv WAV % of 22%, private hire 5% and overall 11%, putting the Lancaster 14% 8% and 10% in a much better light than otherwise.

Limit review policy

Lancaster undertakes very regular review of its policy to limit hackney carriage vehicle numbers in line with the BPG. The previous surveys were in 2019, 2016, 2013, 2010, 2007, 2005, 2000 and 1996, giving a very regular and BPG-compliant level of review of the limitation policy. Comparison of results and the latest evaluation are provided in later chapters. Lancaster was also one of the authorities fortuitously having undertaken its last survey in advance of the pandemic, and therefore able to keep to the recommended three year interval precisely.

Other public transport

National statistics are published for all 2,629 rail stations in Great Britain, with the latest information relating to the year ending March 2019 published in January 2020.

There are seven stations in the Lancaster licensing area. Lancaster is the busiest, being 232nd highest (was 282nd in 2019) in terms of total entries and exits estimated – some 1,659,362 (2,122,814, 2019) in the latest figures. Carnforth is now second busiest, at 1,284th with 151,484, with Morecambe (which was second busiest, being 1,308th (was 1418th) in the UK table with 147,004 (195,956 in 2019). Bare Lane, Silverdale, Heysham Port and Wennington follow, with the latter being the smallest and 2,402nd (2,408th) with 3,604 (4,768) in the latest year.

The pandemic continues to affect rail patronage – Lancaster’s latest totals are 76% of the level at the peak (which happened to be the period ending March 2020 immediately ahead of the pandemic). Comparison of the observed rank weekly patronage from our survey to the rail estimates is provided below in the rank chapter.

3 Patent demand measurement (rank surveys)

As already recorded in Chapter 2, control of provision of on-street ranks in Lancaster City Council's licensing area is under the control of Lancashire County Council. They are held within the context of other highway legislation across the County with enforcement against abuse by private vehicles also at County level. The City, however, has direct powers to ensure the ranks are properly used by hackney carriage vehicles and can enforce against abuse of them by private hire vehicles.

There have been no major changes since the last survey with respect to ranks and in this respect the background to demand has seen a period of continued consolidation since the major changes that occurred between the 2013 and 2016 surveys.

Our methodology involves a current review both in advance of submitting our proposal to undertake this unmet demand survey and at the study inception meeting, together with site visits where considered necessary. 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).

2022 Observations

The 2022 rank observations covered a very similar sample to that undertaken for the 2019 survey. Two little used ranks were observed by quick-watch methods and found to see no hackney carriage usage during the course of our survey (Penny Street Lancaster and Tunstall Street Morecambe).

In order of 287 hours of detailed rank observations were therefore included in the sample. This provided some 1,660 (3,261 in 2019) passengers leaving in 1,022 (1,966) hackney carriage departures from ranks across the licensing area.

The observations recorded some 6,502 (10,315) different activities at the ranks over the survey period. 79% (74%) of these activities were vehicles arriving or departing (with or without passengers). The remainder were passengers arriving, walking away, or a range of other general comments about activities noted affecting the rank such as nearby demand generators closing or opening, etc.

Of all the vehicles observed at the ranks, 67% (73% last time) were hackney carriage arrivals and departures. A further 1.2% (14% last time) were private hire vehicles, 285 (11%) private cars, 3.6% (1.3%) goods vehicles, and 0.4% (0.1%) emergency vehicles. In terms of all vehicle activity levels, the most activity, some 27% (36%) occurred at or near the North Road, Diggles rank. 22% were at the bus station (15% last time). 18% each were at Common Garden St and Market St (10% and 15% respectively in 2019). 12% (20%) of vehicle movements were at the station. 2% were at Marine Road Central in Morecambe, a rank now hardly used by hackney carriages.

With respect to issues with ranks being used by private cars, Marine Road Central remained the worst (and was actually much worse) with 83% of all movements being private cars (61% last time). However, the observation of hackney carriages moving other vehicles on observed last time has now ceased with very few using this location.

Market Street Morecambe saw 50% (35%) private cars, principally arising from people needing to pick up or set down near to the shopping centre entrance, but also again at times the rank was not in use. The next highest issue was 31% at North Road, Diggles. The situation here has not improved with the extension of the rank, and abuse by goods vehicles also continues there. 30% (14%) of vehicles at Common Garden Street were private cars. These figures confirm that Lancaster is suffering as many other authorities nationally from cars, having assumed ranks were a good place to park when less hackney carriages were active during the pandemic, have continued to assume this parking is now legitimate, and is a clear issue of public safety that needs to be addressed.

Overall rank usage estimates

The sample of rank hours observed was used to produce an estimate of the typical level of patronage at each rank. The table below shows the resulting average weekly estimates of rank usage by passengers, and compares this to results available from previous surveys.

Rank	2022	2019	2016	2013	2010
Lancaster Station (private)	1,089 (34%)	2,539 (40%)	1,687 (27%)	1,538 (20%)	2,113 (20%)
North Road, Diggles	944 (30%)	1,910 (30%)	1,848 (29%)	3,482 (47%)	332 (3%)
Damside Bus Station	645 (20%)	1,046 (16%)	1,791 (28%)	Closed	5,161 (48.5%)
(total of two above)	(1,589)	(2,956)	(3,639)	(3,482)	(5,493)
Market St/feeder, Morecambe	291 (9%)	545 (9%)	600 (9%)	1,110 (15%)	1,668 (16%)
Common Gdn and Brock St	220 (7%)	286 (5%)	50 (1%)	209 (3%)	Not avail
Marine Road, Morecambe	7 (0.0%)	11 (0.0%)	280 (4%)	284 (4%)	512 (4%)
North Road, Toast	Club gone	Club gone	Club gone	478 (6%)	684 (7%)
Tunstall Street, Morecambe	Unused	4 (0.0%)	29 (0.0%)	Not there	Not there
Penny St KFC	Unused	2 (0.0%)	25 (0.0%)	93 (1%)	42 (0.5%)
Sun Hotel	Gone	Gone	20 (0.0%)	204 (3%)	Not in place
Dalton Square	Gone	Gone	Gone	107 (1%)	Not in place
Gage St	Not observed	Not observed	Not observed	Not observed	0 (0%)
Total	3,195	6,343	6,330	7,505	10,512
Difference from previous survey	-50%	Same	-16%	-29%	n/a
Difference from 2010	-70%	-40%	-40%	n/a	n/a

The headline from the above table is that total weekly estimated demand for the service of hackney carriages from ranks in the Lancaster licensing area has halved since the last survey. This estimated level is some 70% less than the peak value observed in 2010. Whilst there had been decline from 2010 through the next two surveys, the level of demand between the 2016 and 2019 surveys had remained stable giving signs of hope that the rank stability had led to passenger stability. The pandemic – or other factors – have clearly seen hackney carriage rank demand reduce significantly.

The table shows that the highest passenger volumes in 2022 estimated remain those at the private Lancaster Station rank. This took some 34% (was 40%) of the total estimated passenger numbers observed. The North Road, Diggles rank saw a remarkably similar 30% of patronage to the previous survey followed by 20% (16%) (an increased share) at the Damside Bus Station rank

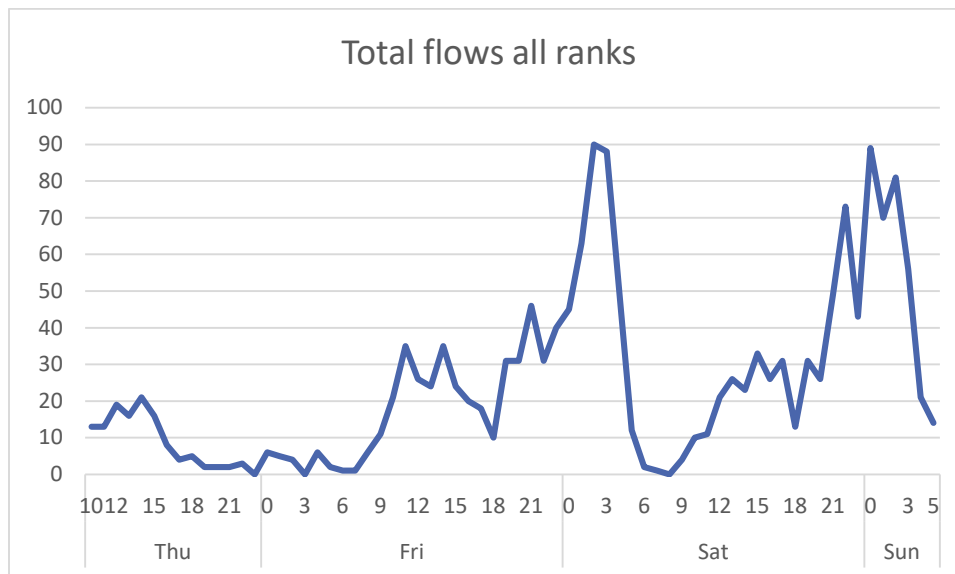
in Lancaster. The Market Street rank in Morecambe saw 9% of passengers – again the same share as in 2019 – with Common Garden Street seeing 7% – again an increase from the 5% of 2019. Marine Road, Morecambe did see a very small (and smaller than 2019) level of usage, but for this survey Tunstall Street Morecambe and Penny Street, Lancaster were unused during our survey period.

The changes in share terms have to be tempered by the fact of a halving of overall total estimated demand. However, this does mask some differences as already noted above. Worst hit was the station rank with 57% reduction in flows. Passenger flows through the station were 24% down for the latest estimates compared to the peak flow there which ironically was just ahead of the pandemic suggesting the station hackney carriage losses exceed the impact from the pandemic. The current station rank estimates were compared to the estimated total exits from the station from national statistics. This comparison suggests that 6.6% of all passengers leaving Lancaster station do so in a hackney carriage vehicle from the rank. This will be an underestimate of total licensed vehicle patronage as only hackney carriage-based rank usage was recorded and it is known many will also book a private hire vehicle to leave the station.

Against national trends, the relatively lightly used Common Garden Street rank fared best only seeing a 23% overall estimated reduction, followed by Damside Bus Station with just 38%. Market Street Morecambe saw 47% reduction whilst North Road, Diggles was just marginally more than the average reduction at 51%.

Detailed rank usage by location and time

The graph below provides the profile of total passenger demand across all ranks operating in Lancaster over the survey period. For this survey the station rank was only observed on Friday and Saturday so the Thursday flows are underestimated. This was done given that the station rank requires a supplementary permit and is on private land and is therefore not as relevant to estimates of unmet demand.



The graph shows that Thursday flows tend to be significantly lower than Friday, with flows generally peaking during the morning and then decreasing (as in 2019), with very little overnight demand. Friday has higher flows and a morning peak and a larger late-night peak, which for this survey was the actual peak of some 90 passengers in the 02:00 hour in the early hours of Saturday. Saturday flows begin lower, with a pre-lunch peak, further growth to an early evening peak, and then final growth to the overall peak flow of some 89 passengers in the 01:00 hour in the early hours of Sunday. The current peak flow is significantly less than the 161 observed in the early hours of Sunday in the last survey, and notably for this survey there are no hours at all with flows greater than 90 passengers in total across the area.

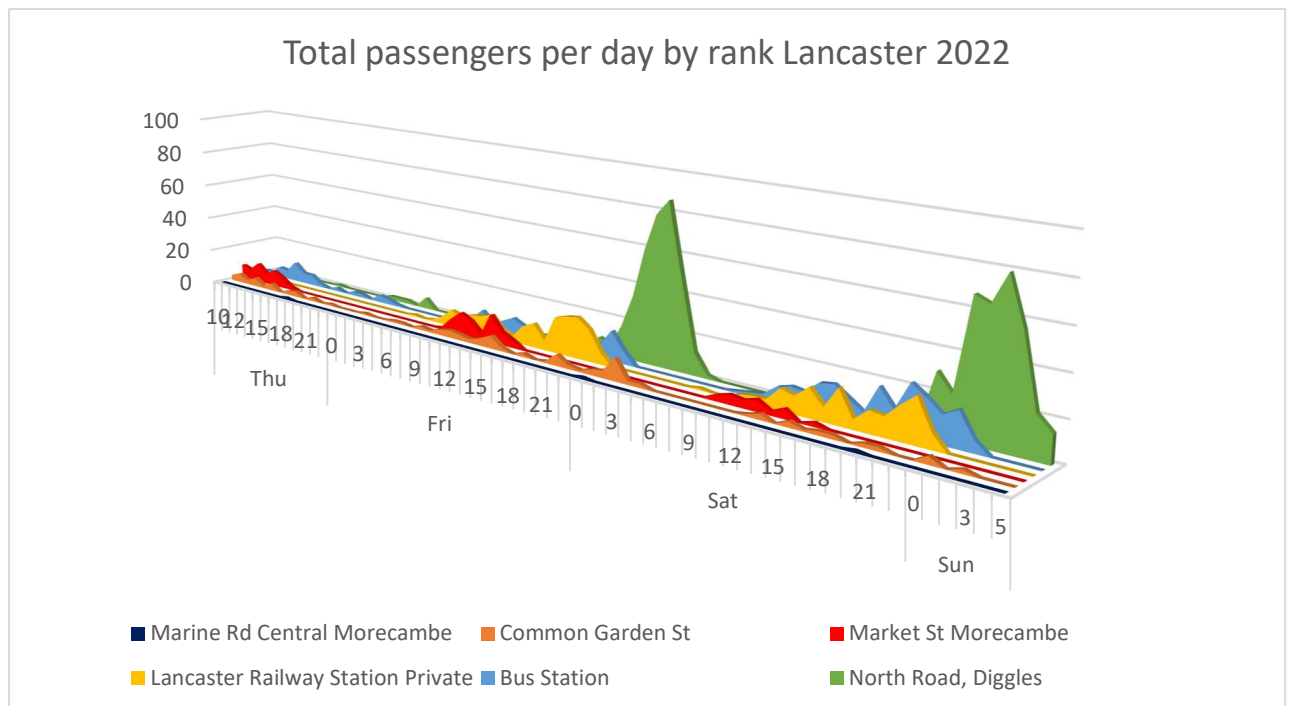
Overall, however, the general profile of passenger demand is very similar in shape to the previous survey, but just with further reduced levels of total passengers.

Interestingly in both peak hours the flow is combined between North Road and one other rank (Common Garden St on the Saturday early hours and the Bus Station on the Sunday early hours) whilst North Road flow peaks are an hour later early Saturday morning and two hours later in the early hours of Sunday.

Inspection of the information feeding this graph shows the peak flow is some 3.7 (was 3.4, i.e. now peakier) times the average flow per hour which is just 24 (47) passengers. The profile sees three hours (23:00 Thursday, 03:00 Friday and 08:00 Saturday) (compared to one hour, 05:00 on Friday morning last time) with no passengers anywhere in the licensing area at ranks, with every other observed hour having at least one passenger using a rank somewhere in the area.

For this survey, average Thursday flows are just seven passengers (although this did exclude any observations at the station, so is an underestimate), Fridays 32 and Saturdays 31, with as already noted, the overall of 24 for the full survey period. It must be remembered that the pan-survey average occupancy is 1.6 passengers per vehicle so the actual number of hires represented by these figures is even lower.

The graph below presents passenger flows by hour for each of the separate ranks over the survey period.



The graph shows the extreme and peaky demand at the North Road, Diggles rank in Lancaster. This is as it was in the previous survey apart from the suppressed overall total levels. This rank, although available for 24-hours, only tends to operate in evenings and into the early hours but is used on every night, but much more so on Friday into Saturday and even more from Saturday into Sunday. On both Friday and Saturday nights this is very clearly the busiest rank and the only location with more than 25 (60 last time) passengers in any hour in the area. The facts above apply equally to the previous and this survey apart from the reduced numbers.

For this survey, the level of flows on Thursday evening is almost zero, with the peak hour being the midnight hour with just six passengers. This is a major change from the previous survey where Thursday evening did see moderate flow levels.

Operation of the bus station rank in Lancaster is now all day and into the early hours (last time it tended to be daytime only). Whilst Thursday sees the main peak in the late morning, there are late evening peaks on both Friday and Saturday. The general level of demand at that location is generally lower on Saturdays, but with a higher peak (all statements true both for the previous survey and this survey).

Market Street in Morecambe remains very tied to the operating hours of the nearby shopping centre, servicing this demand only. Common Garden Street in Lancaster is similar to this on the Thursday but does see later and more extended operating hours on the Friday and Saturday, albeit at lower levels. For this survey, the focus at Common Garden Street is more towards Friday-Saturday than Saturday-Sunday.

Marine Road Central Morecambe for this survey only saw a single passenger in each of the three nights, at different times, and is effectively no longer really used.

Unmet demand – surveyed hours with observed unmet demand

Each hour of rank data was sorted to identify the highest level of average passenger delay. Of the 287 hours of data included in our sample, 8% (6% in last survey) had average hourly passenger delay values of a minute or more, with a further 10% (9% last time) with values of 59 seconds or less. These figures include all ranks including the private station rank. These values are only marginally worse than the previous survey, but high given the fact that passenger flows have halved, which you might expect would lead to significantly reduced levels of unmet demand.

Considering passengers in total, 8.1% (9.4% last time) actually experienced a wait of a minute or more. This can be broken down into 0.7% (0.4%) of passengers who waited for 11 minutes or more, 1.5% (2%) who waited between six and 10 minutes, and 5.9% (7%) that waited between one and five minutes.

The longest average passenger wait experienced was just under 22.5 minutes – higher than the 16 minutes from the last survey. This wait also produced the second highest average passenger delay (APD) in any hour, and one of only two APD over ten minutes. This particular instance occurred at a time of generally low demand, known as 'thin' demand which is notoriously hard to service well at the Station rank. The other high waiting time of just under 16 minutes had a similar APD and was again a very quiet hour at Common Garden Street.

There were four examples where the APD was between five and 6.5 minutes (with none others longer than that other than the two above). Two were at Lancaster station on Friday late afternoons and two at the bus station. One of these had a passenger delay of just under 22 minutes, and another a delay to one passenger of just under 19 minutes.

All three hours that saw delay on the Thursday were at the Lancaster Bus Station (Damside) rank, in three consecutive hours in the afternoon (14:00 to 16:00). Friday saw 20 instances of non-zero APD and Saturday 24, with four on the Sunday. The focus of Friday waiting were the hours between 12:00 and 18:00 with only four of the hours outside that period. Four different locations saw passenger waiting in the 13:00 hour including the Morecambe active rank. Saturday waiting focussed on 10:00 to 13:00 again including the Morecambe rank and examples at all the active Lancaster ranks.

The busiest hour, 02:00 Saturday morning, did see passengers wait but the busiest rank only saw one second APD, and the other rank active at that time saw 34 seconds delay. The midnight Saturday secondary peak hour saw 49 seconds delay at North Road, Diggles, rank. These statistics suggest the fleet is able to cope with peak demands, but has bigger issues ensuring sufficient vehicles at relatively quieter times.

There were no occurrences of persistent passenger queues forming for lengthy periods, at any locations.

The delay data was inspected by day and hour to see if there was any systematic shortage of hackney carriage vehicles. The profile suggested no particular hours with notable shortages but also showed most delay tended to occur more with lower flows than higher. There were very few significant delays observed in the hours with highest flows – proving there are sufficient vehicles to meet high levels of demand, but also demonstrating that the potential focus of many hackney carriages on peaks or on phone demand at lower demand times can impact rank service levels. Further discussion of this occurs in the chapter considering significance of observed unmet demand. This is similar to the results in the previous survey, however again it must be remembered demand has halved yet performance appears generally similar.

Unmet demand – persons walking away from ranks

The number of people arriving at ranks and then walking away without using a hackney carriage or other vehicles was noted. This occurred most at the Diggles location, with 43 (63 last survey) different occasions recorded, none

with more than two people walking away (last time there were some with up to five people in the group). There were other walk-aways noted at Lancaster Bus Station, Lancaster Railway Station, Lancaster Common Garden Street, Marine Road Central Morecambe and Morecambe Market Street, but none were significant (the maximum was a total of seven people in all at Lancaster station).

Plate observations

Observations were undertaken on the Thursday and Saturday of the rank observations to identify the licensed vehicles operating at the time of what was expected to be the busiest day of the survey. An hour was observed at the Market Street rank and a further hour and a half at the Marine Road Central rank both in Morecambe on each day. Observations were undertaken for all licensed vehicles passing by the Bus Station rank in Lancaster for an hour-and-a-half sessions and a 2-hour session, one early afternoon and one over midnight. A total of 194 (247 last time) vehicle movements were observed.

All observations were reviewed to identify current Lancaster licensed hackney carriages and private hire vehicles from those observed, using the list of vehicles licensed by the council at the time of the survey. Three records were incomplete and a further 14 (10 last time) were not current local licensed vehicles. The remaining records were then evaluated to understand the activity level of the fleet observed. It did prove relatively difficult to differentiate private hire and hackney carriage during the observations undertaken.

110 (146 last time) different hackney carriage movements were observed. These accounted for 51% (54% last time) of the plates on issue at the time of the survey. The observations at Morecambe Market Street accounted for 4% (5% Saturday last time) of the fleet on both days whilst those at Marine Road Central later saw 1% on the Thursday and 7% (6% last time) of the fleet on the Saturday.

In Lancaster, the afternoon observations saw 9% Thursday and 20% Saturday (12% last time) of the fleet with 7% Thursday and 21% Saturday (39% last time) in the over-midnight observations.

Whilst the overall reduction in level of observed plates is only marginally reduced (even allowing for adding an extra day this time), the pattern in Lancaster suggests more vehicles active in the daytime and less at night, a national pattern observed whereby less preferable times of working see less activity, with drivers able to earn sufficient during preferred working hours.

21% of the fleet was seen on the Thursday rising to 44% on the Saturday with the highest proportions seen in Lancaster as might be expected.

For Market Street, Morecambe four different plates were seen on each day observed. However, just two plates were observed on both days, with the other two comprising different plates meaning a total of six different plates were observed there. Two of these were also observed at Lancaster locations. None of the seven plates seen near the Marine Road Central rank were seen at any other location over the two survey days. However the single plate seen on the Thursday near there was also observed two days later in Lancaster.

Comparing the afternoon and night information on the Thursday for Lancaster found 9% of plates in the daytime sample and 7% in the late evening. None were seen in both periods. On the Saturday, the afternoon sample saw 20% of plates but the late night one marginally more at 21%. Just five – around a quarter – were seen in both samples.

Of all the hackney carriage plates seen, 45% were seen just once. 33% were seen twice, 9% three times, 2% four times and 11% five times.

67 different private hire vehicle movements were noted. Some were seen at Marine Road Central but the bulk were seen in central Lancaster.

Disability use of ranks

Four people were observed during the course of the survey accessing hackney carriages at ranks in wheel chairs – the same number as in the last survey. However, the spread was different with two at Damside Bus Station rank and two at Market Street, Morecambe. In the previous survey, three of these were at the railway station rank in Lancaster (none seen there this time) with one at Morecambe Market Street.

A further 28 (44 last time) people were observed at ranks needing assistance into vehicles, often having visual disabilities such as walking with a stick. 20 (31) of these were at Market Street, Morecambe, three (seven) at Lancaster Bus Station, 2 (4) at Lancaster Common Garden Street, and one (two) at Diggles, Lancaster.

4 General public views

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.

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.

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.

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 (e.g. of students, or a sub-centre), although conclusions from these separate samples can only be indicative taken alone. For some authorities with multiple centres this can imply value in using a higher sample size, such as 250 if there are two large and one moderate sized centre.

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.

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.

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. This can be improved by using paid advertising for such questionnaires, but it does still restrict responses to those with an interest, rather than the entirely random selection applied when on-street.

This survey considers the full Lancaster licensing area. However, on street interviews were undertaken only in the main two centres taking on board the need to obtain reasonable sample numbers within fair timescales. A total of 90 (98 last time) interviews were obtained in Lancaster and 89 (94) in Morecambe, a robust sample for the purposes of this data collection exercise.

The proportions of key population statistics were compared to the estimates for the area from the latest 2021 estimates from the new 2021 census. This time the overall responses saw 5% more female respondents than the census might otherwise suggest; with a worse imbalance in Morecambe (8.5 % more). A similar pattern applied in the previous survey although the Lancaster sample was much closer last time.

For this survey overall, the under 30's group was under-represented by 5% - similar for both separate areas with the mid and upper age groups both over-represented by equal amounts (about 2.4% each). For Morecambe the mid group was also well-matched with the over-representation entirely for the upper group; whilst the reverse was true for Lancaster with the upper group there well-matched. Compared to the previous survey, this profile is much better balanced.

All of those interviewed in Morecambe claimed to be from the area whilst just one Lancaster interviewee said they were not from the area – suggesting the views obtained represent those of people locally. This was exactly the same as the result from the previous survey.

A very high 90% (93% last time) of those interviewed in Lancaster and 85% (99%) of those interviewed in Morecambe said they had used a local licensed vehicle in the last three months in the area. This retains the high values compared to earlier surveys as noted last time.

For this survey, a more detailed breakdown was provided. Across the area, 70% said they had made one or more trips, but by private hire vehicle only. 12% had used both hackney carriage and private hire and just 5% hackney carriage only. The share by private hire only was slightly higher in Morecambe with usage of hackney carriage only in Morecambe very low – just 2% said they had recently used hackney carriage only (8% in Lancaster).

All respondents provided an estimate of how often they used a licensed vehicle in the area. In both areas, the highest proportion, 37% said they used licensed vehicles once or twice a month. This was significantly different to the previous survey where 21% in Lancaster and 24% in Morecambe, said they used them once or twice weekly. For this survey, 11% in Lancaster and 6% in Morecambe said they never used licensed vehicles.

The resulting estimate of trips per person per month is 1.5 (was 4) for Lancaster and 1.8 (was 5.9) for Morecambe. The previous slightly higher usage in Morecambe remains.

When a similar question was asked, but directed at specific use of hackney carriages only, the main level of usage for Lancaster was 12% (23%) saying once or twice monthly whilst for Morecambe just 5% (was a third) of respondents gave that answer, providing 0.2 (2.3) trips per month by hackney carriage for Lancaster and 0.14 (4.8) for Morecambe.

The share of licensed vehicle trips made by hackney carriage in the area is now low – 14% (58%) in Lancaster and 8% (82%) in Morecambe. However, it remains the response that no-one in Morecambe and just 2% (1%) of people in Lancaster cannot remember when they last saw a hackney carriage in the area. However, this time 73% in Lancaster and 69% in Morecambe told us they could not remember when they last used a hackney carriage, a large increase in this value from the previous survey.

Respondents told us their normal method of getting a licensed vehicle in the area. Many gave multiple responses. For this survey, 53% in Lancaster and 56% in Morecambe said they used an app (last time this was 4% Lancaster and zero in Morecambe). The main loss was phone usage which is now 4% Lancaster and 3% Morecambe – reduced from 51% and 56% respectively.

Hail in the street had also risen significantly from 2% to 23% in Lancaster and zero to 21% in Morecambe, though this could be use of an app. Freephones were 9% and 7% respectively.

The quoted level of getting licensed vehicles from a rank was now 11% (41% last time) in Lancaster and 14% (37%) Morecambe). These are in accord with the overall usage shares albeit opposing ways round.

When asked regarding companies contacted, 87% of Lancaster and 90% of Morecambe respondents gave at least one company name. 8% of the Lancaster and 10% of the Morecambe responses gave three names, 60% and 50% two and 32% and 40% one respectively. The two sets of responses gave very similar numbers of total mentions. Total mentions were about the same as in the previous survey (273 now, 291 last time).

There were nine companies named, plus three supermarkets plus a search engine. This is more than the main three quoted last time suggesting higher levels of competition now. However, the top three companies of the last survey remain the top three now although their combined share has dropped from 99% then to two thirds now. In the previous survey the top company got equal shares in both areas, whereas now it was more dominant in Morecambe. The second largest company did gain more quotes in Morecambe in the last survey but now has equal share across the area. The third quoted company was mainly only quoted in Lancaster and lost most share (23% overall to 9% overall now).

The fourth most quoted company obtained 8% of the quotes overall, but was mainly quoted in Morecambe where it obtained 13% of the quotes. The next three level of quotes, gaining 8%, 6% and 4% in total, were actually supermarket names. Two were named in Lancaster and one in Morecambe. The other companies gained 3% or less overall including seven people in total shared over the area naming a search engine.

These responses suggest a significant increase in the competitiveness of the private hire market in the City since the last survey, including widespread introduction of apps. This seems to have taken demand from the hackney carriage trade but has also shifted emphasis away from direct phone calls to use of the apps.

60% of Lancaster and 52% of Morecambe respondents told us ranks they were aware of and if they used them or not. 2% of the Lancaster respondents named three ranks, 50% two and 48% one. In Morecambe, a third named two ranks and the remained just one rank. None named three ranks. This resulted in 144 different quotes of ranks, 61 in Morecambe and 83 in Lancaster.

Across the area, 43% (54% last time) of those naming ranks said that they used them.

23 (28 last survey) different names were given for ranks, some of which were different names for the same rank, with some being general locations that were not easily traced.

For the whole area, the highest level of mention for a rank was for the Market Street rank in Morecambe, with 29% overall and 38% in Morecambe, and 24% saying they used it (13% and 25% last time, 66% saying they used it then).

Next was Penny Street Lancaster with 19% overall and 59% using it, but 27% in Lancaster (17% last time, 47% using). Our observations found this location was not actually used.

Dalton Square / Town Hall Gardens gained 9% with 54% saying they used it - although this is no longer used.

Lancaster Station was third with 8% overall (12% for Lancaster respondents), with 18% saying they used it (10% and 20% respectively last time, 42% using).

Marine Road Morecambe also obtained 8% overall with several calling it "Gerry's fishing shop" with 50% saying they used it (was 15% of the overall and 29% of Morecambe quotes last time, but as the Promenade rank, with 45% using).

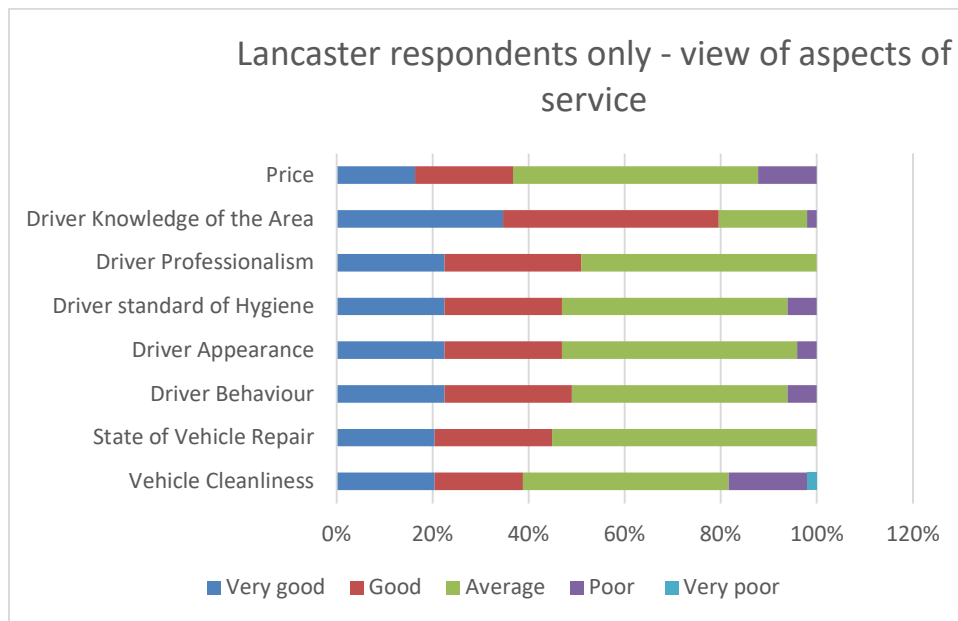
Common Garden St obtained 4% overall with 17% saying they used it.

North Road gained just 1%, with both respondents saying they used it (7% last time, 64% using). Gage Street saw 1% of mentions with the person saying they used it. Morecambe Station also gained 1%, but unused, as did Lancaster Bus Station, also stated as unused (20% overall last time, 56% saying they used it, and 38% in Lancaster).

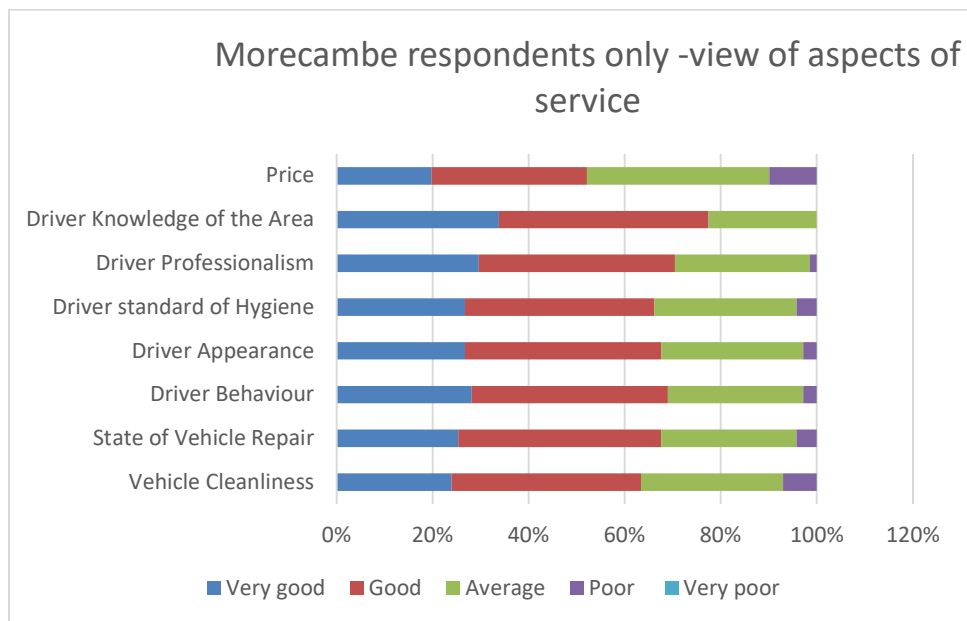
These changes suggest further evidence that usage of hackney carriages appears to have been supplanted by private hire obtained by app.

54% of Lancaster and 80% of Morecambe respondents provided views on various aspects of the service provided on their most recent licensed vehicle trip. For this survey, there was a clear difference between the Lancaster and Morecambe responses. For this reason, we have not presented the general summary adding both together.

For Lancaster:



There was one 'very poor' score for vehicle cleanliness, but no others. The typical score for all but driver knowledge was 'average'. Driver knowledge however performed the best, with 45% scoring this good. This is a change from the last survey where there was largest response for 'very good'. For Morecambe this time:



This shows a generally better performance with the highest scores being good for all but price. There are no very poor scores and very few poor. Again driver knowledge is the best performer overall with 34% scoring this very good. Even for this area, however, this is a downward change since the previous survey when the focus had been on very good scores.

Interestingly the score for price was marginally worse than other scores but not as significantly as for last time, or indeed as is typical around the country. This could be another symptom of high levels of competition, which often focusses on price.

There were some 232 votes given for matters that might encourage people to use hackney carriages or to use them more. For both areas the top item that would encourage or increase hackney carriage usage were more hackney carriages available by phone (34% with 40%, as last time, in Lancaster and 29% in Morecambe). Next was if they were more affordable, 22% Lancaster (was 11%), 32% Morecambe and 27% overall. There is a clear wish for lower costs in Morecambe compared to Lancaster, although even there the level has increased from the last time.

In Lancaster 14% (16% last time) said nothing would increase or encourage them to use hackney carriages with 18% in Morecambe. Vehicle quality saw 8% of votes uniformly across the area, with 5% still preferring a screen (again consistent across the area).

Respondents were asked if they, or anyone they knew, needed an adapted licensed vehicle to travel. Those saying 'no' accounted for 77% (66% last time) in Lancaster and 70% (74%) in Morecambe, suggesting a higher need for adapted vehicles in this area than in many other places (but actually reduced from the previous survey). Of those saying an adapted vehicle was required, the bulk required a WAV style rather than any other adaptation.

People were then asked regarding latent demand by a request to tell us if they had ever given up waiting or made other arrangements to get hackney carriages either at a rank or by hailing. 8% (reduced from 14% last time) said they had issues at ranks in the Lancaster sample whilst 9% (8%) had similar issues in the Morecambe sample. This was investigated further to confirm if the locations were at active ranks or not. For the Lancaster respondents 14% (11%) had given up at a Morecambe rank, for Morecambe respondents, 38% (2% at specific Morecambe ranks). However, these only give a total of four people across the area. This suggests an overall area latent demand factor of 1.02 for all ranks (was 1.08 for council ranks with 1.01 for the private station rank, and a combined value of 1.09 last time).

However, there was concern given that some also mentioned giving up waiting at ranks we know to be little used (Penny Street and Gage Street).

For all those giving up, 60% made a booking instead, 27% walked away or hailed and the remaining 13% (two people) phoned a friend or relative.

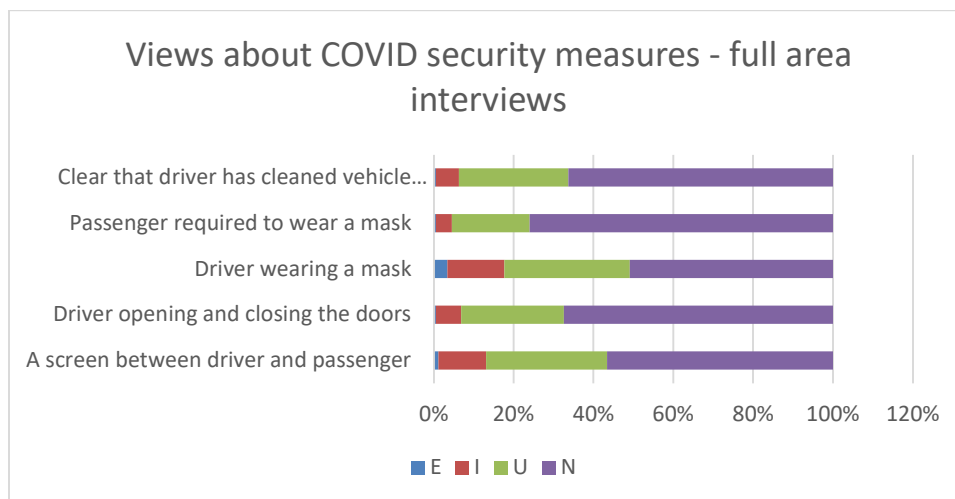
71% (77%) of Lancaster respondents and 64% (78%) of Morecambe respondents felt there were enough hackney carriages in the area – both reduced values since the last survey suggesting provision has worsened.

With respect to comparing the time of the survey to pre-pandemic, 71% said they used private hire more (consistent between both areas) with 12% saying they used hackney carriage more (15% Lancaster and 8% Morecambe). Surprisingly none said they used them less.

Looking to the future, 55% said they expected to use both kinds of vehicles about the same amount. Again the level saying they would use private hire more was higher at 37% compared to 7% for hackney carriages.

These last two questions are generally against the national picture and again hint that the level of competition that appears to have occurred has benefitted both sides of the trade and perhaps increased demand from what it might otherwise have been.

Questions were asked about COVID security measures but it was generally clear that people were generally not anywhere near as concerned as they had been previously:



There was a small amount of encouragement for screen provision and a slightly higher level for drivers wearing masks, but in general the dominant view was now that none of these options remained of much importance to travellers in the Lancaster area, although many still felt that each measure was useful, with a few still considering each matter important.

5 Key stakeholder consultation

The following key stakeholders were contacted in line with the recommendations of the BPG:

- 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

Comments received have been aggregated below to provide an overall appreciation of the situation at the time of this survey. In some cases, there are very specific comments from given stakeholders, but we try 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.

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.

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.

Supermarkets

Checks with most supermarket phone lines received messages that people should obtain information from net-based sources given that most staff were focussing on keeping stores stocked and customers safe. No response was received from any supermarket.

Hotels, Public houses, Night clubs, Other entertainment venues, Restaurants

Some emails were acknowledged but no response was forthcoming.

Health Service

A response was received from the local hospital. They said patients did use local licensed vehicles, usually asking staff to get them an appropriate vehicle when needed. They told us they have a contract with one private hire company who generally provide a good service. The hospital had no nearby rank provision.

The council licensing section are not aware of any other issues about availability of licensed vehicles being raised, which again suggests there are no significant issues since people would tend to make their views known were there any such issues.

6 Trade stakeholder views

The BPG 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.

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.

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. 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.

In all cases, we believe it is essential we document the method used clearly and measure response levels. However, it is also rare for there to be high levels of response, with 5% typically felt to be good and reasonable. Values below in brackets () are from the 2019 survey for comparison and to identify trends in change.

There were only 12 (five last time) responses received, 50% (40%) from hackney carriage, 33% (40%) from private hire and 17% (20%) from those that drove both kinds of vehicle. Of these, two thirds said the licensed vehicle trade was their only or main source of income. 25% were part of the trade but not presently working although intending to return when demand had increased again, with one person (8%) being a part time trade person who had other sources of income. None of those responding said they did not plan to return.

The drivers responding had an average of 14 (16) years' experience but ranging from recent starters to 30 years (eight to 28).

58% (20%) of the sample worked five days, 8% each six or seven days (60% for six last time) with the other two persons (17%) not having worked (one person last time). The average hours worked were 35 (38) with a maximum of 60 (same). This suggests less hours are being worked now.

91% (80%) owned their own vehicle. 17% (40%) said someone else also drove the vehicle they used – both in evenings. For those not sharing their vehicle, 10% said this had changed since COVID, i.e. a very small reduction in sharing.

Of those responding, two thirds said they were getting less fare paying trips from ranks than pre-COVID with the remainder thinking levels were about the same. For bookings, two thirds thought they were now getting more bookings than pre-COVID, with the remainder saying about the same.

In terms of stated impacts, three said they had taken alternative employment and one said they may not renew their licence when the current one expired – they had only just renewed immediately before the pandemic. Most others said the impact had been severe. Moving forward most were more hopeful although one had now chosen just to undertake school contracts. One said the fare rise had helped. One felt that until more drivers returned or joined there would continually be times that the fleet could not meet demand peaks.

Two of the seven that responded said they worked to suit family commitments, the other five said to suit their health or well being. None said there were times they avoided although one did say they preferred to work daytimes.

Of total responses, 44% said they normally undertook immediate hire from bookings, 38% immediate hire from ranks and 19% advanced hire work. There were some providing more than one response – 25% saying both immediate hire ranks and bookings and one saying immediate hire ranks, bookings and advanced hire work. None responded that they undertook chauffeur or corporate work.

When asked directly if they accepted pre-bookings, half said they did, and half again said this was via an operator, with another saying by phone and another that this was school contracts.

In terms of ranks, one gave three ranks and another two stated two. Of the total mentions of ranks, 50% were for the Bus Station, with one mention each for Brock Street, Common Garden Street, Penny Street, the railway station and 'Morecambe'.

Considering the share of work people obtained from different methods, one hackney carriage said they got 95% of work from the ranks. Two others said a quarter of work, two 20% and one just 5% of their work. For all but one of these the remainder of work came from bookings. One said three quarters of their work came from school contracts. Two private hire respondents got all their work from school contracts.

58% felt there were enough hackney carriages in Lancaster at this point in time.

With respect to frequency respondents got customers either needing to travel in wheel chairs, or transferring, none obtained such fares from any contract. 75% never got either kind of fare from a rank. 38% did not get wheel chair work from bookings with 33% not getting transfer from chair bookings.

13% said they obtained wheel chair or transfer passengers from ranks weekly. Such jobs came for 13% daily for bookings and 11% for transfers. 13% also said they obtained monthly jobs for passengers in wheel chairs. Overall, these are very low numbers.

64% were aware of drivers that had given up due to COVID, with numbers trade members were aware of ranging from one to ten.

When asked if respondents felt the limit benefitted the public, one said it ensured the quality of drivers and vehicles, another said safety and another said they agreed it did but did not say why. One felt it was now irrelevant as most made bookings.

Five of the twelve made other comments. One asked for the return of the taxi forum. One felt passengers were not aware of the difference between hackney carriage and private hire and also stated that Penny Street and North Road ranks both saw significant issues with private cars parking on them and preventing hackney carriages using them. Another pointed out the low level of rank work and the low morale, which was leading to potential customers picking up the negative mood of the trade. They felt that adding any more hackney carriages would probably lead to more leaving the trade than joined.

7 Evaluation of unmet demand and its significance

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 who 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.

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.

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.

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.

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.

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.

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 to 18:00 (i.e. eight hours ending at 17:59). 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.

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.

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.

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.

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.

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 (factoring high demand level impacts down) to 1.2 for January / February (inflating the values from low demand levels upwards).

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.

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.

The latent demand factor was added following a court case. 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).

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.

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 and needs to be taken fully in context.

Results from the latest survey, and from all other available reviews of demand for Lancaster are provided below in the table below:

	2022 less rail	2022 With station	2019	2016	2013	2010	2007	2005	2000	1996
APD	0.25	0.4	0.18	0.48	0.12	0.31	0.35	1.32	0.97	0.61
OP	15.38	21.92	13.73	37.5	10	43.75	3.7	7.55	11	13
GID	4.55	9.34	3.4	14.3	4.3	32.7	16.7	34.27	26.1	24
Seas	1	1	1	1	1	1	1	1	1	1
Peak	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	1	1
Latent	1.02	1.02	1.12	1.015	1.04					
ISUD	8.93	41.75	4.8	131.5	2.7	222	11	171	278	190

The figures in the table above exclude statistics for the private Lancaster station rank from the 2010 survey onwards. The additional restriction on vehicles that can service that location, plus issues arising from train frequency impacts on demand requirements makes providing good service there much more onerous and difficult. Further, any influence from the Council in terms of being able to add extra vehicles to remove unmet demand is simply not possible.

Since 2016, most statistics have seen improvement away from unmet demand being significant. Only latent demand has increased. The next result is that the index of significance of unmet demand is now 4.8, much lower than in 2016 although still higher than in 2013. This means there is no unmet demand in the area that can be counted as significant at this point in time.

For the sake of completeness, the station performance was reviewed using the industry standard ISUD tool. The result was a high index of 1,005 that suggests the unmet demand observed at the station is significant. However, as already discussed this arises from the moderate frequency of trains which provides spikes in demand that are difficult for any fleet to meet. Further discussion occurs in the conclusions. The value in 2016 was much higher, although the sample at the station at that time was lower and the result less robust for the station.

8 Summary, synthesis and study conclusions

This unmet demand survey on behalf of Lancaster City Council has been undertaken following the guidance of the BPG and other recent case history regarding unmet demand and its significance. This chapter draws the key points from each chapter, provides a synthesis drawing these together and then provides conclusions from the database. The following chapter provides specific recommendations based on our understanding of the database of information.

Background and context

This latest unmet demand survey for Lancaster saw the principal information gathered between November 2022 and February 2023. Rank observations were undertaken in mid-November, on-street interviews in late November, and driver views obtained by mid-February 2023. Key stakeholders were approached through the period of the survey.

Lancashire remains an area where all but four of the authorities retain their limit on hackney carriage vehicle numbers. Five other authorities held their review at the same time as this survey. The area is has not seen much population growth since the time of the previous survey.

The area sees most population in the two largest of the four centres, Lancaster and Morecambe. Local Transport Planning is focussed at the County tier level but also tailored through the Lancaster Highway and Transport Masterplan of 2016. Licensed vehicles are stated to be the third hierarchy of choice after ultra-low emission buses and other buses, with a stated aim to seek ultra-low emission licensed vehicles were possible (unchanged from the time of the previous survey). In terms of rank provision, there are some local powers allowing limited introduction of new ranks, used in some other areas but not Lancaster.

The Council has limited hackney carriage vehicle numbers since at least 1994 and very regularly reviews this policy by a full independent survey. Three plate issues have occurred in this period, all in favour of wheel chair accessible style vehicles (WAV) (with a stipulation that these vehicles must remain WAV). The area has a history of owners providing further WAV by choice although these can, and often do, revert to saloon as the owners consider necessary.

The level of hackney carriages in the area is now 12% above the level in 1994 whilst private hire are 49% higher (although the latter had begun to decrease before the pandemic and continued to decline until the 2022 March DfT survey, after which there has been some marginal resurgence).

This means at the time of the survey the hackney carriage fleet is 36% of the total licensed fleet, high for an area with limited numbers. At the last survey, this share was lower at 31%, having been at maximum at 43% in 1997. This is partly because the long-standing tradition in Lancaster is for a lot of private hire bookings to be undertaken by hackney carriages. The level of independent vehicles only getting their living from ranks is negligible.

The licensed vehicle fleet sees many hackney carriages operating for private hire companies blurring the distinction between the two vehicle styles. This seems to have reduced the overall pressure on private hire vehicle growth although most hackney carriages need to work on private hire as the level of rank work available continues to reduce.

Driver numbers declined since the last survey to a low point in the March 2022 DfT statistics after which some growth has occurred. The focus remains on dual driver licences meaning drivers can choose the appropriate vehicle at the time.

Operator numbers show a general decline since the last survey. This is a trend accelerated in the pandemic of company agglomeration and cessation of smaller companies in favour of larger ones.

The hackney carriage WAV proportion has been stable at 14% since 2010 (below the average of 22% across similar authorities with WAV but not with fully WAV fleets). Phv WAV have been stable at 8% (5% nationally) of the fleet for the last 18 months. Of note is the fact there are 15 WAV in both parts of the fleet, the difference in proportion purely due to the different total numbers of vehicles in each part of the fleet.

The proportion of the total licensed fleet that is WAV is now 10%, similar to four other authorities with limited numbers of hackney carriages and eight other authorities. This is only marginally less than the 11% of similar authorities.

Records are available of the results of all surveys including those for 1996, 2000, 2005, 2007, 2010, 2013, 2016 and 2019, providing a very regular and DfT guidance compliant level of information about demand in the area.

There are seven rail stations in the Lancaster area, with Lancaster the busiest, being 232nd highest out of the just over 2,600 Great Britain stations (having moved up from 282nd in 2019). It saw over 1.66 million passenger entries and exits in the latest available data (to end of March 2022) (was 2.1 million). Morecambe is second busiest, but patronage there is just over 147,000. The

Lancaster rail passenger flows have gone down 24% in a similar period to that between the last survey and this one.

Rank observations

The 2022 survey found two lightly used 2019 ranks now with no hackney carriage activity at all – Penny Street and Tunstall Street. Further, Marine Road Central in Morecambe was hardly used at all by hackney carriages.

67% (73% last survey) of the vehicles observed at or near ranks were local hackney carriages. 1.2% (14%) were private hire vehicles and 11% (same) private cars. In terms of total all vehicle movements, 27% (36%) were at or near the North Road Diggles location in Lancaster, reflecting its location in the heart of the Lancaster shopping area. Shares of the numbers of total vehicles observed increased at Common Garden St, Market St and Bus Station for this survey whilst movements at the station were reduced.

Morecambe ranks saw the worst impact of abuse by private cars, although many of these incidents were when the two ranks in question were not actually in use by hackney carriages. With the almost lack of use of Marine Road Central it has almost become a normal parking place.

Despite the extension of the Diggles rank since the last survey, abuse by private vehicles has worsened, with 31% of the vehicles seen here being private cars. 30% of vehicles at Common Garden Street were private cars. Whilst this is a national issue that has developed essentially due to the pandemic (when ranks were less used and private cars searching more for places to park given their rise in use against other public transport), nonetheless this is an issue that Lancashire enforcement need to take seriously as such use leads to public safety issues.

The headline of the 2022 rank observations is that estimated weekly usage of hackney carriage ranks by passengers has halved since the last survey. This is strongly against the previous trend of stable levels of usage between the last two surveys following reductions in the level of decline over the previous two surveys.

For the 2022 observations, the private Lancaster Station rank remained busiest, but seeing some 34% (40% last time) of the total estimated 3,195 passengers in a typical week. North Road, Diggles remained second with 30% (same as last survey) followed by the Damside Bus Station with 20% (actually increase from 16% last time). Market Street Morecambe again saw 9% of total passenger demand. Common Garden Street saw increased usage in share terms, up from 5% to 7%.

In absolute terms the Lancaster Station rank saw a 57% reduction in passenger numbers (although rail passenger flows were only down 24%). Even with this reduction, the rank still takes away an estimated 6.6% of all passengers leaving the station from trains.

For 2022 the peak hour passenger flow was 90 in the 02:00 hour early Saturday morning. 01:00 Sunday saw 89 passengers. These values are significantly less than the peak of 161 for the last survey. For both peak hours the total is made up from North Road and one other rank (Common Garden Street, Saturday early hours and Bus Station Sunday early hours). The actual peaks at North Road are later than the main peak by an hour early Saturday and two hours early Sunday.

The level of peakiness of demand is now higher (3.7 compared to 3.4). During the survey period there were three hours without passengers using any rank – increased from the single hour in 2019.

Friday average passenger flows per hour were 32 and Saturdays 31, with Thursday seeing just seven (but excluding station flows). When taken with the average passenger occupancy of 1.6 persons per vehicle this suggests at best 20 rank-based hires per hour on average – or just 0.2 hires per hour per hackney carriage vehicle.

The busiest rank when operating is far and away the Diggles rank. It is now the only location that sees more than 25 passengers in any hour in the area – last time this value was 60 passengers. The Bus Station rank appears to have changed from a mainly daytime rank to a location used for all hours.

Across the rank observations, just 8% (6% last time) of hours had average passenger delay (APD) in that hour a minute or more, with a further 10% (9%) having APD of lower levels. Only 8.1% (9.4% last time) of passengers actually experienced a wait of a minute or more. Some occurrences of unmet demand related more to 'thin demand' (passengers waiting when rank demand was generally low) than to any need for more vehicles. However, the key message is that, despite half the passengers, levels of unmet demand are marginally increased, which is not what people would expect.

The issues of poorer service at the station did not seem to exist as much in 2022 although the ISUD index is still worse when the station operation is included. This confirms the added restriction and payment for a permit to the rail company acts against the level of service provided to its customers. To reiterate, this is a rail company decision and the Council has little influence on this.

Review of the delay profile found the focus of Friday waits between 12:00 and 18:00 that day, covering most active ranks in those hours. Saturday waiting was focussed on 10:00 to 13:00.

While waiting did occur in the busiest hours, this was at a much lower level than in other hours, suggesting the fleet has sufficient vehicles to meet peak demand but struggles to provide sufficient vehicles when demand is much lower (almost certainly relating to vehicles moving to private hire operations). The level of passengers observed to walk away from ranks was reduced from 63 last time to 43 now.

Review of plates active found 51% (54% last time, not much different) of the fleet were observed on the Saturday of the survey. The Lancaster patterns in usage suggest more vehicles active in the daytime and less at night, a nationally similar picture given that it appears drivers now prefer to work times they prefer, and an apparent ability to earn sufficient to avoid less preferable hours.

Our Morecambe observations at the main rank there identified around six vehicles servicing the location in our sample hours. It is possible that this rank might be the only one that could provide sufficient remuneration for a small fleet dedicated to its service.

The same number - four people - were observed accessing hackney carriages at ranks in wheel chairs, although the locations used were different, split equally between Lancaster Bus Station and the Morecambe rank. This was supplemented by a further 28 (44 last time) who were assisted into vehicles due to apparent disabilities. Although a small number, this choice for these travellers would be of significant benefit and importance to them. They could have made bookings but appear to have chosen the rank option.

On street public views

A representative sample of local people were interviewed about their views regarding local licensed vehicles. 90% of those interviewed in Lancaster and 85% in Morecambe said they had used a local licensed vehicle in the last three months, slightly lower than the 93% and 99% of the last surveys. However, only 5% said they travelled by only hackney carriage, 12% had used both hackney carriage and private hire and 70% said private hire only. For Morecambe the hackney carriage share was just 2%.

The estimated trips per person per month was reduced to 1.5 Lancaster and 1.8 Morecambe for all licensed vehicles. 14% of the Lancaster and 8% of the Morecambe trips were quoted as being by hackney carriage. However, people were aware of hackney carriages but with an increased share not being able to remember when they last used a hackney carriage.

A telling statistic is that the highest used method of getting a licensed vehicle now was using an app (53% Lancaster and 56% Morecambe) with a strong reduction in phone bookings. Hailing also increased to 23% and 21% respectively. Ranks were down to 11% and 14% (were 41% and 37%) for the respective areas.

The number of quoted private hire companies used increased from four last time to nine now. However, the top three companies remained the same although their share of mentions was down from almost 100% to two thirds now. This seems to confirm increased private hire competition across the area with a particular emphasis on use of apps, although the overall level of companies has reduced in physical numbers, those that are publicly active seem to have put effort into being active.

Respondents displayed a good knowledge of ranks with 43% (54% last time) of those named also being used. The most known rank this time was Market Street Morecambe (29%), Penny Street (19%, with 59% saying they used it), with North Road gaining just 1% across the area of mentions, and no mention of the Bus Station at all. Lancaster station gained 8% of mentions.

In terms of how people felt about various aspects of the service provided across the licensed vehicle fleet, people in Morecambe tended to vote 'good' whilst those in Lancaster only said 'average' although the level of very poor or poor scores was minimal. Reduced levels of customer satisfaction often result when competition occurs – the fact that price is not an issue suggests the competition may have been in place.

In terms of factors that might increase hackney carriage usage, the key one was more hackney carriages people could book by phone followed by them being more affordable.

The question about need for an adapted vehicle identified reduced but still high need in the area, mainly for WAV style vehicles.

Latent demand for ranks was estimated at 1.02 (reduced from 1.09 last time).

The level of those feeling there were enough hackney carriages was reduced (71% compared to 77% for Lancaster and 64% compared to 78% for Morecambe).

Key stakeholder views

No views were provided apart from one from the local hospital who had an account with a private hire company who generally provided a good service.

Trade views

For the 2022 survey, the level of driver response was increased from last time, but only from five to twelve, a very low response. Half these were from those saying they drove hackney carriage, 17% from drivers of both kinds of vehicles and the remaining third from private hire drivers. Two thirds of these said the licensed vehicle trade was their only or main source of income. 25% were not working at the time of the survey but planned to return when demand increased further.

Experience levels were around 14 years with the maximum quoted 30 years. The highest proportion of people worked five days (58%) with an average of 35 hours per week and 60 hours maximum, the average slightly less than that quoted last time. This time almost all owned their own vehicle with demonstration of a small reduction in vehicle sharing since COVID.

There were a lot of pessimistic responses about impact of the pandemic although quite a few were more hopeful looking forward. Several were clear they had taken other jobs and one was not sure if they would renew their licence when it ended. Of those responding, 44% took immediate hire from bookings, 38% immediate hire from ranks and 19% advanced hire work.

Half of the small number of rank mentions were the bus station. Brock Street, Common Garden Street, Penny Street, Lancaster station and 'Morecambe' obtained one mention each. The highest quoted level of work from ranks was 95% by one person – the next most was 25%. Three mentioned school contracts with two getting all their work from them.

58% felt there were enough hackney carriages in Lancaster at the time of the survey.

Mention was made of the issues caused by private cars parking in ranks – affecting both Penny Street and North Road.

There were two responses about how the limit benefitted the public – saying it ensured the quality of drivers and vehicles the other saying it kept vehicles safer. One felt a limit was irrelevant as they thought most people now booked their vehicles.

The overall tone of the responses was relative concern for the future. One suggested the limit was one of the few positive points at the present time.

Formal evaluation of significance of unmet demand

The 2023 evaluation using the industry standard index of significance of unmet demand (ISUD) provided a value of 8.93, a long way from the level of 80 that is counted to show unmet demand to be significant. The value is higher than the previous value of 4.8. However, latent demand has reduced whilst other elements have only increased marginally.

However, evaluation of the station rank, and of all ranks including that location, suggests much poorer service occurs at that location. As already noted, this results both from the nature of train arrivals as well as from the further limitation on numbers of vehicles able to service this site. The index for all ranks including the station rises to 41.75. However, this value was much lower than the value of 1005 for ISUD obtained last time for the station alone.

The general incidence of delay – the level of passengers travelling in hours with an average passenger demand level a minute or more – is double that of the Council only ranks. The average passenger delay rises from 0.25 to 0.4 seconds. The off peak delay parameter increases albeit less than the general delay factor.

Synthesis

The headline of this survey is that rank usage in the area has halved since the last survey, just three years ago (but across the pandemic). Despite this, levels of unmet demand have increased, but not greatly. Not only has the overall level of rank usage declined, the number of active ranks has seen its biggest ever reduction, with three ranks that saw some activity last time now seeing no or very little activity at all.

There were some positive points – the number of people observed travelling in wheel chairs was exactly the same for this survey as for the last. Latent demand and levels of people walking away from ranks were reduced.

People's views of the service was worse than in the previous survey – more so in Lancaster than in Morecambe. Public responses suggested a big shift to usage of apps since the last survey mainly against private hire bookings but also reducing rank usage. Strangely hailing is quoted as increasing, but some of this could be further app usage.

The profile of rank usage is similar to the last survey but just at an overall half level. In the last survey peak passenger flows in an hour were 161 – this time they were 90 (and it must be remembered that is passengers, not fare-paying journeys which will be less by the level of average vehicle occupancy).

It appears that there has been strong competition in the private hire sector, much using introduction of apps, which appears to have reduced the hackney carriage rank-based sector severely. This has led to many hackney carriage drivers becoming despondent. The lack of driver response (albeit better than last time) is unfortunate. Many have found other sources of work either from school contracts or other sources but in any event rank-based demand has been severely hit.

One of the most active ranks suffers from abuse by private vehicles despite having been improved since the last survey in terms of having extra space. This has seen a benefit in reduction of issues with private hire vehicles, but the private vehicle issue has worsened.

In the last survey, it was estimated that there were just 4.9 paid journeys per vehicle per day. That value is now 2.7. The encouragement to obtain work from private hire bookings is even stronger now.

The hackney carriage vehicle trade cannot stand any further reduction in passenger numbers if it is to remain viable. This is more critical to visitors to the area who may not readily be aware of local apps and who are more dependent on rank provision, unless they visit regularly.

Conclusions

Our independent collation of evidence of demand for hackney carriages in the Lancaster licensing area found a very disturbing picture of a strong decline in use of hackney carriages across the authority area. This covers reductions in both volume and extent of ranks used. Morecambe now effectively only has one, daytime only, rank. Lancaster has two ranks, one more attuned to night demand, plus the private rank whose patronage has naturally reduced with decline in rail patronage not yet returned to pre-pandemic levels. Ironically the peak usage of the rail station matched the last survey period almost exactly, making the differences observed worse.

The overall evidence is that the current limit on hackney carriage vehicle licences is providing the last vestiges of stability, but is providing public benefit to those using licensed vehicles in the area. Without the limit the decline in usage may well have been much worse. However, if hackney carriages are to remain a key part of public transport provision in Lancaster, urgent action is needed to keep them.

It is essential to make sure that the North Road rank is strongly protected from private vehicle usage. Zero tolerance of abuse at all times is needed. To ensure this is possible, it may be necessary to extend the rank even further. This could be achieved by giving up the many unused rank spaces within the town. The all-day space needs to be for two vehicles, perhaps moving partly backwards into the heavily abused double yellow line section. The night section needs to begin operation at 20:00 or even 18:00 once the use for loading ceases, not leaving a gap in between where other vehicles can get established.

A decision is needed if Penny Street needs to be retained or not. The present location has around six spaces. It might be more appropriate to reduce this to two spaces, but design them to be much more clearly a rank, and then ensure they are enforced. However, this should only be undertaken if the trade commit to using the rank. The public strangely said they used it.

Discussion is needed with the trade, and perhaps with the night trade in Morecambe if a better night rank provision is needed there. The former rank there which was much more easily enforceable and obvious was always much more highly used. It may be, however, that this demand has now moved to private hire and app-based (almost certainly using the same vehicles but not rank-based).

If the Council wish to retain an active hackney carriage rank-based operation in the authority, the limit should be retained although it is possible that the number could be set as a moratorium on new plates rather than a fixed limit, allowing the level of plates to reduce. The actual rank-based demand element of the hackney carriage trade clearly cannot support anywhere near as many vehicles.

The previous survey concerns and thoughts about attempting to increase the level of wheel chair or other adapted hackney carriages would no longer find many if any willing to invest extra in new or revised vehicles. There is also unlikely to be much spare investment moneys around in the hackney carriage trade to see move to more sustainable vehicles either.

9 Recommendations

On the basis of the evidence gathered in this unmet demand survey for Lancaster, 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 the point in time this survey was undertaken in the Lancaster licensing area. The committee is therefore able to retain the current limit, and do so at its present level. There is specifically no need to add any further licences. In fact there could be a clear case for not renewing any spare licences that might appear.

The committee has to determine if it considers retention of a rank-based hackney carriage operation important to the area. If so, significant action needs to be encouraged some of which is beyond the remit of licensing. In essence, current used ranks need strong and zero tolerance enforcement at all times, and up to three ranks need to see significant development, which requires action and agreement from Lancashire highways.

The principal action within the gift of licensing is public education of the different kinds of licensed vehicle and how the public can engage them. This covers education of both local and visiting users.

Appendix 1 – List of ranks

Rank / operating hours	Spaces (approx)	Comments
Lancaster City		
24-hour ranks		
Damside Bus Station	11	Back in use as main rank
Penny Street, KFC	4	Now little used
Common Garden Street	2	
North Road, Diggles	1	Three additional spaces at night (see below)
Night only ranks		
North Road	11	Operates 2200 to 0400. Main night club now gone, limited use
Gage Street	3	Operates 2000 – 0600
North Road, Diggles	3	Operates 2200 - 0600
Penny Street	5	Operates 2200 - 0600
Brock Street	5	Operates 1800 - 0800
Sun Hotel	2	New rank operating 1800 to 0600
Lower St, Leonardsgate Car Park	8	Operates 0100 – 0330 1 Sept to 30 June
Non-central rank locations (Radio)		
Ash Grove	1	All to meet condition that vehicles should proceed to rank to wait
Torrisholme road	1	
Coulston Road	1	
Hala Square	1	
St Martin’s Road	1	
Green Lane Halton Road	1	
Quernmore Road	1	
Private Ranks		
Lancaster railway station, County side	6	Single space near exit with further spaces within forecourt. Supplementary payment to Avanti Trains via an agency
Lancaster University, Bowland Ave	3	
Lancaster University, South West Drive	2	
Morecambe		
24 hour ranks		
Market Street, Arndale and feeder	8+4	Main daytime rank directly outside shopping centre and supermarket
Tunstall Street, rear of Arndale shopping centre	3	New during 2015
Morecambe rail station car park	5	Purpose built area on council land

Broadway	4	
Marine Road East / Elm Grove	2	
Marine Rd W / Lancashire St	3	See below for night extension
Marine Road opp Midland Hotel	2	
Marine Road E opp Town Hall	4	
Night time ranks		
Marine Road West / Lancashire Street	2	2000 to 0600 additional spaces
Tunstall St	2	1800 to 0800 additional spaces
Marine Road Central opposite War Memorial	5	2000 to 0600
Victoria Street	2	2200 to 0400
Marine Road West near Aldi	6	2000 to 0600
Marine Road Central (Costa)	5	1800 to 0800

Appendix 2 – details of rail patronage at local stations

Rail year (ends March in last year noted)	Entries / exits	Growth / decline
Lancaster (232 nd) (was 282 nd last survey)(Avanti)		
1997 / 1998	1,051,133	n/a
1998 / 1999	1,098,475	+5%
1999 / 2000	1,154,174	+5%
2000 / 2001	1,131,960	-2%
2001 / 2002	1,150,536	+2%
2002 / 2003	1,115,448	-3%
2003 / 2004	Not collected	
2004 / 2005	1,270,227	+14%
2005 / 2006	1,317,299	+4%
2006 / 2007	1,395,832	+6%
2007 / 2008	1,498,353	+7%
2008 / 2009	1,559,994	+%
2009 / 2010	1,656,070	+6%
2010 / 2011	1,787,698	+8%
2011 / 2012	1,835,462	+3%
2012 / 2013	1,850,772	+1%
2013 / 2014	1,915,446	+3%
2014 / 2015	2,004,122	+5%
2015 / 2016	2,033,538	+1%
2016 / 2017	2,146,796	+6%
2017 / 2018	2,142,868	-0.2%
2018 / 2019	2,122,814	-1%
2019 / 2020	2,193,066	+3%
2020 / 2021	521,432	-76%
2021 / 2022	1,659,362	+218%
Growth since last survey (2018/9 to 2021/2) (and from 97/98)		-22% (+58%)

Rail year (ends March in last year noted)	Entries / exits	Growth / decline
Morecambe (1,308 th) (was 1,418 th) Northern		
1997 / 1998	195,573	n/a
1998 / 1999	202,754	+4%
1999 / 2000	202,239	-0.3%
2000 / 2001	194,329	-4%
2001 / 2002	185,476	-5%
2002 / 2003	167,592	-10%
2003 / 2004	Not collected	
2004 / 2005	195,316	+17%
2005 / 2006	185,405	-5%
2006 / 2007	188,789	+2%
2007 / 2008	205,495	+9%
2008 / 2009	204,100	+0.3%
2009 / 2010	204,858	+0.3
2010 / 2011	221,142	+8%
2011 / 2012	220,296	-0.4%
2012 / 2013	209,108	-5%
2013 / 2014	217,280	+4%
2014 / 2015	245,548	+13%
2015 / 2016	235,198	-4% (+20% overall)
2016 / 2017	237,976	+1%
2017 / 2018	225,632	-5%
2018 / 2019	195,956	-13%
2019 / 2020	207,976	+6%
2020 / 2021	44,778	-78%
2021 / 2022	147,004	+228%
Growth since last survey (2018/9 to 2021/2) (and from 97/98)		-25% (-25%)

Rail year (ends March in last year noted)	Entries / exits	Growth / decline
Carnforth (1,284 th) (was 1,497 th) Trans Pennine Express		
1997 / 1998	110,164	n/a
1998 / 1999	107,814	-2%
1999 / 2000	112,957	+5%
2000 / 2001	123,624	+9%
2001 / 2002	98,461	-20%
2002 / 2003	105,046	+7%
2003 / 2004	Not collected	
2004 / 2005	149,649	+42%
2005 / 2006	157,240	+5%
2006 / 2007	150,824	-4%
2007 / 2008	174,644	+16%
2008 / 2009	176,918	+1%
2009 / 2010	179,602	+2%
2010 / 2011	196,972	+10%
2011 / 2012	191,306	-3%
2012 / 2013	196,470	+3%
2013 / 2014	206,590	+5%
2014 / 2015	204,196	-1%
2015 / 2016	206,572	+1% (88% overall)
2016 / 2017	198,270	-4%
2017 / 2018	175,384	-12%
2018 / 2019	166,556	-19%
2019 / 2020	189,000	+13%
2020 / 2021	51,772	-73%
2021 / 2022	151,484	+92%
Growth since last survey (2018/9 to 2021/2) (and from 97/98)		-9% (+37%)

Rail year (ends March in last year noted)	Entries / exits	Growth / decline
Bare Lane (1,569th) (was 1,583rd) Northern		
1997 / 1998	118,851	n/a
1998 / 1999	125,886	+6%
1999 / 2000	123,624	-2%
2000 / 2001	125,093	+1%
2001 / 2002	113,211	-10%
2002 / 2003	101,181	-11%
2003 / 2004	Not collected	
2004 / 2005	116,597	+15%
2005 / 2006	117,576	+1%
2006 / 2007	117,264	-0.3%
2007 / 2008	126,706	+8%
2008 / 2009	132,652	+5%
2009 / 2010	131,752	-1%
2010 / 2011	137,856	+5%
2011 / 2012	141,200	+2%
2012 / 2013	138,054	-2%
2013 / 2014	167,726	+21%
2014 / 2015	183,830	+10%
2015 / 2016	188,120	+2%
2016 / 2017	179,506	-5%
2017 / 2018	155,096	-14%
2018 / 2019	137,840	-11%
2019 / 2020	136,968	-0.06%
2020 / 2021	50,502	-63%
2021 / 2022	91,640	+81%
Growth since last survey (2018/9 to 2021/2) (and from 97/98)		-34% (-23%)

Rail year (ends March in last year noted)	Entries / exits	Growth / decline
Silverdale (1,929 th) (was 1,994 th) Northern		
1997 / 1998	38,146	n/a
1998 / 1999	37,451	-2%
1999 / 2000	38,927	+4%
2000 / 2001	34,301	-12%
2001 / 2002	30,676	-11%
2002 / 2003	27,441	-11%
2003 / 2004	Not collected	
2004 / 2005	34,419	+25%
2005 / 2006	33,520	-3%
2006 / 2007	36,082	+8%
2007 / 2008	42,268	+17%
2008 / 2009	45,080	+7%
2009 / 2010	45,126	+0.1%
2010 / 2011	47,024	+4%
2011 / 2012	44,566	-5%
2012 / 2013	45,818	+3%
2013 / 2014	50,404	+10%
2014 / 2015	59,352	+18%
2015 / 2016	54,872	-8% (+44% overall)
2016 / 2017	55,892	+2%
2017 / 2018	53,218	-5%
2018 / 2019	47,978	-10%
2019 / 2020	50,722	+6%
2020 / 2021	16,202	-68%
2021 / 2022	41,260	+155%
Growth since last survey (2018/9 to 2021/2) (and from 97/98)		-14% (+8%)

Rail year (ends March in last year noted)	Entries / exits	Growth / decline
Heysham Port (2,321st) (2,353rd) Northern		
1997 / 1998	16,869	n/a
1998 / 1999	10,070	-40%
1999 / 2000	6,924	-31%
2000 / 2001	9,387	+36%
2001 / 2002	7,682	-19%
2002 / 2003	6,788	-12%
2003 / 2004	Not collected	
2004 / 2005	5,696	-16%
2005 / 2006	5,251	-8%
2006 / 2007	6,924	+32%
2007 / 2008	7,178	+4%
2008 / 2009	7,606	+6%
2009 / 2010	7,752	+2%
2010 / 2011	8,858	+14%
2011 / 2012	7,682	-13%
2012 / 2013	8,310	+8%
2013 / 2014	9,064	+9%
2014 / 2015	9,608	+6%
2015 / 2016	9,128	-5% (-46% overall)
2016 / 2017	10,158	+11%
2017 / 2018	9,670	-5%
2018 / 2019	7,698	-20%
2019 / 2020	11,450	+49%
2020 / 2021	1,130	-90%
2021 / 2022	8,404	+644%
Growth since last survey (2018/9 to 2021/2) (and from 97/98)		+9% (-50%)

Rail year (ends March in last year noted)	Entries / exits	Growth / decline
Wennington (2402nd)(was 2408th) Northern		
1997 / 1998	2,321	n/a
1998 / 1999	2,461	+6%
1999 / 2000	2,073	-16%
2000 / 2001	2,306	+11%
2001 / 2002	1,811	-21%
2002 / 2003	2,005	+11%
2003 / 2004	Not collected	
2004 / 2005	2,900	+45%
2005 / 2006	2,697	-7%
2006 / 2007	2,848	+6%
2007 / 2008	3,111	+9%
2008 / 2009	3,040	-2%
2009 / 2010	3,222	+6%
2010 / 2011	3,696	+15%
2011 / 2012	3,340	-10%
2012 / 2013	2,948	-12%
2013 / 2014	3,378	+15%
2014 / 2015	3,492	+3%
2015 / 2016	3,956	+13%
2016 / 2017	4,394	+11%
2017 / 2018	4,384	-0.2%
2018 / 2019	4,768	+9%
2019 / 2020	5,398	+13%
2020 / 2021	430	-92%
2021 / 2022	3,604	+738%
Growth since last survey (2018/9 to 2021/2) (and from 97/98)		-24%% (+55%)

LICENSING COMMITTEE

Review of Licensing Fees for Animal-related Licensing 16 March 2023.

Report of Director for Communities & the Environment

PURPOSE OF REPORT
To review the costs and licensing fees for animal-related licensing to enable Members to approve the level of fee for 2023/24, considering continued changes introduced within The Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018.
This report is public.

RECOMMENDATIONS

- (1) That the licensing fees for animal-related licences be determined for 2023/24 on consideration of the information (and options) contained within this report.**

1.0 Introduction

- 1.1 This report is concerned with the setting of the level of licence fees for 2023/24 for the following licensable activities introduced by The Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018:-

- Selling animals as pets
- Boarding for cats or dogs in kennels or catteries
- Home boarding for dogs
- Arranging boarding for dogs or cats
- Day care for dogs
- Hiring out horses
- Dog breeding
- Keeping or training animals for exhibition

Together with the following activities licensable under pre-existing legislation:-

- Keeping dangerous wild animals (Dangerous Wild Animals Act 1976)
- Operating a zoo (Zoo Licensing Act 1981)

- 1.2 Animal licensing is a statutory duty for the local authority.

- 1.3 It is currently estimated that there will be in the region of 70 licensable activities needing licensing during 2023/24, made up of new applicants, renewals and interim inspections.

2.0 Background.

- 2.1 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into force in October 2018, and increased the volume and complexity of the work of the Animal Licensing Officers / Dog Warden Team (ALO/DW's). They were required to increase their duties and become qualified Animal Licensing Inspectors, along with the Council being given a number of additional statutory duties.

- 2.2 The regulations brought together the eight activities listed in 1.1 which were previously regulated by different statutes, and included the introduction of :

- A risk-based system of licensing that determines both the length of licence, which may be one, two or three years; and the star rating, which may be one to five stars.
- A set of conditions to be met by activity operators, including 'Minimum standards' which must be complied with before a licence can be issued, and optional 'Higher standards', which may lead to a higher star rating being awarded.
- The requirement for a licensing variation, renewal, and inspection programme
- An appeals procedure for businesses to challenge their star rating, including the need for a reinspection.
- The requirement from April 2023 that inspectors hold a suitable qualification, Lancaster City Council has two qualified inspectors.
- The need for Inspectors to prepare comprehensive inspection reports.
- The need for each local authority to submit an annual return to the Secretary of State.
- Licensing for 'Keeping or Training Animals for Exhibition' as a function of the district council. This replaces Performing Animals Registration which was a function of the county council.
- Licensing for 'Arranging Boarding for Cats or Dogs'. This applies for example to home boarding franchises who arrange customers for their hosts.

- 2.3 The number of complaints and enquiries about licensed premises and the enforcement of licensing conditions has significantly increased.

3.0 Setting Fees

- 3.1 The regulations set out what a local authority may charge fees for:-

- a) The costs of consideration of an application, including any inspection relating to that consideration.
- b) The reasonable anticipated costs of consideration of a licence holder's compliance with the regulations and the licence conditions to which a licence holder is subject. This includes the costs of any further inspections related to compliance.

- c) The reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator.
 - d) The reasonable anticipated costs of the local authority compiling and submitting the data required to the Secretary of State.
- 3.2 The council's Fees & Charges Policy states that when setting charges, the general aim is to cover the cost of the service, accurately reflecting the full cost of provision including recharges. This ensures that those benefitting from the activities permitted by holding a licence should not be subsidised by local taxpayers.
- 3.3 The methodology used to calculate fees is to allocate officer time against each of the elements involved in processing the licence application and in monitoring and enforcing against unlicensed and licensed operators. The appropriate proportion of an hourly rate (constructed from direct costs and indirect costs for all officers involved in the process) is applied and totalled to give a cost per licence.
- 3.4 The time allocations of the officers involved in animal licensing have been estimated over the period 1 April 2019 – 30 November 2022* and used in calculations described in 3.3. The cost per licence and comparison to the current licence fee is set out in **Appendix 1**.
- *This has not taken into account three unusually complex and time-consuming investigations during 2022 as it was felt that it would be disproportionate to include the time on such cases.
- 3.5 This is the first review of the licence fees since the introduction of the new regulations in 2018, so the calculations in Appendix 1 give a more accurate reflection of the time and work involved.
- 3.6 Costs have increased significantly in this time.
- 3.7 Changes introduced by the new regulations to require the ALO/DW to become qualified inspectors has led to a regrade of these posts and salary increase.

Proposal

- 4.1 The increased workload resulting from the new regulations can no longer be absorbed within the Animal Licensing and Dog Warden Team, so some non-statutory work has had to be reduced.
- 4.2 The increase in start-ups of new licensable activities has meant the ALO/DW's are frequently asked to provide advice prior to an application. It is proposed to introduce a standard £150 fee for any 'on site' pre-application requests.
- 4.3 The proposed fees have been set to achieve full cost recovery. Fees are broken in to two categories, a "New Application" and a "Renewal Application". The length of Licence is determined by the rating given, which affects the frequency of the interim inspection and the renewal date.
- 4.4 A number of licence holders operate multiple activities from a single site, for example, dog boarding, cat boarding and dog day-care. As it takes proportionately less time to inspect multiple activities on the same site, we propose charging a full fee for the first activity plus 50% of the fees for any additional activities.

Appendix 1**New Licence application.**

Type of Licence	Period in Years	Part A	Part B	Current Cost	Revised Cost	% increase
A- Selling Animals	1	£263.70	£101.80	£248.80	£365.50	46.91%
HB-Home Boarding	1	£263.70	£101.80	£233.00	£365.50	56.87%
DD-Dog Daycare	1	£263.70	£101.80	£233.00	£365.50	56.87%
AB-Animal Boarding	1	£263.70	£101.80	£264.50	£365.50	38.19%
B-Breeding Dogs	1	£274.20	£101.80	£264.50	£376.00	42.16%
D-Dangerous Wild Animals	1	£284.80	£46.80	£247.00	£331.50	34.21%
H-Hiring Horses	1	£263.70	£101.80	£280.20	£365.50	30.44%
A- Selling Animals	2	£327.00	£203.60	£342.90	£530.50	54.71%
HB-Home Boarding	2	£326.90	£203.60	£327.10	£530.50	62.18%
DD-Dog Daycare	2	£326.90	£203.60	£327.10	£530.50	62.18%
AB-Animal Boarding	2	£326.90	£203.60	£374.30	£530.50	41.73%
B-Breeding Dogs	2	£316.40	£203.60	£358.60	£520.00	45.01%
H-Hiring Horses	2	£348.00	£195.70	£405.80	£543.70	33.98%
B-Breeding Dogs	3	£358.70	£305.40	£452.70	£664.10	46.70%
E-Exhibiting Animals	3	£348.00	£238.80	£436.90	£586.80	34.30%
Operating a Zoo	4			£657.60	£1,039.00	58.00%

Renewal application.

Type of Licence	Period in Years	Part A	Part B	Current Cost	Revised Cost	% increase
A- Selling Animals	1	£196.90	£101.80	£193.70	£298.70	54.21%
HB-Home Boarding	1	£175.80	£101.80	£193.70	£277.60	43.31%
DD-Dog Daycare	1	£175.80	£101.80	£193.70	£277.60	43.31%
AB-Animal Boarding	1	£196.90	£101.80	£209.40	£298.70	42.65%
B-Breeding Dogs	1	£196.90	£101.80	£209.40	£298.70	42.65%
H-Hiring Horses	1	£218.00	£101.80	£225.20	£319.80	42.01%
D-Dangerous Wild Animals	1	£239.10	£67.90	£254.40	£306.90	20.64%
A- Selling Animals	2	£239.00	£203.50	£289.60	£442.60	52.83%
HB-Home Boarding	2	£217.90	£203.60	£289.60	£421.50	45.55%
DD-Dog Daycare	2	£217.90	£203.60	£289.60	£421.50	45.55%
AB-Animal Boarding	2	£260.10	£203.60	£321.10	£463.70	44.41%
B-Breeding Dogs	2	£239.10	£203.60	£305.40	£442.60	44.92%
H-Hiring Horses	2	£302.40	£203.60	£375.40	£505.90	34.76%
A- Selling Animals	3	£281.30	£292.80	£376.00	£574.10	52.69%
HB-Home Boarding	3	£260.20	£305.40	£385.60	£565.50	46.65%
DD-Dog Daycare	3	£260.20	£305.40	£385.60	£565.50	46.65%
AB-Animal Boarding	3	£323.50	£305.40	£432.80	£628.80	45.29%
B-Breeding Dogs	3	£281.20	£305.40	£391.70	£586.60	49.76%
E-Exhibiting Animals	3	£260.20	£305.40	£376.00	£565.50	50.40%
H-Hiring Horses	3	£386.80	£305.40	£493.20	£693.20	40.33%

Operating a Zoo	6			£802.00	£1,191.00	48.50%
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Miscellaneous Fees:

Request	Current Cost	Revised Cost	% increase
Pre-inspection visit (on request)	N/A	£150.00	
Appeal against a rating	£117.20	£150.00	28.00%
Re-inspection	£62.90	£90.00	43.10%
Variation of a Licence	£31.50	£40.00	26.98%

5.0 Options Analysis (including risk assessment)

The options are:-

Option 1 Fully recover all costs by charging the fees set out in Appendix 1.

Option 2 Propose an alternative fee structure.

	Option 1: Fully recover all costs	Option 2: Propose an alternative fee structure
Advantages	Results in increased income, so no subsidising of the service by the council is required.	Members may wish to increase fees by more than inflation but below full cost recovery level, which would be more affordable for the operators.
Disadvantages	Price increase for all operators, many of whom are small businesses.	Reduced fees would not recover the cost of providing the service, leading to the council subsidising the cost of the statutory animal licensing function. Alternative options would need to be further appraised to determine full budgetary impact.
Risks	Price increase may encourage unlicensed activity, hence risk to animal welfare and additional reactive investigation Price increase may be seen alongside a decrease in non-statutory preventative and educational work as the team has lost a member of staff.	As Option 1 but to a lesser degree.

Option 1 is the Officer Preferred Option.

6.0 Conclusion

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 have increased the complexity and volume of work for the DW/ALO's. This has meant that as well as implementing the Licensing scheme, officers are having to managing public expectations around more "traditional" Dog Warden duties as work around prevention, surveillance and education has had to be reduced.

Increasing the fees is necessary to cover the cost of maintaining a minimum statutory service but there are risks as outlined above.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):

None applicable to this report.

LEGAL IMPLICATIONS

The legal basis for the setting of fees is contained within the report.

FINANCIAL IMPLICATIONS

Members are reminded that animal licensing is a statutory function legislated by the relevant Acts listed within the report, although it is for the Local Authority to determine the appropriate charge.

With regard to either option for the future years budget will require updating and this will be done as part of the forthcoming budget process

Should members opt for a different fee structure/percentage then this would need to be calculated accordingly and reported back at a later date.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no further comments to add.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments to add.

BACKGROUND PAPERS

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 – Procedural guidance notes for local authorities – October 2018 - DEFRA

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LICENSING COMMITTEE**PROPOSED LICENSING FEES 2023/24****16 March 2023****Report of the Licensing Manager****PURPOSE OF REPORT**

The report provides detailed budget information for the Licensing services and sets out proposed fee levels to enable Members to consider setting fees for 2023/24.

This report is public.

RECOMMENDATIONS

That the licensing fees for Taxi, Private Hire and Miscellaneous licences be determined for 2023/24 on consideration of the information and options contained in this report.

1.0 Introduction

1.1 This report is concerned with the setting of licence fees for the following licences.

- Driver, Vehicle and Operator Licences (Taxi and Private Hire)
- Transfer of Ownership and Change of Vehicle Licences
- Scrap Metal Dealers (Mobile and Site)
- Street Cafes
- Skin Piercing Registration (Personal and Premises)
- Sexual Entertainment Venues
- Sex Shops
- Boatman and Pleasure boats
- Second-hand goods dealer/Market trader

The setting of such fees is a non-executive function and is therefore a matter for this Committee.

1.2 Licensing fees for taxi/private hire and miscellaneous licensing are considered and set under the following legislation.

- Local Government Miscellaneous Provision Act 1976
- Local Government Miscellaneous Provision Act 1982
- Scrap Metal Dealers Act 2013
- Highways Act 1980

- County of Lancashire Act 1984
- Public Health Acts amended Act 1907

2.0 Setting Fees

- 2.1 The Council's Fees & Charges Policy states that when setting discretionary charges, the general aim is to cover the cost of the service, accurately reflecting the full cost of provision including recharges. However, fees must be reasonable and proportionate. The fees and charges policy in relation to licensing fees offers a standard of good practice, although it is not legally binding on Licensing Committee.
- 2.2 It is also a requirement of the Council's fees & charges policy that fees be reviewed annually to ensure that costs are appropriately recovered. It is not lawful however, for the council to seek to make a profit from licence fees that are within its discretion.
- 2.3 Licensing fees have remained consistent with those set in 2019, when a full review of the service fees and charges were determined by the then, Licensing Regulatory Committee. The coronavirus pandemic followed in March 2020, during this time and to assist business recovery, fees set by Lancaster City Council were frozen, therefore no review of licensing fees and charges has been undertaken since 2019.

3.0 Method of Fee Construction

- 3.1 A full and detailed review of the current fee-setting framework has been undertaken by the Licensing Manager and Finance Officer. Including, time monitoring exercises, scrutiny of previous year(s) data and analysis of potential anomalies in projected figures and subsequent income.
- 3.2 An updated list of licence fees which reflect the review is attached at **Appendix A**.

4.0 The Legal Position

- 4.1 Traditionally the fees charged for licences have included the costs of the administration and issue of the licence, the costs of monitoring compliance, and the costs of enforcing against those unlicensed and licensed.

However, the case of *Hemmings v Westminster City Council* has clarified the costs that local authorities can include when setting licence fees. Local Authorities can no longer reflect costs of addressing unlicensed business activity when setting fees.

Taxi and Private Hire Licences

- 4.2 The power to charge a fee for a driver's licence (both Hackney Carriage and Private Hire) is found in section 53(2) of the Local Government (Miscellaneous Provisions) Act 1976, which provides that:
- *Notwithstanding the provisions of the Act of 1847, a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such a fee as they consider reasonable with a view to recovering the costs of issue and administration and may remit the whole or part of the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so.*

4.3 Therefore the fee must reflect the costs for the administration and issue of hackney carriage or private hire drivers licences.

4.4 The power to levy a fee for vehicle and operator's is contained within s.70:

- *Subject to the provisions of subsection (2) of this section, a district council may charge such fees for the grant of vehicle and operators' licences as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part—*

(a) the reasonable cost of the carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the purpose of determining whether any such licence should be granted or renewed;

(b) the reasonable cost of providing hackney carriage stands; and

(c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.

Therefore, the fee must reflect the costs of providing hackney carriage stands, control and supervision of licensed vehicles operating in the district, carrying out vehicle inspections and the administration and issue of hackney carriage or private hire vehicle and operator licences.

4.5 A licensing authority is entitled to set either the same or different fee levels for different types of applications: i.e. grant, renewal, variation, alteration or transfer.

5.0 Budget analysis

5.1 The licensing fees were last set in 2019/20, since then fees have been frozen due to a decision to freeze fees over the Covid period to help business. The volume of licences also dropped over that period, but costs continued to rise, consequently the Licensing function has been running at an average deficit of circa £80K pa over the period 2020/21 to 2022/23. It should be noted that not all time can be recovered so there will always be an overall deficit on Licensing for this. At present the fees for Licensing Act 2003 and Gambling Act 2005 are set nationally so we are unable to recover any potential losses on these.

5.2 A thorough costing exercise has been undertaken on Taxi Licensing and Miscellaneous Licensing, with a view to returning to full cost recovery where possible and Appendix A shows the uplift in fees required. It is not proposed to seek to recover the losses from previous years.

5.3 The table below shows the position if the current fees were just uplifted by inflation, this would result in a continued deficit position. Given the Councils current financial position this is not sustainable, and the recommendation is for full cost recovery.

CURRENT BUDGETED POSITION (PRIOR TO PROPOSED FEE UPLIFT)

	2023/24 Forecast £	2024/25 Forecast £	2025/26 Forecast £	2026/27 Forecast £
Hackney Carriage/Private Hire				
Central Overhead (including salaries)	181,600	192,300	199,400	212,700
Direct costs	40,800	41,800	52,000	43,600
Licence Income	(119,900)	(122,500)	(125,200)	(128,000)
Other Income	(63,700)	(54,200)	(55,300)	(56,500)
Deficit/(Surplus)	38,800	57,400	70,900	71,800
Average Deficit/(Surplus)	59,700			

	2023/24 Forecast £	2024/25 Forecast £	2025/26 Forecast £	2026/27 Forecast £
Miscellaneous Licences				
Central Overhead (including salaries)	11,100	11,800	12,200	13,000
Direct costs	0	0	0	0
Licence Income	(12,400)	(9,600)	(12,800)	(13,100)
Deficit/(Surplus)	(1,300)	2,200	(600)	(100)
Average Deficit/(Surplus)	50			

- 5.4 Whilst future predicted volumes cannot be 100% accurate going forward, the proposed fees have been prepared using the latest cost information available. By implementing the proposed fee structure, it is hoped that the annual deficit will reduce by c.£40K.

6.0 Options

The options available to members are:

- i. To maintain current fees and charges
- ii. To set fees and charges to allow for full cost recovery as proposed by the Licensing Manager and Finance Officer, and;
- iii. Advertise the updated fees as required by s70 of Local Government Miscellaneous Provisions Act 1976.

7.0 Conclusions

- 7.1 Licensing fees have been frozen since 2019/20, The volume of licences also dropped over that period, but costs continued to rise, consequently the Licensing function has been running at an average deficit of circa £80K pa over the period 2020/21 to 2022/23. A thorough costing exercise has been undertaken on Taxi and Miscellaneous Licensing, with a view to returning to full cost recovery where possible, It is not proposed to seek to recover the losses from previous years.
- 7.2 Members are recommended to set the fees for hackney carriage, private hire and miscellaneous licences for 2023/24, in accordance with the statutory provisions on licence fees.

- 7.3 Should members decide to introduce a different fee structure then this will need to be proposed and agreed.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None.

FINANCIAL IMPLICATIONS

Financial Services have been consulted and assisted the Licensing Manager in the preparation of this report. For information, the 2023/24 budget was agreed at Budget Council on 22nd February 2023, i.e. before the review was concluded and income budgets included a nominal 7.5% increase where appropriate in line with the fees and charges policy. Due to the pandemic and more recent cost of living crisis this has resulted in an increased budgeted annual deficit of c.£60K as highlighted in the table in section 5.3.

Again, as highlighted in the report, whilst future predicted volumes cannot be 100% accurate going forward, the proposed fees have been prepared using the latest information available. By implementing the proposed fee structure, it is hoped that the annual deficit will reduce by c.£40K.

The fee income for the current year will be reviewed as part of the closure of accounts and the Council's usual monitoring arrangements with any significant variances being reported as appropriate.

LEGAL IMPLICATIONS

Legal Services have been consulted and have no adverse comments to make regarding the content of the report.

BACKGROUND PAPERS

None

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Ref: Fees 2023/24

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Taxi and Private Hire Licence Fees

Type of Licence	2019/20 Fee	2023/2024 Fee Review
Dual Driver's Licence Renewal (annual)	119.00	164.00
HC Driver's Licence Renewal (annual)	119.00	164.00
PH Driver's Licence Renewal (annual)	119.00	164.00
Dual Driver's Licence Renewal (3 yearly)	237.00	317.00
HC Driver's Licence Renewal (3 yearly)	237.00	317.00
PH Driver's Licence Renewal (3 yearly)	237.00	317.00
Dual Driver's Licence New (annual)	146.00	204.00
HC Driver's Licence New (annual)	146.00	204.00
PH Driver's Licence New (annual)	146.00	204.00
Dual Driver's Licence New (3 yearly)	264.00	357.00
HC Driver's Licence New (3 yearly)	264.00	357.00
PH Driver's Licence New (3 yearly)	264.00	357.00
Enhanced CRB Check (Fee set by CRB)	44.00	44.00
Online Driver Licence Check	5.90	Not Applicable
Duplicate Driver's Badge	12.00	12.00
Hackney Carriage Vehicle Test Fee	53.00	54.85
Hackney Carriage Licence (annual)	219.00	268.00
Hackney Carriage Licence (6 monthly)	110.00	134.00
Hackney Carriage Licence (4 monthly)	73.00	90.00
Licence Plate - Hackney Carriage (each)	6.40	6.40
Door Sign - Hackney Carriage (each)	6.40	6.40
Private Hire Vehicle Test Fee	53.00	54.85
Private Hire Vehicle Licence (annual)	150.00	204.00
Private Hire Vehicle licence (6 monthly)	75.00	102.00
Private Hire Vehicle Licence (4 monthly)	50.00	68.00
Licence Plate - Private Hire (each)	6.40	6.40
Door Sign - Private Hire (each)	6.40	6.40
Change of Vehicle	52.00	57.00
Transfer of Ownership	34.00	49.00
Administration Fee	34.00	43.00
Private Hire Operators Licence	Annual/5 Year	Annual/5 Year
1 Vehicle	125.00/536.00	178.00/629.00
2-10 Vehicles	171.00/664.00	212.00/714.00
11-25 Vehicles	225.00/887.00	342.00/1032.00
26 Vehicles and over	313.00/1275.00	448.00/1469.00

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Miscellaneous Licensing Fees

Type of Licence	2019/20 Fee	2023/2024 Fee (Review)
Boatman's Licence	65.00	93.00
Scrap Metal Dealers Mobile Licence (3 yearly)	233.00	296.00
Scrap Metal Dealer Site Licence (3 yearly)	365.00	435.00
Pleasure Boat Licence	139.00	181.00
Registration in Skin Piercing/Tattooing (Persons)	111.00	192.00
Registration in Skin Piercing/Tattooing (Premises)	161.00	259.00
Registration of dealer in second-hand goods	49.00	75.00
Registration of dealer in second-hand goods - market stalls	49.00	75.00
Sex Shop	175.00	203.00
Sex Shop renewal	175.00	203.00
Sexual Entertainment Venue	313.00	333.00
Street Café Licence	158.00	206.00
Pavement Licence	100.00	100.00