

## Crawley Borough Council

### Minutes of Licensing Committee

Tuesday, 7 February 2023 at 7.00 pm

#### **Councillors Present:**

I T Irvine (Chair)

Z Ali (Vice-Chair)

M L Ayling, J Bounds, B J Burgess, J Hart, K L Jaggard, M G Jones, K Khan, K McCarthy,  
M Morris, C J Mullins, B Noyce and D M Peck

#### **Also in Attendance:**

Councillors R D Burrett, S Malik, M Mwangale and Ian Millarship - LVSA

#### **Officers Present:**

Heather Girling

Democratic Services Officer

Chris Pedlow

Democracy & Data Manager

Kareen Plympton

Team Leader - Health, Safety and Licensing

Astrid Williams

Senior Lawyer (Solicitor)

#### **Apologies for Absence:**

Councillor A Nawaz

#### **1. Disclosures of Interest**

No disclosures of interest were made.

Councillors Ali, Ayling, Bounds, Burgess, Irvine, Jaggard, Jones, Khan, Morris, Mullins, Noyce and Peck confirmed that they had received some form of lobbying in respect of agenda item 4 – Hackney Carriage Unmet Demand Survey 2022.

#### **2. Minutes**

The minutes of the meeting of the Licensing Committee held on 7 November 2022 were approved as a correct record and signed by the Chair.

#### **3. Public Question Time**

No questions from the public were asked.

#### 4. Hackney Carriage Unmet Demand Survey 2022

The Committee considered a presentation from LVSA on the Unmet Demand Survey 2022 (attached as appendix A to these minutes), along with report [HCS/054](#) of the Head of Community Services. The Health, Safety and Licensing Team Leader presented the report, which set out details of the latest Crawley hackney carriage unmet demand survey. The survey was due to be conducted in 2020/21 but was postponed due to the Coronavirus pandemic, so had instead been carried out throughout the latter half of 2022 and early part of 2023. The findings of the survey indicated that there was no significant level of unmet demand from members of the public for the services of hackney carriage vehicles in the area (although demand had increased slightly since the prior survey, conducted in 2017). The Committee was therefore recommended to consider whether to retain the existing policy of limiting the number of hackney carriage vehicle licenses (currently set at 123).

The Committee was further advised that the Council maintained a policy of retaining a mixed fleet of hackney carriage vehicles, including wheelchair accessible vehicles (WAVs) to cater for the varying needs of service users. Currently, WAV vehicles make up approximately 19% of the hackney carriage fleet. The Council was committed to meeting the needs of the travelling public in Crawley including those who have disabilities of any nature and/wider support needs. In addition to the mandatory disability awareness training all drivers were required to undertake, there was also mandatory wheelchair training, which all hackney carriage drivers would be expected to take, along with safeguarding training for all of the Trade by a prescribed date.

The Committee Chair invited the Chair of Crawley Hackney Carriage Association (Mr Bhatti) to speak on the item. Matters raised included the impact generally on the trade due to the challenges post Covid-19 pandemic and the changes in the night-time economy. It was noted that the Trade were of the view that business had declined since September last year, especially at the Crawley station rank and consequently retaining the existing policy of limiting the number of hackney carriage vehicle licenses was welcomed.

The Committee then discussed the presentation and report. The following matters and views were raised:

- The issues at the High Street and Station ranks were noted in terms of enforcement and provision and it was hoped these could be given future consideration.
- Concern raised over the potential impact on the trade and residents arising from the proposed changes to Three Bridges railway station. The outcome would be following consideration of the application by the Local Planning Authority.
- Signage and promotional material were currently being produced in order to increase awareness and profile of responsible drinking, safer socialising and the importance of planning safe and suitable transport home. Information relating to the current Hackney Carriage and Private Hire functions and enforcement would be scoped to raise the profile of both Trades as a means to educate the travelling public as to the differences and safe travelling practices. This would be shared with Councillors prior to publishing to a wider audience.
- Local authorities had different approaches with regards to implementing policies of limiting hackney carriage proprietor licences. There was no current statutory prohibition on continued numerical restriction (limit) provided the Council was satisfied there was no significant unmet demand. Nonetheless, the Council should demonstrate, if it does not follow the Government Guidance by continuing to limit numbers, that had robust reasons for so doing and had acted reasonably

in making its determination. The survey conducted every 3 years assisted in confirming its position.

- Support expressed for the training already undertaken and recognition that additional safeguarding measures were being rolled out to include Taxi Marshalls and Night Safe Marshalls. The primary role would be to offer public re-assurance, engagement and facilitate a safe passage home.
- Work on investigating 'dual badge' licences was ongoing as significant work was entailed to ensure robust audit compliance.
- Confirmation that the plate remained the ownership of the authority but in practice a licensed hackney carriage vehicle did command a commercial value if sold to another individual. A hackney carriage proprietor licence being transferred from one individual to another involved a legal process together with concurring a small fee payable to the Council.

The Committee expressed its thanks to those responsible for undertaking the unmet demand survey and was, overall, generally supportive of the recommendation to continue to limit the number of hackney carriage vehicle licenses (set at 123).

### **RESOLVED**

That the Committee:

- a) Confirms that it gave due consideration to the unmet demand survey report, which was undertaken on behalf of Crawley Borough Council, and that it was satisfied that there is no significant unmet demand for the services of hackney carriages.
- b) Agrees that the Council would continue to have a policy of limiting the number of hackney carriage vehicle licences issued by Crawley Borough Council, subject to any applicant demonstrating exceptional circumstances, and confirmed the limit level (number of licences) shall remain at 123 licenses.

### **Closure of Meeting**

With the business of the Licensing Committee concluded, the Chair declared the meeting closed at 8.07 pm

**I T Irvine (Chair)**

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# Appendix A

 <p><b>Crawley Borough Council Unmet Demand Survey 2022</b></p> <p>Ian Millership</p> <p>Licensing Committee Crawley Borough Council Tuesday 7<sup>th</sup> February 2023</p>	<p><b>Aim of this survey</b></p> <ul style="list-style-type: none"> <li>Identify any significant unmet demand (or otherwise)</li> <li>Provide committee evidence of current position regarding unmet demand and its significance at this point in time</li> </ul> <p><b>NOTE</b> – survey is focus on HACKNEY CARRIAGE (taxi) demand levels and although the public call private hire vehicles 'taxis' and the level of provision of private hire can impact on hackney carriages, the study is of demand for hackney carriages and if this is unmet or not</p> <ul style="list-style-type: none"> <li>Study of private hire service provision and supply is a much bigger and more complex task</li> <li>All demand surveys are acknowledged as being 'snapshot' views at the time undertaken</li> <li>Survey at 'typical' demand time outside school holiday periods and without any known notable events</li> <li>Was BEFORE major onset of cost of living crisis</li> <li>Some drivers may not have returned from extended holidays</li> </ul>	 <p><b>Study timetable</b></p> <ul style="list-style-type: none"> <li>Undertaken August to December 2022</li> <li>On street surveys November / December</li> <li>Rank observations early September</li> <li>Plate observations on the Saturday night</li> <li>All-driver (including private hire) survey October / November 2022</li> <li>Discussion with hackney carriage trade representative, January 2023</li> <li>WAV user questionnaire issued</li> <li>Key stakeholders during period of survey</li> </ul>
 <p><b>Fleet / Industry issues</b></p> <ul style="list-style-type: none"> <li>123 hcv at time of survey (limited since 2011)</li> <li>661 phv</li> <li>Hackney carriage and private hire drivers both distinct</li> <li>About 160 drivers hold both hackney carriage and private hire driver licences</li> <li>Tradition of 'journeymen' in both fleets</li> <li>Actual numbers of them varies (possibly max 88 hc, 236 phv)</li> <li>Would not amend our conclusions if their views had been given</li> <li>Night life now focussed on High Street Crawley</li> <li>Larger clubs did not survive pandemic</li> <li>National app company strongly active in area since last survey</li> <li>Overall fleet structure strongly traditional with few hackney carriages on private hire circuits, most hcv supplement income from contracts not bookings</li> </ul>	 <p><b>Rank activity</b></p> <ul style="list-style-type: none"> <li>Hours covered shown in Appendix 1 of Report</li> <li>Covers all active hours</li> <li>2022 weekly demand 18% less than 2017</li> <li>2014 to 2017 had seen steady demand levels</li> <li>Strong increase focus on Three Bridges Railway Station rank, now 84% of estimated total hackney carriage rank passengers</li> <li>Haslett Avenue West rank share increased to 7%</li> <li>Boulevard rank usage significantly reduced (shop closure)</li> <li>High Street Jubilee Oak strong reduction (N b. ONLY demand from rank observed)</li> <li>Average passenger levels per hour 29 Thursday, 31 Friday, 41 Saturday</li> <li>But always someone using a rank somewhere in Crawley</li> <li>Reduced level of plates (33% compared to 59% in 2017)</li> <li>Issue of High Street ranks being parked in by private vehicles</li> </ul>	 <p><b>Public consultation</b></p> <ul style="list-style-type: none"> <li>188 people consulted</li> <li>87% had used licensed vehicle in last three months</li> <li>(44% hcv, 32% phv, 11% both)</li> <li>Strong reduction in level those who could not remember when last used hackney carriage (from 82% 2017 to 29% now)</li> <li>This could be transfers from those unable to get private hire</li> <li>Evidence of strong phv competition</li> <li>App company now fourth largest mentioned</li> <li>39% knew of rank at Three Bridges Railway Station, 28% Haslett Avenue West, 24% Crawley Railway Station (?phv office??)</li> <li>People may not be clear on difference between hcv and phv</li> <li>People felt overall licensed vehicle performance 'very good'</li> </ul>
 <p><b>Disability issues</b></p> <ul style="list-style-type: none"> <li>Level of WAV activity at ranks high for vehicles</li> <li>Low actual usage by people in wheel chairs (just one at Haslett Avenue West)</li> <li>22 needed assistance entering vehicles, most at The Boulevard</li> <li>Most night rank service by vehicles appearing to be WAV style</li> <li>Action already being taken to increase level of WAV in bookable private hire fleet</li> <li>Small response to WAV user survey but mainly needed more provision in phv fleet and training</li> </ul>	 <p><b>Trade consultation</b></p> <ul style="list-style-type: none"> <li>All-driver response good</li> <li>79% of response from hackney carriage</li> <li>56% of hackney carriages only got work from ranks</li> <li>31% ranks and school contracts</li> <li>97% (including many private hire) supported retention of limit</li> <li>Strong trade fear of extra plates</li> <li>NO response from hackney carriage journeymen, but a little from private hire journeymen</li> </ul>	 <p><b>Unmet demand evaluation</b></p> <ul style="list-style-type: none"> <li>Despite reduced passenger numbers unmet demand increased</li> <li>Levels not significant in terms of needing MORE extra plates BUT most values increased from 2017 levels</li> <li>Just 9% of observed hours had any passenger waiting</li> <li>Just 4% of all passenger experienced a wait</li> <li>Over all passengers, average passenger delay 0.17 minutes</li> </ul>
 <p><b>Key conclusions</b></p> <ul style="list-style-type: none"> <li>Overall licensed vehicle operations very healthy</li> <li>Good levels of customer satisfaction</li> <li>Hackney carriage and private hire trades very separate</li> <li>Share of total passengers taken by Three Bridges Railway Station further increased despite reduced rail passenger numbers there – now about 20% of passengers leaving station do so in hackney carriages from the rank (was 15% in 2017)</li> <li>Drivers appear to be working about same number of days and hours BUT less active late night and Saturdays</li> <li>(there can be no formal record of actual hours worked)</li> <li>Seems to be hackney carriages more able to get desired income from daytime work, possibly from private hire</li> <li>Unmet demand increased from 2017 but remains a generally low level overall</li> </ul>	 <p><b>Key conclusions (2)</b></p> <ul style="list-style-type: none"> <li>Focus of unmet demand daytime Fridays</li> <li>Crawley Railway Station booking office operation misunderstood by public as a 'rank'</li> <li>Need to improve night safety of passengers by enforcing against private car parking at High Street ranks</li> <li>Appears that hackney carriages have picked up some private hire passengers as their fleet and drivers remained more stable in pandemic (?impact of limit??)</li> <li>Reporting to Council of shortage of 'taxis', increased fares charged and requests for sharing all relate to private hire</li> <li>Little evidence of this appeared in public or stakeholder consultations although there were some references but not as strong as we might expect.</li> </ul>	 <p><b>Thank You.</b></p> <p><b>Any Questions?</b></p>

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