

# Public Document Pack

<b>MEETING:</b>	General Licensing Regulatory Board
<b>DATE:</b>	Wednesday 17 April 2024
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## AGENDA

1 Declaration of Interests

To receive any declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

2 Minutes (*Pages 3 - 6*)

To accept as a correct record the minutes of the meeting held on 20 December 2023.

3 Enforcement Update (*Pages 7 - 10*)

4 Private Hire Door Signs (*Pages 11 - 14*)

5 Taxi Demand Survey Results (*Pages 15 - 98*)

6 Policy Update (*Pages 99 - 102*)

To: Chair and Members of General Licensing Regulatory Board:-

Councillors Green (Chair), Bellamy, Booker, Bowser, A. Cave, Cherryholme, Clarke, Denton, Eastwood, Ennis OBE, Hunt, Lodge, Lowe-Fiello, Markham, Moyes, Murray, Osborne, Risebury, Sheard, Shepherd, Stowe, Tattersall, White, Wilson and P. Wright

Wendy Popplewell, Executive Director Core Services  
Matt O'Neill, Executive Director Growth and Sustainability  
Sajeda Khalifa, Solicitor  
Debbie Bailey, Senior Licensing Officer  
Jamie Impey, Senior Legal Officer

Please contact Mel Bray on email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk)

Tuesday 9 April 2024

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<b>MEETING:</b>	General Licensing Regulatory Board
<b>DATE:</b>	Wednesday 20 December 2023
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

### Present

Councillors Green (Chair), Booker, Bowser, Cherryholme, Denton, Eastwood, Ennis OBE, Hunt, Lodge, Moyes, Osborne, Sheard, Shepherd, Stowe, Tattersall, White and P. Wright

### 22 Declaration of Interests

There were no declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

### 23 Minutes

The minutes of the meeting held on 6 September 2023 were taken as read and signed by the Chair as a correct record.

Councillor Wright referred to the last Board meeting, where he had queried the number of accidents involving taxis that had been reported in a year.

Councillor Green informed Members of the sad passing of Councillor Wraith. Members noted Councillor Wraith's exemplary chairing skills as the former Chair of the Licensing Regulatory Board.

**RESOLVED** that the minutes of the General Licensing Regulatory Board meeting held on 6 September 2023 be approved as a true and correct record.

### 24 Licensing and Enforcement Update

Members were provided with an overview of the enforcement work that had recently been undertaken by Licensing Officers.

It was noted that a high proportion of taxi drivers from outside of the borough continued to come into Barnsley town centre collecting fares; approximately 32,000 taxi licenses had been issued by Wolverhampton Council. It was necessary to convey the message that Licensing Enforcement Officers would continue to undertake periodic vehicle checks. Councillor Green requested that if Members observed any taxis other than Hackney Carriage taxis parked in the taxi ranks, to provide the licence plate details to D Bailey, Senior Licensing Officer.

D Bailey commented that there was no evidence to suggest that the out of town taxi drivers were operating illegally and no complaints had been received from members of the public. The Veezu taxi firm had operating centres across the country and brought approximately 20 out of town drivers into Barnsley predominately on

Friday and Saturday evenings. There was currently a lack of taxi drivers to meet the public demand at busy times. Enforcement operations in Barnsley town centre would continue in collaboration with Licensing Enforcement Officers from other authorities.

On 4 November 2023 Licensing Enforcement Officers alongside South Yorkshire Police Officers and Wolverhampton Licensing Authority Officers had taken part in a night time operation which focused on Barnsley town centre and the drivers and vehicles that work in the night time economy. Councillor Green, Chair of the Licensing Regulatory Board, was also in attendance. In total, 10 licensed vehicles and drivers had been inspected on the night, all of which were licenced by other local authorities:-

- 2 vehicles and drivers licensed by Calderdale.
- 4 vehicles and drivers licensed by Wolverhampton.
- 2 vehicles and drivers licensed by Sheffield.
- 1 vehicle and driver licensed by Leeds.
- 1 vehicle and driver licensed by Chesterfield.

During the operation, Wolverhampton Licensing Officers had suspended 3 of their licensed vehicles for issues in relation to door signage. Checks were made to ensure that all of the drivers and vehicles inspected could provide evidence of customer bookings.

On 10 November 2023 a day time operation had been undertaken which had focused on Barnsley town centre and the drivers and vehicles that work in the day time economy. As part of the operation, a total of 12 licensed vehicles and drivers had been inspected, all of which were found to be compliant and were Barnsley licensed drivers.

Members were advised of a further night time operation undertaken on 2 December 2023 by Licensing Enforcement Officers alongside Officers from South Yorkshire Police, Wolverhampton, Leeds and Sheffield Local Authorities which focused on Barnsley town centre and the drivers and vehicles that work in the night time economy. Councillor Green, Chair of the Licensing Regulatory Board, was also in attendance. The operation had been focused on vehicles and drivers that were licensed by Licensing Authorities outside of Barnsley. Licensing Officers from all the authorities in attendance had undertaken checks of their respective licensed vehicles and drivers, and had undertaken enforcement action where necessary. Checks were made to ensure that all drivers inspected could provide evidence of customer bookings. In total, 19 vehicles had been inspected on the night, all of which were licensed by other local authorities:-

- 2 vehicles and drivers licensed by Calderdale
- 2 vehicles and drivers licensed by Wolverhampton
- 5 vehicles and drivers licensed by Sheffield
- 1 vehicle and driver licensed by Leeds
- 2 vehicles and drivers licensed by Chesterfield
- 2 vehicles and drivers licensed by Wakefield
- 4 vehicles and drivers licensed by Rotherham
- 1 vehicle and driver licensed by Bradford

Proactive joint enforcement operations would continue to be regularly undertaken on the Hackney Carriage and Private Hire drivers and vehicles. The principal consideration being for public safety.

**RESOLVED** that Members supported Officers and encouraged Hackney Carriage and Private Hire drivers and operators to comply with the conditions of their licence and continue to keep their vehicles as safe as possible for both drivers and customers at all times.

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Chair

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# Item 3

**Report of the Assistant Director to the  
General Licensing Regulatory Board  
to be held on the 17<sup>th</sup> April 2024**

## **ENFORCEMENT UPDATE**

### **1. Purpose of Report**

The purpose of this report is to provide Members with an overview of the work Licensing Officers have recently undertaken.

### **2. Background**

Members are minded to note, that Licensing Officers have continued to proactively work with the Hackney Carriage and Private Hire Trade and other Local Authority Departments and partners to ensure that any issues and concerns within the trades are raised and addressed accordingly.

Through the regular Trade Liaison Meetings, the Hackney Carriage and Private Hire Associations have raised concerns in relation to the volume of private hire and hackney carriage vehicles licensed by other authorities that are working in the town centre.

### **3. Current Position**

On the 2<sup>nd</sup> March 2024 Licensing Enforcement Officers took part in a pro-active mobile nighttime and test purchase operation focusing their attention across the Barnsley Borough as well as the town centre and the drivers and vehicles that work in the night-time economy.

In total 6 licensed vehicles and drivers were stopped and inspected on the night which were licensed by Barnsley and 2 vehicles and drivers were stopped and inspected that were licenced by Rotherham and Wolverhampton Councils.

The results of the 8 vehicles and drivers stopped and checked are as follows:

- 2 Barnsley licensed vehicles and drivers were fully compliant.
- 1 vehicle was suspended for displaying the licence plate in the rear window of the vehicle.
- 1 vehicle was suspended for an inoperative side light and brake light.
- 1 vehicle was suspended for an inoperative number plate light.
- 3 drivers were issued written warnings for failing to complete their daily check books.
- The details of the 2 vehicles and drivers that were licensed by other local authorities were fed back to their respective Licensing Officers.

As part of the operation on the night, Licensing Officers also undertook a test purchase operation in the town centre.

All drivers approached as part of this operation were complaint.

Vehicle and driver non-compliance is an issue Officers are concerned with during the undertaking of every enforcement operation. Regardless of which authority issued the licences, defective vehicles are not acceptable and cannot be excused and officers will continue to pro-actively enforce both the legislation and our local conditions accordingly.

#### **4. Proposal**

Proactive and reactive enforcement operations will continue to take place on a regular basis. Vehicle failures are always unacceptable, and our enforcement operations must convey the message that operators, vehicle proprietors and drivers must accept responsibility for any failures and make a change. All Licensing Authorities have clear standards that must be adhered to as failure



to do so may put the safety of the public at risk when using a hackney carriage or private hire vehicles.

The principal consideration for all is, as always, one of public safety.

Members are asked to support Officers and encourage private hire and hackney carriage drivers and operators to comply with the conditions of their licence and continue to keep their vehicles as safe as possible for both drivers and customers at all times.

**5. Background Papers**

Enforcement Officer Reports which contain exempt information are not available for public inspection.

**6. Officer Contact**

Debbie Bailey  
07786525961

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# Item 4

**Report of the Assistant Director to the  
General Licensing Regulatory Board  
to be held on the 17 April 2024**

## **PRIVATE HIRE DOOR SIGNS**

### **1. Purpose of Report**

The purpose of this report is to provide Members with information and seek their approval in relation to amending the Private Hire vehicle condition for Door Signage.

### **2. Background**

Members are minded to note, that the Private Hire Association have requested the vehicle conditions in relation to door signage requirements be amended.

### **3. Current Position**

Members are aware that the licence conditions for private hire vehicles currently contain the following requirements: -

*The vehicle when working must display on its front doors the words Private Hire Vehicle Advanced Booking Only and must display on the rear offside and near side doors of the vehicle the operator's trade or business name and telephone number. No other signs or words whatsoever shall be displayed.*

*The "Private Hire Vehicle Advanced Booking Only" signage must be in a contrasting colour to the vehicle, be at least 19" x 6" in area and be in a prominent position in the centre of the door panel.*

*Operator livery shall not be displayed on any part of the vehicle other than the rear nearside and rear offside doors unless prior written authority is obtained from the Senior Licensing Officer.*

It has been raised at the Trade Liaison Meetings by the Private Hire Association that their members would like to request that the required "Private Hire

Advanced Booking Only” signage be a permanent fixture requirement. The request is made as the Barnsley Licensed Private Hire Trade would like to ensure that their vehicles are easily identifiable to the public, they feel this is particularly relevant with the influx of vehicles being seen in the town that are licensed by other Local Authorities.

In addition, they have also requested that they be allowed to display two Operator names on their licensed vehicles when working. This request is made as many drivers work for more than one Operator and they do not want to fall foul of the requirements in relation to displaying the correct company name. It can also be an inconvenience to have to stop in-between customers to alter their door signs.

Members will also be aware that Officers have had ongoing problems with many private hire vehicles displaying incorrect door signage that is difficult to read due the font size, colour and position of the lettering on the vehicle doors or even missing.

Drivers and vehicle proprietors are also free to work for more than one operator. The **Department for Transport Best Practice November 2023 states: -**

*A private hire vehicle driver and proprietor are free to work with more than one operator and licensing conditions or requirements that effectively tie a vehicle or driver into an exclusive relationship with an operator should not be implemented or should be discontinued where these are currently imposed.*

In response to the request from the private hire trade the new proposed wording of the private hire vehicle conditions will read: -

*The vehicle when working must **permanently**\* display on its front doors the words Private Hire Vehicle Advanced Booking Only.*

**\*Magnetic “Private Hire Advanced Booking Only” signs are not permitted**

*The “Private Hire Vehicle Advanced Booking Only” signage must be in a contrasting colour to the vehicle, be at least 19” x 6” in area and be in a prominent position in the centre of the door panel.*

*The vehicle when working must also display on the rear offside and near side doors of the vehicle **the maximum of two** operator trade or business names and telephone numbers. No other signs or words whatsoever shall be displayed.*

All drivers will be given a period of time in which to make changes to their current signage before enforcement action will be taken by officers for non-compliance.

Officers would like to request that members support the amendment to the private hire vehicle conditions.

**5. Background Papers**

Enforcement Officer Reports which contain exempt information are not available for public inspection.

**6. Officer Contact**

Debbie Bailey

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# Item 5

**Report of the Service Director to the  
General Licensing Regulatory Board  
to be held on the 17<sup>th</sup> April 2024**

## **TAXI DEMAND SURVEY RESULTS**

### **1. Purpose of Report**

1.1 The purpose of this report is to provide information detailed by the results of the recent taxi demand survey that was commissioned to accurately assess the availability of taxis in the town centre and to seek approval for the recommendations of the survey report.

### **2. Background**

2.1 BMBC has retained a limit on the number of hackney carriages since the authority was formed. Currently there are 67 hackneys licensed in the Borough. In order to justify continuing to retain this cap on numbers the Council has to carry out a demand survey on a regular basis, in line with the November 2023 Department for Transport Best Practice Guidance. This survey is conducted to assess the position in relation to customer demand and advises as to whether there is an unmet demand for taxis, or whether the cap should be retained as there is no unmet demand.

2.2 A survey of the demand for hackney carriages was carried out in September 2023, the final report has now been completed and a copy is attached to this report as Appendix 1. As part of the survey, key stakeholders were contacted and questions regarding taxis and private hire vehicles were asked of the general public, the Private Hire and Hackney Carriage Drivers, Disability groups and local businesses. A survey of the taxi ranks was carried out, with 24-hour observations and counts on the main ranks from Thursday until Sunday.

### 3. Current Position

3.1 The results of the survey are complex and a summary is provided below: -

- The industry standard test of significance of unmet demand found a number of changes which on balance saw the index marginally increase by 2.5%, effectively a very similar result to 2017 despite all the changes in between times. The values show an improvement from the interim situation observed in 2018. However, the existence of unmet demand has spread to Thursdays and to earlier on Saturday evenings now.
- The unmet demand occurs over both the daytime and nighttime but predominantly in the early hours of the morning at weekends (Friday night into Saturday morning and Saturday night into Sunday morning).
- Latent demand was increased from the 3.4% of 2017 to 9% now.
- There is an issue in getting drivers to work during the busiest late night/early morning periods. This is recognised by the Trade; however, many drivers do not want to work these hours. The main reasons given for this were driver safety and dealing with difficult customers. 7% (5% last time) saying they avoided times there might be drunken, violent or abusive customers.
- 67% this time (87% in 2017) of all respondents supported the vehicle number limit. The split saw all hackney carriage agree with 47% of private hire also agreeing with its retention.
- Reasons given for this included: -
  - Reduced levels of potential congestion
  - Better vehicle standards
  - Better air quality
  - More reliable service from smaller fleet
  - Overall customer satisfaction is high, despite wait times at busy periods. Customers seem to accept the need to wait.



- The overall view of the taxi marshals was that, though there was queueing, particularly with their presence, there was no significant risk to public safety and people were generally content to wait and happy to be able to return home. They did not feel there was any shortage of vehicles on any night. The small number of incidents reported, however, confirmed that the presence of the marshals was critical to making the operation work in a safe and secure manner.
- Taxi marshals are seen as a positive, particularly with regards to safety issues of both the public and drivers.

**Points to note: -**

- During the course of the survey, just over 6,045 (3,800 in 2017) vehicles were observed arriving or departing at or near the ranks within the area (partly due the 2023 observations covering a longer period). Of these movements, 21% (13%) were cars, 0.3% (5%) were emergency vehicles, 2.4% (1%) were goods vehicles and 5% (1%) were private hire vehicles. The remaining 71.6% (80%) were hackney carriages from Barnsley. A constant complaint from our hackney carriage drivers is that they cannot get on the ranks as they are constantly obstructed by private cars.
- Any increase in Hackney Carriage vehicle licences may not make any impact on specific times ie Saturday nights, as we cannot issue licences with restricted usage times. It could simply see a shift from private hire drivers to hackney vehicles without increasing supply, or potentially lead to over-supply in general, reducing the income to existing drivers and potentially pushing out some of the drivers who do operate on Saturday nights.

**3 Options: -**

**1 - Do nothing:** There is no statutory requirement to act, although Section 16 of the 1985 Transport Act does call into question if a limit can be retained if significant unmet demand is identified. In favour of doing nothing is the stability of the level of service

indicator which is now very similar to that pertaining in 2017. The level of service is also improved since the 2018 test, and significantly so.

All hackney carriages support retaining the limit, as do half the private hire respondents. The public did not suggest they would use hackney carriages more if more were available at ranks. There were no views received from key stakeholders about impacts on their businesses as there were in 2017. Further, this was the chosen option in 2018 by default and as already noted service levels appear to have improved to that set of observations.

The only negative aspect from the evidence against this option is that public views show that latent demand has increased. This is significant given that many other similar studies with strong and significant unmet demand in other places have seen reduced latent demand.

**2 - Managed growth:** A number of authorities determine a policy whereby they grow the hackney carriage fleet by a number per year. This has the benefit of enabling issues to be stopped or amended if issues arise requiring amendment. It provides more control over impacts than limit removal.

**3 - One off issue:** A number of hackney carriage plates could be issued as a one-off to seek to redress the level of service.

**4 - Limit removal:** This would see the current limit removed and any new entrants allowed.

Also, there is the possibility that no applications would be received to any offer of plates, which would be a statement in itself and would need further consideration of why this might occur.

**5 – Maintain limit, take remedial actions and review:** Given there has only recently been a Hackney Carriage fare change, which saw an increase of 30 pence on the flag and 30 pence on the mile thereafter. It also saw the introduction of a Super Tarriff that saw a further increase of 30 pence on the flag and the mile thereafter after 1am on

Sunday mornings. Any further revision to the hours covered by the night rates would not be sensible but should be discussed and considered for the next review that occurs, with the suggestion being to shift the start of the higher rate perhaps back to 22:00.

Several changes have occurred since the survey was carried out in September 2023:

- Our 2 largest private hire companies and have been amalgamated and have also brought with them out of town drivers that although raising a significant concern to the trade, are helping to fill the unmet demand gap.
- The Midland Street rank has been re-opened for use – giving hackney drivers 3 town centre ranks to facilitate.
- We have hopefully secured funding via the Transport Innovation Fund to install all our hackney carriage vehicles with CCTV with the aim of increasing both driver and passenger safety and encouraging more drivers to work at unsociable times and not avoid the more difficult customers. If this funding is successful a consultation of all drivers and vehicle owned will be conducted.

Documented confirmation of the change of driver operating hours would be obtained if a new comprehensive study was undertaken in due course.

Officers are also currently working on an on-line taxi training option to make the learning and preparation process easier for new drivers. By moving the training online this allows applicants to learn at their own pace and hopefully increase the first-time pass rate of the required theory test.

## **4 Recommendations**

4.1 The recommendations of this report are as follows.

- Note the content of the report and the demand survey.
- Members support option 5 - Maintain limit, take remedial actions and repeat the demand survey in 12 months.

- Note that despite there being unmet demand that is significant we would not introduce more Hackney Carriages vehicle licences at this time, although other research and a repeated full survey with rank surveys no later than March 2025 is recommended by both Officers and the Demand Report.
- Should the funding be successful, Members approve the consultation of all drivers and hackney carriage vehicle proprietors regarding the installation of CCTV in Hackney Carriages.

**5. Background Papers**

**LVSA Hackney Carriage Demand Survey 2024**

**6. Officer Contact**

**Debbie Bailey**

**Senior Licensing Officer**



Barnsley  
Hackney Carriage Demand Survey  
February 2024



## Executive Summary

This Hackney Carriage demand survey has been undertaken on behalf of Barnsley MBC following the guidance of the November 2023 DfT Best Practice Guidance document, and all relevant case history in regard to unmet demand. This executive summary draws together the key points required to summarise the evidence base gathered to allow Councillors to determine their current view about the present application of the right of the Council to maintain a limit on the number of hackney carriage vehicle licences it issues. Further detail where needed is within the main report, and the Appendices provided (some separately).

The study began with our appointment on 4<sup>th</sup> August 2023 based on our proposal dated June 2023, and an inception in mid August. Ranks were observed in September 2023, street interviews undertaken in October alongside trade views via a letter issued by the council to all drivers. Key stakeholders were contacted through the period right up to review of the draft Final Report by the Council in February 2024.

The area is a unitary metropolitan authority whose background transport policy is set within the context of the Sheffield City Region Transport Strategy which covers an extended area. This is supplemented by the Barnsley Transport Strategy valid till 2033 although this latter document does not mention hackney carriage or private hire. The SCRTS states that the authorities will work with taxi providers to ensure services provided match demand and customer requirements, but gives little further detail. This has not changed recently.

The authority has exercised its right to retain a limit on hackney carriage vehicle numbers at least since the authority was formed, with former zones and rural plates no longer in existence. Two plate issues in that period have seen hackney carriage vehicle numbers grow 21% compared to almost nothing for private hire over a similar period. Private hire vehicle numbers were hit badly by the pandemic whilst hackney carriage numbers were barely affected.

Our rank observations covered some 6,045 (3,800 in 2017) vehicle movements at or near ranks, with increased abuse by cars identified (21% of our observations). 72% (80% last time) of all movements were hackney carriages, with the split of WAV very similar to the proportion in the fleet overall.

Our observations found the latest, 2018 sample and 2017 full passenger demand profiles very similar, albeit that 2023 numbers were generally lower. The peak hour is now Saturday 22:00 rather than midnight in 2017. Overall, estimated weekly flows were now some 31% down on those from 2017.

Tests of plate activity found 79% (marginally less than the 81% of 2017) of the fleet active on the busiest day, although the highest proportion at any one period was 47% (was 58%), suggesting significant spare capacity in the vehicle fleet but also reduced overall activity albeit marginally in total.

Unmet demand was identified at various times and at each of the active ranks, further discussion of which follows below.

A high level of 12 (16 2017) people were observed accessing hackney carriages at ranks in wheel chairs, almost equally split between the two active ranks during the survey. 60 (40) other apparently disabled persons were also observed using hackney carriages at ranks.

A sample of 135 people interviewed in the streets of Barnsley found a high and increased level of 80% (58% 2017) saying they had used a licensed vehicle in the last three months in the area. 2.1 (1.8) total licensed vehicle trips were made per month, with hackney carriages seeing 12% (28%) of this level (perhaps suggesting the recent strong private hire changes have impacted on hackney carriage usage). Private hire saw lower levels of competition arising from the mergers. On the contrary although hackney carriages were very visible, a reduced level of 53% (nearly two thirds last time) said they could not remember the last time they used one.

Mother Hubbard's was the best known rank, with 26% saying they used it and 19% saying they used Market Hill. There was a small amount of quoted usage of the other ranks.

A good and positive view of recent licensed vehicle journeys was given. Driver knowledge was the most positive result. A key item to increase hackney carriage usage was if they were more affordable, a national response.

Latent demand was increased from the 3.4% of 2017 to 9% now, but 75% felt there were enough hackney carriages.

There was an apparently reported public high need for adapted vehicles in the area, higher than in 2017 but this time the main stated need was for WAV style rather than other adapted vehicle styles.



68% felt they knew the difference between hackney carriage and private hire and detailed questions confirmed this was correct. The main issue was people not understanding the potential to get hackney carriages using apps which is a marketing opportunity for hackney carriages.

A higher 16% of the trade (compared to 11% in 2017) responded to the all-driver survey. However, the main increase was seeing 60% of responses from those saying they drove private hire, which is unusual for this kind of survey (but not atypical around the country at present). All but one hackney carriage confirmed they worked ranks (39% saying all their work) but a high proportion of the private hire said their main work was advanced, not immediate bookings. 16% of hackney carriages had school contracts providing between 10% and 40% of their weekly work. There was evidence that the fare change had encouraged more to work later.

Working weeks seemed to be the same number of hours but over one less day. Hackney carriages tended to work longer hours, both being usual national experience. The level of those avoiding difficult working hours rose slightly from 5% to 7%.

All hackney carriages felt there were enough vehicles but only half the private hire agreed.

67% this time (87% in 2017) of all respondents supported the vehicle number limit. The split saw all hackney carriage agree with 47% of private hire also agreeing with its retention.

The industry standard test of significance of unmet demand found a number of changes which on balance saw the index marginally increase by 2.5%, effectively a very similar result to 2017 despite all the changes in between times. The values show an improvement from the interim situation observed in 2018. However, the existence of unmet demand has spread to Thursdays and to earlier on Saturday evenings now.

Overall, there appears to be an apparent stability in the level of service provided in the area, suggesting an equilibrium in place. The marshals have been key to this. Despite there being unmet demand that is significant we would not encourage introduction of more plates, although other research and a repeated full survey with rank surveys no later than March 2025 is prudent. It is very clear that support for the marshals needs to be supported and extended if possible.



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## 1 General introduction and background

Barnsley 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 November 2023 (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”.

### ***Background***

Current hackney carriage, private hire and operator licensing is undertaken within the legal frameworks set by the Town Polices Clause Act 1847 (TPCA). This has been amended and supplemented by various following legislation including the Transport Act 1985, Section 16 in regard to hackney carriage vehicle limits, and by the Local Government Miscellaneous Provisions Act 1976 with reference to private hire vehicles and operations. This latter Act saw application of regulation to the then growing private hire sector which had not been previously part of the TPCA (and remains outside it). Many of the aspects of these laws have been tested and refined by other more recent legislation and more importantly through case law.

Beyond legislation, the experience of the person in the street tends to see both hackney carriage and private hire vehicles as ‘taxis’ – a term we will try for the sake of clarity to use only in its generic sense within the report. We will use the term ‘licensed vehicles’ to refer to both hackney carriage and private hire. The formal DfT stance is to term its documents using ‘taxi’ for hackney carriage with private hire termed separately and hackney carriage no longer used.

### ***Review of Policy and Legislation***

The legislation around licensed vehicles and drivers has been the subject of many attempts at review. The limiting of hackney carriage vehicle numbers has been a particular concern as it is often considered to be a restrictive practice and against natural economic trends. The current BPG in fact says “most local licensing authorities do not impose quantity restrictions, the Department regards that as best practice”.

The most recent reviews were by the Office of Fair Trading in 2003, through the production of the BPG in 2010, the Law Commission review which published its results in 2014, the Parliamentary Task and Finish Group which reported in September 2018, the Government Response in February 2019 and the consultation on “Protecting Users” which closed on 22 April 2019 that then resulted in issue of the “Statutory Taxi and Private Hire Vehicle Standards” (STPHVS) on 23<sup>rd</sup> July 2020. A fully revised Best Practice Guidance document draft was issued in November 2024 although for the purposes of this Report there is little difference from the content and requirements of the 2010 document.

None of these previous changes resulted in any material change to the legislation involved in licensing. Other groups have provided their comments (including the Urban Transport Group and the Competition and Markets Authority), but the upshot remains no change in legislation from that already stated above. BPG however encourages a focus on minimal regulation where that is practicable and will achieve the aims of the licensing authority. It does clearly state that local licensing policy and action is for local licensing authorities and their councillors to determine and drive forward.

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 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. It is assumed the Government response to the Task and Finish Group is now effectively the current reaction to this extensive research. There was no mention of this topic in the STPHVS or new BPG although the former document did discuss wider review of the overall BPG document in the next consultation which is now concluded (see below).

### ***Current Government Policy review status***

The complete review and overhaul of the April 2010 BPG has now resulted in the November 2023 document. In terms of the requirements in regard to unmet demand and its review there is generally little change. In fact the document suggests that unmet demand methodology can be readily adapted to understand the level of unmet demand for wheelchair accessible vehicles (WAV) and by extension to review of overall accessibility of the full licensed vehicle fleet. There is also an emphasis on the total overall transport policy for any area and encouragement that licensing matters are held within the context of Local Transport Plans, with rank review and accessibility review also held within that framework. This is not a new focus given that DfT reviewed how taxis should fit in Local Transport Plans back in 2002, but it is refreshed and re-invigorated in the current BPG.

### ***The present background to policy***

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 (both of the latter 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. For some authorities this is complicated by local education authority rules on vehicles used on their contracts.

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. What the new BPG now encourages is that the overall accessibility of the fleet to all those needing varying adaptations to allow them to travel is considered within policy (through the Inclusive Service Plans).

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. DfT now encourage minimal signage on private hire to ensure taxis are more distinct, but also warns that private hire must also be distinct from private cars – sometimes a difficult tightrope to walk.

Some authorities have also considered use of deregulation in favour of more sustainable vehicle types as a further potential quality restriction given the urgent need to improve overall vehicle emission standards, but the status of charging points and public views regarding electrification in general are not as favourable now, particularly with reduced government subsidy. Again BPG encourages this to be within overall policy and discourages excessive regulation that might reduce the level of supply of vehicles whilst noting that the transfer to principally electric vehicles must eventually occur.

### ***Unmet demand and its significance***

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 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. The reaction of many authorities to that request was to remove limits.

The BPG also provides additional suggestions of how these surveys should be undertaken, albeit in general but fairly extensive terms. A key encouragement within the BPG is that vehicle licensing policy should be aligned with the overarching Local Transport Plan process. BPG suggests for unmet demand review key points in consideration are passenger waiting times at ranks, for street hailing and telephone bookings, latent and peaked demand, wide consultation and publication of “all the evidence gathered”.

The most recent changes in legislation regarding licensed vehicles have been enactment of the parts of the Equality Act related to guidance dogs (sections 168 to 171, enacted in October 2010), the two clauses of the Deregulation Act which were successful in proceeding, relating to length of period each license covers and to allowing operators to transfer work across borders (enacted in October 2015), and most recently enactment of Sections 165 and 167 of the Equality Act, albeit on a permissive basis (see below). Two Acts introduced in 2022 made small but significant changes (see below).

The latest STPHVS required an update given to the DfT by the end of January 2021 in terms of consideration of the measures included in that document, principally production of a comprehensive policy document, review of if CCTV might be mandated and documentation of passenger complaints but it is not clear if DfT have actually reviewed this.

The new BPG encourages taxi and private hire licensing to be set in context of the overarching Local Transport Plan transport background policy. This includes review of rank provision and overall fleet accessibility, with the latter suggested as being assisted by applying unmet demand methodology specifically to the potential unmet demand for WAV style vehicles.

### ***Case law and unmet demand***

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.

A 2023 case which sought to add a non WAV vehicle to a fleet that has a mandatory policy failed, seeing the WAV policy maintenance being supported, but this was in advance of the new BPG which now focusses on wider accessibility albeit ensuring sufficient WAV are provided, but also encouraging a check what the real need of vehicle characteristics is in a licensing area. Again, the focus remains on local provision for local need.

### ***Most recent changes relating to demand***

The most recent changes in legislation regarding licensed vehicles have been enactment of the parts of the Equality Act related to guidance dogs (sections 168 to 171, enacted in October 2010), the two clauses of the Deregulation Act which were successful in proceeding, relating to length of period each license covers and to allowing operators to transfer work across borders (enacted in October 2015), and most recently enactment of Sections 165 and 167 of the Equality Act, albeit on a permissive basis (see below).

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

- Carry the passenger while in the wheel chair
- Not make any additional charge for doing so
- If the passenger chooses to sit in a passenger seat to carry the wheel chair

- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort
- To give the passenger such mobility assistance as is reasonably required

This was enacted from April 2017. There remains no confirmation of any timetable for instigating either the remainder of the Equality Act or the Law Commission recommendations, although it is assumed the new BPG effectively assumes both are now at their current logical conclusion at this point in time, subject to the new evidence gathering regarding disability and accessibility included in the discussion by DfT of the new BPG.

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.

### ***The current status regarding unmet demand studies***

In general, industry standards suggest (but specifically do not mandate in any way) that the determination of conclusions about significance of unmet demand must take into account the practicability of improving the standard of service through the increase of supply of vehicles.

It is also important to have consistent treatment of authorities as well as for the same authority over time, although apart from the general guidance of the BPG there is no clear stipulations as to what this means in reality, and certainly no mandatory nor significant court guidance in this regard

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. However, the Report has no legislative backing and the key conclusion was that the Government needed to act firstly to revise the 2010 BPG but then to move to revisions to primary legislation as soon as practicable.

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.

A number of authorities have recently changed and become unitary authorities. This has led to a number of former 'limited' areas now becoming a larger single area and losing their limit on vehicle numbers. However, the overall proportion of authorities with limits appears to remain similar. A small number of authorities without a limit continue to review overall policy including an unmet demand style data collection exercise, including one of the recent new unitary authorities, who are testing the impact of their merging zones in this manner.

### **Conclusions**

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 that 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 insured for their journey.

Drivers can either be split between ability to drive either hackney carriage or private hire, or be 'dual', allowed to drive either kind of vehicle. Whilst a private hire driver can only take bookings via an operator, with the 'triple-lock' applying that the vehicle, driver and operator must all be with the same authority, a hackney carriage driver can accept bookings on-street or by phone without the same stipulation required for private hire.

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. The BPG does now suggest an encouragement by the licensing authority to operators to advise their customers if their journey will be provided by a vehicle not from that authority but it will be interesting to see how this is implemented.

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.

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## 2 Local background and context

Key dates for this Hackney Carriage demand survey for Barnsley are:

- appointed CTS Traffic and Transportation on 4<sup>th</sup> August 2023
- in accordance with our proposal of June 2023
- as confirmed during the inception meeting for the survey held during August 2023
- this survey was carried out between September and November 2023
- On street pedestrian survey work occurred in early October 2023
- the video rank observations occurred in early September 2023
- Licensed vehicle driver opinions and operating practices were canvassed during September and October 2023
- 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 that review.

Barnsley is a metropolitan borough authority, formerly part of South Yorkshire County. The authority has a current population of 244,600 using the initial 2021 census estimates. This is similar to the 243,655 using the 2017 estimates from the 2011 census that were available at the time of the last survey. That estimate suggested 250,866 for 2021 and 254,074 for 2023, which suggests growth has been less than expected.

The Barnsley Transport Strategy – “Barnsley Borough Moving from A to B” is closely aligned with the Barnsley 2030 Vision and sets high level commitment to improving transport options making “Barnsley the place of possibilities”. The Strategy is set within the context of the area being with the Sheffield City Region and also draws from the Barnsley Local Plan 2019 and Barnsley 2030 documents. It draws from the Sheffield City Regional Transport Strategy (SCRTS).

The City Region has a central location on the national motorway network with links to the M1, A1 (M), M18 and M180. Trans Pennine road links are provided by the A57 Snake Pass and the A616/A628 Woodhead Pass. There are issues of congestion as well as emissions. SCRTS (para 5.17) recognizes the role of taxi and private hire services. It is agreed that they offer a high level of flexibility, including coverage of areas with low frequency of scheduled public transport services, and reduce the need for city centre parking. They are particularly useful for passengers making one-way trips, for those travelling with luggage, and for late night or early morning travel.

A stated intention of SCRTS (para 5.24) is to work with the private hire industry to ensure their services match the needs of travellers from different communities in the area. Flexible and demand responsive options will be investigated. At the point of adoption, the SCRTS included an information pack, SCR Transport Strategy and Barnsley, giving detail of the input at all levels Barnsley Council made to the development of SCRTS. At the present time, the main Barnsley document is the latest Barnsley Transport Strategy, see below.

The Barnsley Transport Strategy is a long term plan to 2030. It does confirm that 23.9% of Barnsley residents in 2011 reported their day to day activities were limited due to a long term health issue or disability. It is noted that COVID reduced operating bus miles by 11.5% and trips by 23 million in the Barnsley area comparing years before and after, leading an increased dependency on the car for travel. It makes no mention of hackney carriage or private hire services at all, being mainly a higher level document, but the suggestion of reduced mass public transport can only have increased the demand for the services of licensed vehicles, particularly the booked element mainly represented by private hire vehicles.

### ***Licensing Powers***

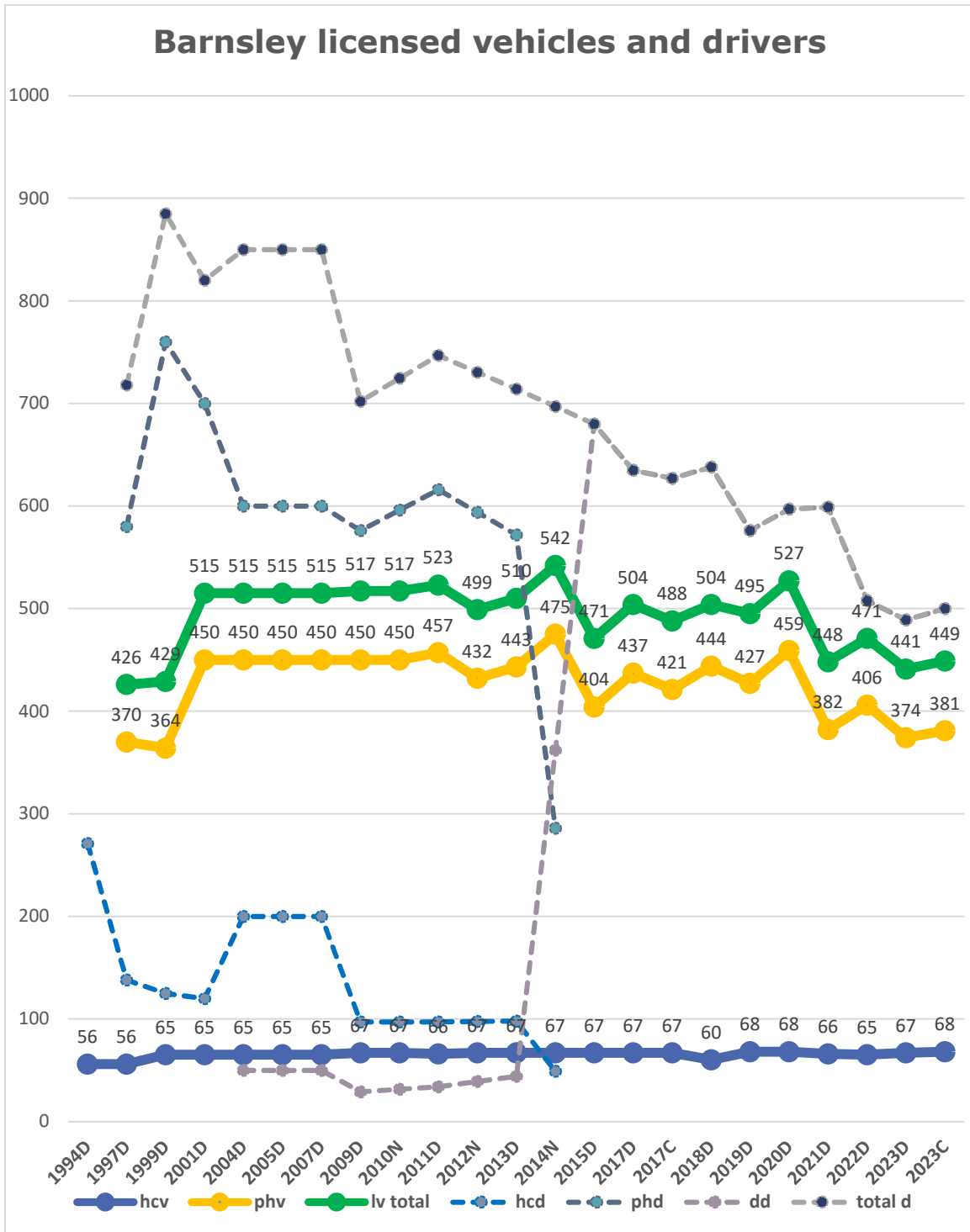
All licensing authorities have full powers over licensing the vehicles, drivers and operators serving people within their area. Barnsley has chosen to utilize its power to limit hackney carriage vehicle numbers, and as far as we are aware has done so since 1976. There were zones arising from the local government reorganisation of 1974, but these were removed and hackney carriage limits applied to the full area in due course. The rural plates that existed were merged in with the central zone plates at that time.

DfT sources suggest this limit has been in place since 1976. Prior to this survey, previous tests of the validity of the limit and its level were undertaken in 2017, 2011 and 2005, with an interim test undertaken at ranks in September 2018 reporting in early 2019.

### ***Background Trade Statistics***

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. Due to the comparative size, the operator figures are shown in the second picture.





**Licensing Statistics from 1994 to date**

The graph shows some increases in hackney carriage vehicle numbers since records were kept by the DfT. There was an apparent large drop for some reason in 2018, soon reversed, not related to COVID (2020). The current level of hackney carriages is 21% up on the 1997 value.

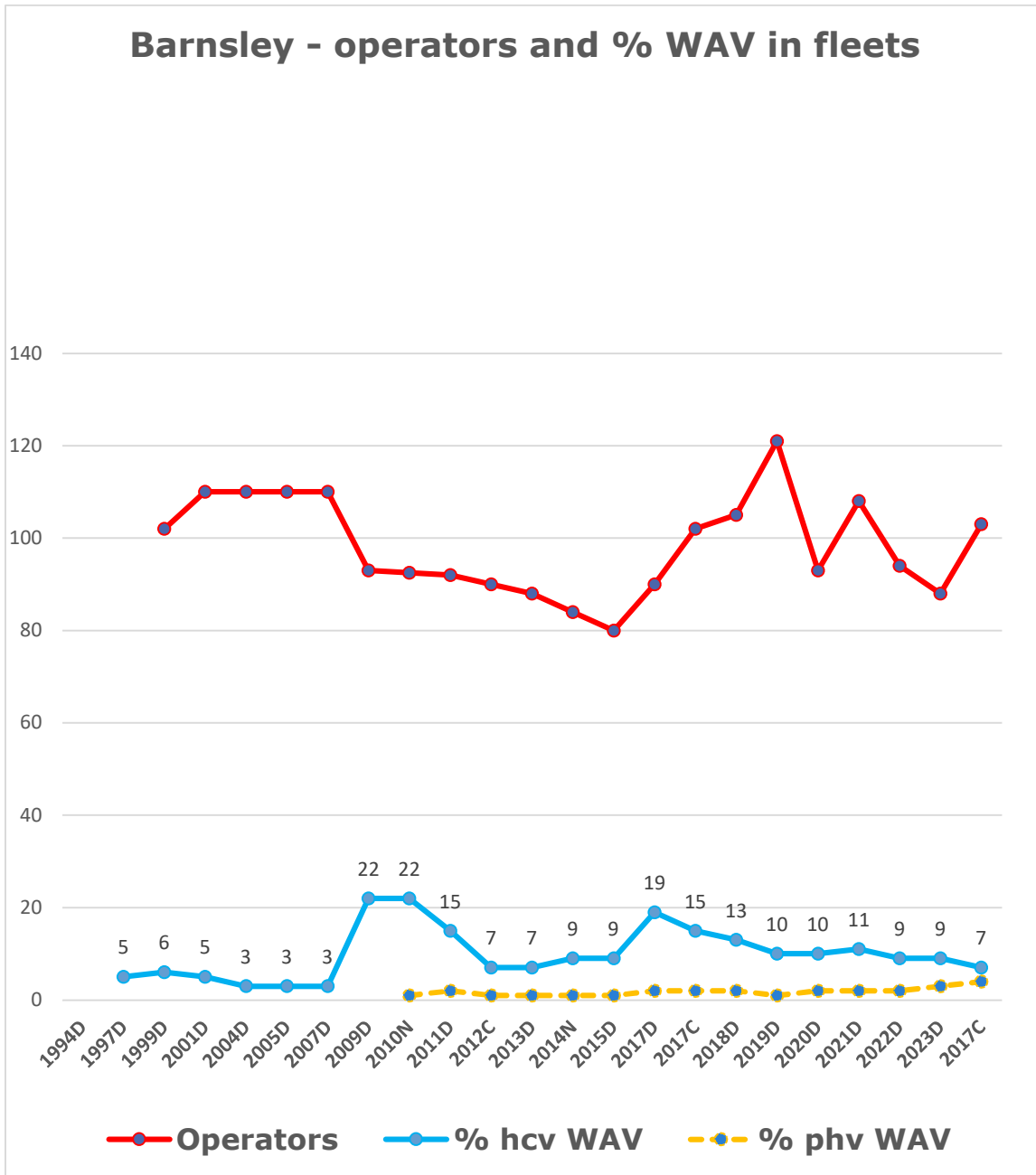
Private hire remained steady for many years, then slumped and peaked twice before a strong decline in the pandemic with the start of resurgence only really during this year. The number of private hire at the time of the survey was just 3% more than the level when DfT data was first gathered in 1997. Both fleets appear to be relatively stable in numbers, which is against national trends. The share of the fleet that is hackney carriage has marginally increased from 13% in 1997 to 15% now, although that level was also reached in 2021 at the height of the pandemic. This is partly related to the limit on hackney carriage numbers making people reticent to hand them back. It is notable that the large drop in private hire vehicle numbers related to the pandemic saw at worst three hackney carriage plates not in place during the pandemic, suggesting the limit did add extra stability compared to the situation for private hire vehicles.

Total driver numbers have shown more or less continual decline over the period for which statistics exist. The current level is some 30% lower than that recorded in 1997, although since the March DfT survey numbers have risen a little for the first time for many years. Driver numbers did hold up longer before the impact of the pandemic hit (in 2022 values) but this may relate to the length of driver licence and people not renewing.

The graph clearly shows the change to dual driver licences, and it should be noted that the Council moved to dual badges (hackney and private hire combined) in 2015 at the request of the Trade. This increased the potential number of drivers able to drive hackney vehicles at that time from 147 to 600+. All drivers now have a dual badge.

The Licensing Section told us that they were aware that around 65 (17%) of the private hire car fleet and eight (12%) of the hackney carriages are involved in regular weekday home to school transport contracts. Such contracts are known to take vehicles away from serving public need morning and afternoon in term times, although it does also ensure stability of income for their drivers as well as ensuring safe transport for those involved.

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**

The level of operators in the area also shows a picture of general decline until 2015 after which there was growth to 2019, then a fluctuating number with present numbers almost exactly the same as in 1997, albeit with a strong growth from DfT 2023 to the time of the survey in September.

In terms of WAV, there was a major increase in 2007, due to extra badges being made available following a demand survey, for which WAV was a requirement; although this level of WAV in the hackney carriage fleet (22%) was not sustained although another increase appears in 2017, but with decline since then with the current level just 7% of the fleet.

The level of WAV in the private hire fleet has however increased to its current highest level of some 4% of the private hire fleet (although this does not allow for any non-public facing element within that fleet, which can sometimes almost exclusively be used for private contracts, such as schools work).

The DfT figures also allow comparison of WAV shares in the fleet to other authorities to identify how authorities are performing in an English context. For the DfT 2023 survey (end of March 2023), Barnsley had 9% hackney carriage WAV and 3% private hire, 4% for the total fleet. Five other areas had a similar share of hackney carriage WAV of which one other also had a limited number of vehicles. This put Barnsley 109<sup>th</sup> equal out of the 197 English licensing authorities having between 1% and 99% of their fleet wheel chair accessible. In overall terms, for all English licensing authorities the level of 4% total WAV in the complete licensed vehicle fleet puts Barnsley 204<sup>th</sup> equal of the 267 licensing authorities in terms of level of total WAV. The average value across all authorities in England (excluding London) is 11%.

Barnsley undertook previous surveys of levels of unmet demand in 2018 (partial), 2017, 2011 and 2005.

In 2017 we were advised of a large number of 'facebook' taxi operations that the authority was trying to remove. More recently, local operators have become part of larger groups that have vehicles from other areas that have been used to provide private hire service in the Barnsley area. This recently culminated in the two largest private hire operators in the area both being taken over by an expanding national private hire operator.

### **Fares**

A fare increase was put in place in May 2023. The December 2023 Private Hire and Taxi Monthly (PHTM) reporting of this shows on the national average 2-mile fare Tariff 1 that Barnsley is 267<sup>th</sup> equal with five other authorities out of the 339 fare setting authorities in the UK (including Scotland, Wales and the Channel Islands).

The average 2-mile tariff 1 fare is now £6-30, a level shared with Anglesey, Darlington, South Holland, South Ribble and St Helens. The national average is £7.22, the maximum £14-20 at Heathrow and the minimum £4-60 for Bolsover (the latter not changed since 2015). Sheffield equivalent rate is £6-70. There are four authorities who do not set fares, two of whom do not have hackney carriages.

The standard rate is a first mile charge of £4-50 plus £1-80 per full next mile and 0.10 per 30 seconds waiting time. Tariff 2 applies from 20:00 to 07:00 every day and on bank holidays, adding £0-80 to the initial fee. Both these apply to up to 4 passengers.

Tariff 3 applies at Christmas and New Year but to all passengers between one and eight in number and doubles all three charges.

Tariff 4 applies at all times to journeys with between five and eight passengers. It takes the first mile fee to £6-70, the extra mile to £2-70 and the time charge to £0-20.

Tariff 5 applies to up to four passengers on any Sunday or Bank Holiday from 01:00 to 07:00 with a first mile fee of £5-70, extra mile of £2-70 and time of £0-20.

Given that this had been in place for over three months before the survey took place it is not clear if it had resulted in any extra vehicles being available or not. This is discussed further in the synthesis section.



### 3 Patent demand measurement (rank surveys)

As already recorded in Chapter 2, control of provision of on-street ranks in Barnsley is directly controlled by the authority, albeit by the highways section, but at least within the same council.

Our methodology involves a current review both in advance of submitting our proposal to undertake this Hackney Carriage 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).

For this survey, work in the town centre saw the former main Interchange rank moved from directly outside the Interchange in Midland Street to a site adjacent along Eldon Street (known as the Mother Hubbard's rank). It is understood that when the central works complete, the rank will return to Midland Street but that it will require vehicles using that location to u-turn out to return to Eldon Street, and that the location will take less vehicles. Other ranks were as in previous surveys, although the Wellington Street night rank remained unusable given that the road was always closed on relevant nights. This implies only two active ranks in Barnsley, both along Eldon Street, and both serviced by the same access and egress routes (which could lead to issues when there is demand at both locations, particularly for the more distant location).

#### ***The rank surveys***

The 2023 rank survey saw some 8,530 observations made at or near ranks including pedestrian arrivals, departures on foot and vehicle arrivals / departures. Church Street saw a small number of vehicle arrivals and departures (0.1%) whilst Schwabisch Gmund Way saw a slightly larger number of vehicle arrivals and departures (0.7% of the total vehicles) and two pedestrian arrivals.

Pedestrian arrivals were 28% of the observations, vehicle arrivals or departures 71% and pedestrian departures on foot just 1%. Of total observations, just under 41% were at Eldon Street / Market Hill, 58.5% at Mother Hubbard's and just 0.5% at Schwabisch Gmund Way (with a very small number, 8, 0.1%, at Church Street). This confirms activity is focussed on the two main ranks.

With reference to those seeming to leave without boarding a vehicle, there were 97 people in total at Market Hill (65%) and 52 (35%) at Mother Hubbard's. In both cases there was one example of a group of five walking away, although in general it was a single individual that left the location.

It is impossible to understand if such walk-aways are for lack of vehicle or for other reasons.

During the course of the survey, just over 6,045 (3,800 in 2017) vehicles were observed arriving or departing at or near the ranks within the area (partly due the 2023 observations covering a longer period). Of these movements, 21% (13%) were cars, 0.3% (5%) were emergency vehicles, 2.4% (1%) were goods vehicles and 5% (1%) were private hire vehicles. The remaining 71.6% (80%) were hackney carriages from Barnsley.

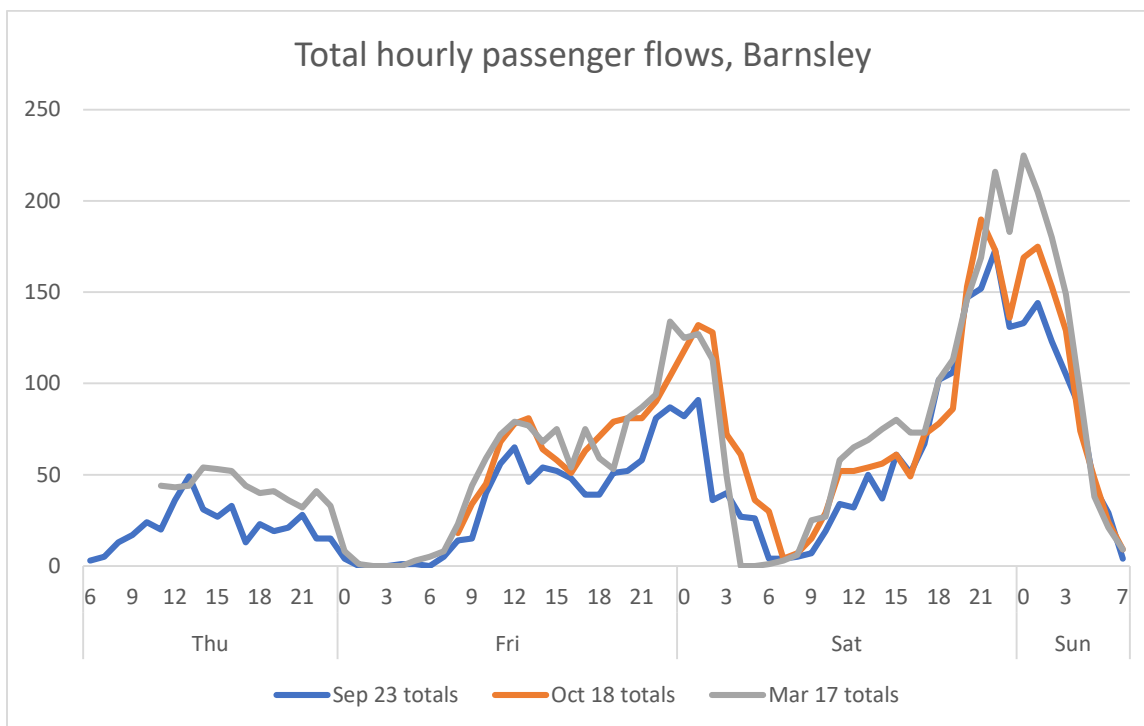
Of the hackney carriages, 9% (16% in 2017) were WAV style, a very similar level to the 7% (15%) within the fleet. This confirms that WAV vehicles are as available at ranks as they are in the fleet. However, considering the two ranks separately, Market Hill saw just 5% WAV with the rank at Mother Hubbard's seeing 12%, a significant difference.

During the course of our observations, 12 (16 2017) people were observed accessing hackney carriages at ranks in wheel chairs. Proportions were similar to 2017, but this time there was no observation of anyone using a wheel chair at Schwabisch Gmund Way. There were seven at Mother Hubbard's and five at Market Hill (the latter the same number as in 2017). There were a further 60 (40) persons who appeared to have some form of disability most of whom (all in 2017) took hackney carriages from the rank at Mother Hubbard's.

### **Overall rank observations**

The rank data was analysed to produce estimated total weekly flows by rank as well as summarising the actual observations undertaken over the three survey days.

The graph below shows the observations actually undertaken in the Barnsley area at key ranks, comparing the total passenger numbers by hour for this survey and that in 2017 plus the interim test over a shorter period in 2018. The 2017 survey covered mid-day Thursday to Sunday in March, the 2018 Friday and Saturday in October and the current survey Thursday to Sunday in September. In normal terms, without the pandemic, October flows would be expected to be highest, followed by September and then March.



The most striking point is that the overall three profiles are relatively similar to each other. However, it is also clear that 2023 levels are nearly always lower than the 2017. This is also true of each peak that occurs. The pattern of Friday being busier than Thursday and Saturday more so over Friday remains true in all three profiles.

The two weekday profiles show a peak in passenger numbers in the 12:00 hour, that being the busiest hour on the Thursday. On Friday, there is always an overnight peak, with Saturday much quieter during the day but much busier at night, in all three cases.

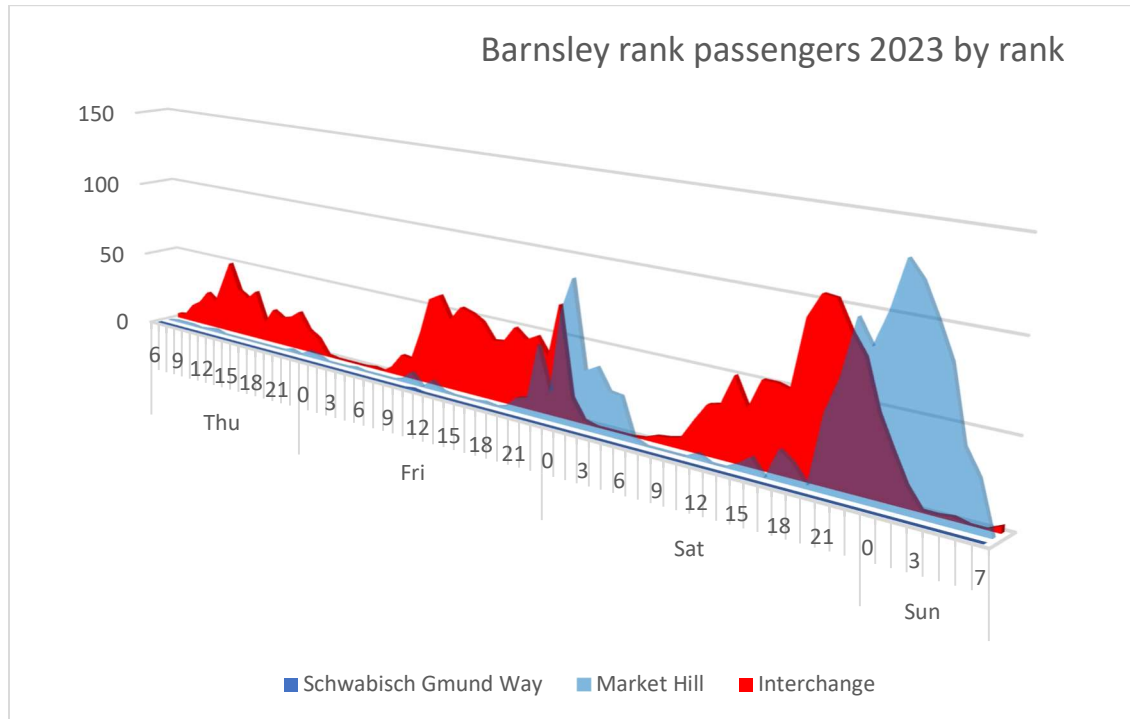
The peak hour has always been in the period from Saturday night through to Sunday morning in the last three surveys. In 2017 this was in the midnight hour. In 2018 it was the 21:00 hour, whilst in 2023 this hour was the 22:00 hour. It is possible the reduced level of bus services may have contributed to this. However, the end of Saturday nights remains the 06:00 hour in all three profiles, also the main step down occurs at 03:00 in each case. The start of the peak also occurs in the 18:00 hour in both 2017 and 2023, but was two hours later for some reason in 2018.

The Friday night – Saturday morning peak is always at a lower level. It was in the 23:00 hour in 2017, but in 2018 and 2023 was in the 01:00 hour. In 2018 and 2023 the night ends in the 05:00 hour but was earlier in 2017 (03:00).



In 2023 the difference in average flows between Thursday, Friday and Saturday is very strong. Thursday average flows were 17 passengers per hour, Friday 46 and Saturday 76. In 2017 values were 30 (but over a shorter period), 65 and 99. The equivalent Friday and Saturday values in 2018 were 73 (up from 2017) and 85 (down). However, the ratio between the peak flow and average was 3.3 in 2017 but 3.8 in 2023 (although the 2017 average is for five hours less on the Thursday). Further discussion of changes in passenger volumes over time follow below.

Passenger flows below are shown for 2023 by rank and time.



It clearly demonstrates, just as in 2017, that Saturday is busier than Friday, and that the Eldon Street rank near Mother Hubbard's (formerly in Midland Street) is the rank that operates over the longest period. However, Market Hill is clearly the night rank and dominates the two peaks observed in the observations, again remarkably similar to 2017. Flows in the daytime at that location are very small in comparison, but also Eldon Street near Mother Hubbard's flows fall away as Market Hill increases.

However, both ranks remain active till the early hours of Sunday morning, again as in 2017. This could have repercussions for the Market Hill rank since vehicles seeing passengers waiting at the rank near Mother Hubbard's may choose to service them rather than continue with the risk there is no demand at the Market Hill location. This might mean demand at Market Hill is much less well met.

For 2023, Market Hill sees very little usage at all on Thursdays, with no real night demand at all for either location. Both Thursday and Friday see peaks at Mother Hubbard's rank around 12:00, which also occurs on Saturdays.

### ***Average Weekday usage of ranks***

Taking our actual observations and using them to produce an average weekly flow shows that the Mother Hubbard's rank provides around 65% (67% in 2017) of all passengers. 35% (32%) come from the Market Hill rank, with none this time from other locations (in 2017 there was 1% from Church Street and a very small amount from Schwabisch Gmund Way).

### ***Overall demand for hackney carriages***

The total estimated passenger demand for hackney carriages in 2023 based on our survey is some 5,467 passengers per week. In 2017 our last estimate was 7,976, and the estimate from the partial survey in 2018 was a much higher 11,287. This implies since 2017 passenger numbers have reduced by 31% with the change from 2018 in the order of 52% reduced. This implies that the impact of the pandemic, or other changes since 2017, have been severe.

From 2017 to now, the share that Mother Hubbard's rank is of total demand has reduced from 69% to 65%; with Market Hill share increasing from 30% to 35%, also taking in the small share that used to come from the other two ranks that remain used by vehicles (but not now by passengers). This could partly be due to the issues arising from the impact of the pandemic on rail station passenger numbers (see later for confirmation of the level of this).

### ***Test of active plates***

A test was undertaken on all three days (just the Saturday in 2017, and Friday / Saturday in 2018) of the rank surveys to identify how many hackney carriage plates were in use meeting the observed passenger demand each day.

Our sample saw observations near the two main active rank locations identifying Barnsley hackney carriages active. The observations recorded all Barnsley hackney carriages passing the points near the ranks, so would also have identified vehicles passing by the ranks as well as those serving them. All taxi-like vehicles were observed to ensure we understood the totality of provision for people wishing to use any licensed vehicle.

The two locations used were just in advance of the Market Hill rank and near to the Mother Hubbard's rank. Five sets of observations were undertaken, in this case all at the same point in Eldon Street given that all vehicles now pass along this route. Observations began mid-afternoon and ended in the early hours of the Sunday morning.

All observations were validated by comparison to the current fleet list provided by the Council. Attempt was also made to identify any non-Barnsley plates according to the plate numbers (although this is not always possible, although the numbers of plates for one large authority usually means their plate range is much higher than most others). To reiterate, the observations were of all taxi like vehicles passing along Eldon Street, not just those servicing the ranks.

In 2023 the three-day sample obtained some 895 different observations. 76% of these were valid local Barnsley hackney carriage plates. 15% were valid local private hire plates. 1% could not be fully observed for various reasons. 8% were not valid local plates, some of which were specifically identified to out of town licensed vehicles.

During the course of the three days, 79% of the fleet was observed. Although there were slightly different samples obtained in previous years, this remained a lower level of plates identified than in 2017 (81% on the Saturday only) and 2018 (88% on the Friday and Saturday). This suggests less plates active now.

The table below shows the proportion of plates seen by period, comparing this to previous years where possible.

Day	Afternoon	Early Evg	Mid Evg	Late Evg	Night	Total
Thursday	24	21	12	10	10	40
Friday	38	28	28	32	31	69
(2018)	55	37	39	43	37	76
Saturday	40	40	47	40	16	71
(2018)	42	33	58	51	43	79
(2017)	21	43	45	57	58	81
Three day total 2023						79
Two day total 2018						88

The proportion of the fleet active rises from Thursday to Saturday, from 40% to 71%. The same is true for all periods apart from the night period when Saturday fleet proportions almost halve compared to the Friday level. Compared to 2018 activity, 2023 values are always lower, with the daily value down from 76% to 69%. This is also true for Saturday, apart from for the early evening value that is higher now. Comparing Saturday to 2017 the first period sees significantly more active vehicles, the second slightly less, the mid evening slightly more, but both latter two periods significantly less.

These comparisons between 2017, 2018 and 2023 suggest more plates are now working generally during the working week and specifically that less are working late night Saturday. This is discussed further in context in the synthesis chapter when considering other evidence.

There were 43% of the vehicles which were observed at least once on all three days, 41% at least once on two days and the remaining 17% just on one day. Four of these were only seen on the Friday and five on the Saturday. None were only seen on the Thursday.

In 2023, just one vehicle (2% of available hackney carriages) operated in all five Thursday periods. Two vehicles (4%) operated all five Friday periods and three (6%) all five Saturday. None of these were the same vehicle. No vehicle was seen in all fifteen periods, with the highest number of periods observed for any vehicle being 13 (just one vehicle), with four vehicles (7%) being seen in ten periods.

The most frequent vehicle was seen 46 times including operating all Thursday periods, and all but the latest period on both Friday and Saturday. The next most frequent was seen 31 times, then 29, 23, 21 and 20 (total of six vehicles or 11% of the fleet) seen 20 times or more. This suggests the fleet has some active elements but many that clearly focus on particular days or periods.

On the Thursday the level of plates active declined as the day progressed, on the Friday levels reduced then increased later, but on Saturday they rose to a peak of 47% of the fleet being active in the 20:00 to 22:00 period after which the proportion reduced to 40% and then to just 16%.

As noted above, further discussion will occur in the synthesis section setting this operating pattern in context with other results from the driver and public surveys.

### ***Unmet Demand and its spread***

The rank data analysis provides the level of average passenger delay for each hour at each rank. Further discussion of the level of unmet demand in terms of if this is significant occurs in the appropriate chapter below, but the actual spread and context of passenger waiting is discussed here.

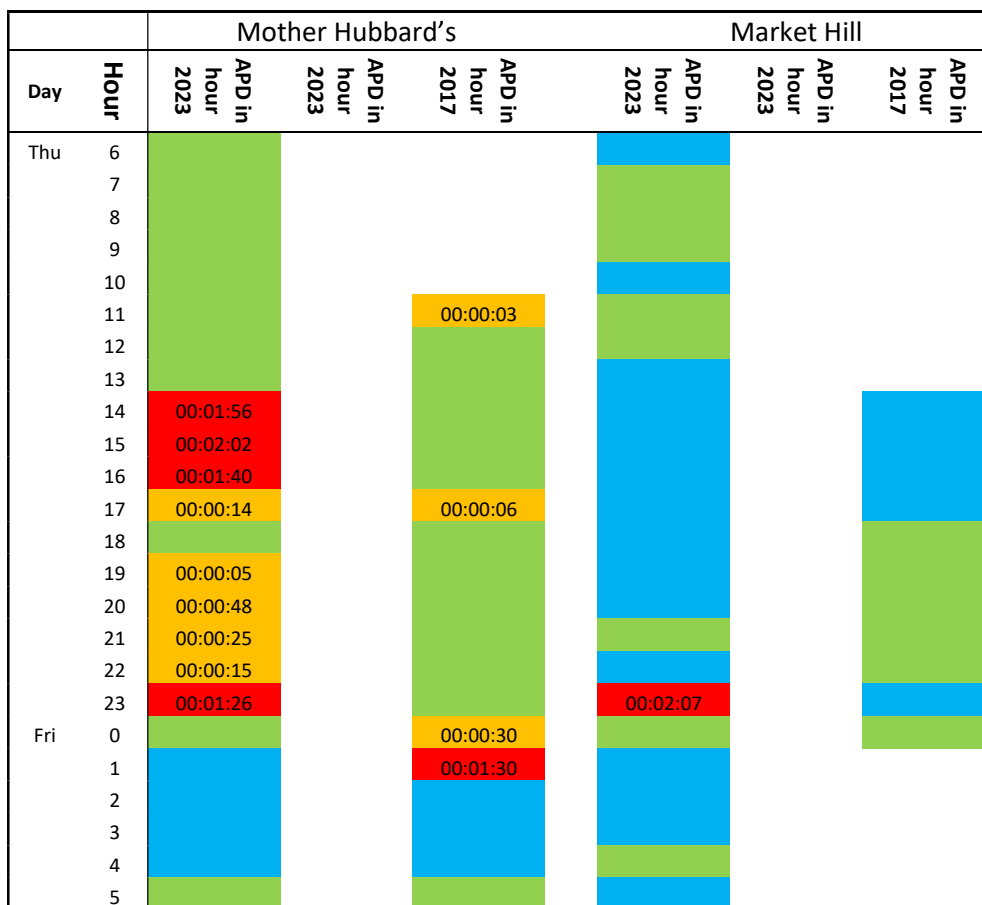
Average passenger delay (APD) is the total time waited by all passengers in any hour divided by the total number of passengers in that hour. The analysis also presents the number of passengers waiting (split by 1-5, 6-10 and 11 minutes or more) for each hour. It also identifies the longest waiting times for specific passengers in each hour. Hours are split between those with a minute or more APD (which is counted as unmet demand contributing to its significance most strongly) and that less than a minute which is not included in any element of significance apart from the APD part.

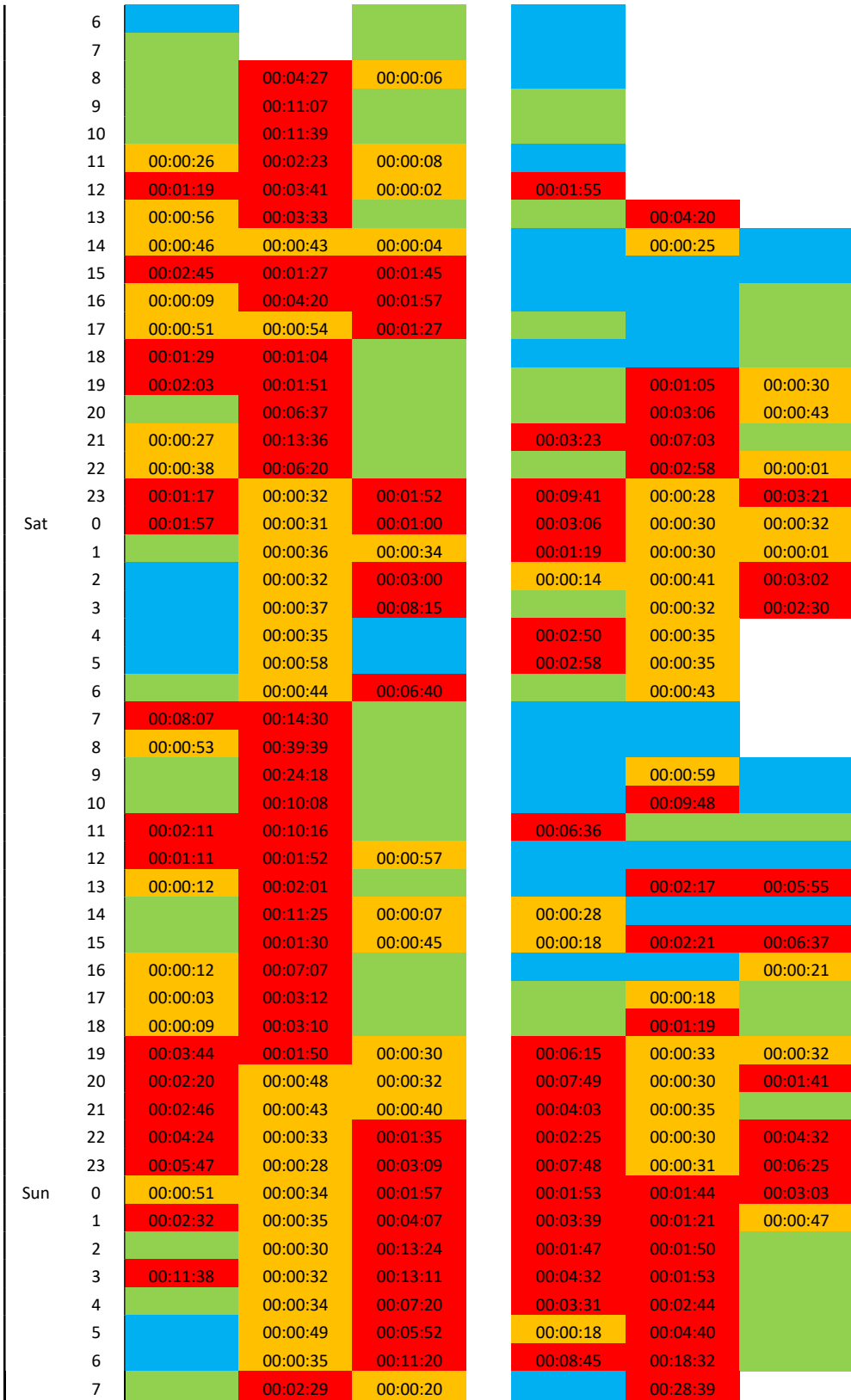
The table below shows the number of hours with APD over and under a minute for the last three surveys (although the 2018 interim test covered two days not three). It also shows the number of passengers with their waiting times.

	2023		2018		2017	
	No. hrs	%	No. hrs	%	No. hrs	%
APD over 1 min	40	21	53	55	29	21
APD under 1 min	22	11	9	9	23	16
Total hours with APD	192		96		141	
Number of passengers:	APD 1+	APD under 1	APD 1+	APD under 1	APD 1+	APD under 1
No. waiting 1-5 min	785	135	1022	94	557	213
No. waiting 6-10 min	335	1	424	1	222	3
No. waiting 11 min +	97	0	403	0	124	0

This suggests that the level of passenger delay is worse than 2017 but a little better than the situation in 2018, generally. However, the number of hours with APD under a minute is now marginally lower than 2017, but much higher than 2018. The number waiting over 11 minutes is also reduced now compared to both 2017 and 2018. However, the numbers involved are still high.

To understand the spread of waiting, the table below demonstrates for both ranks when in each year there has been no flow (blue), no waiting (green), APD under a minute (orange) and APD over a minute (red) (values shown are APD in minutes for each hour):





The diagram shows that unmet demand has spread from 2017 spread to cover daytime Thursdays. On Friday/Saturday there appears some improvement since 2018 but also shows better service to Mother Hubbard's when there is demand there, which is to be expected given all vehicles heading to both locations will pass the rank near Mother Hubbard's first. Once demand there ceases, service to Market Hill improves, but then worsens later into the morning.

There is some evidence suggesting that there have been improvements to levels of service during Saturday daytime hours since 2018. However, late nights Saturday through to Sunday appear to have worsened, although reduced demand in 2023 towards the end of the period does give some improvement if only by the fact there is no-one to serve at Mother Hubbard's after 05:00, and less before that.

What is clear, however, is that the unmet demand is not just particular times or at night, but remains endemic, which normally would not be good for the public nor in fact for the trade. These levels of service also open the door to others observing the issues trying to step in with less legitimate provision that should ideally be taken by hackney carriage vehicles.

### ***Rail Station Demand***

One of the major normal key demand generators for a rank is railway stations or public transport interchanges. Licensed vehicles are key links to both rail and bus transport to provide the 'final mile' or initial link for longer journeys. However, England has a large number of stations (there are some 2,570 in England, Scotland and Wales directly linked to the national rail network as at end of March 2022 (date when last statistics were available)), and only the larger stations tend to have sufficient flow to support a hackney carriage rank.

Barnsley council area contained ten stations in this latest set of national information. Annual patronage is estimated for each station for years ending in March. Checks and balances mean that the statistics for the last full year ending at the end of March tend to be released in December of each year. At the time of writing of this report, the latest data available is therefore as noted above that for the year ending March 2022.

Barnsley Interchange contains both the bus station and rail station. Unsurprisingly it is the largest rail station in the area.

The rail station saw just over a million entries and exits by rail passengers from trains in the latest year available. This is 69% of the peak observed usage of just over 1.5 million passengers. The current level is about 30% lower than just before the pandemic. If all passengers using the rank on Eldon Street nearest Mother Hubbard's were assumed to be from the station (which is unlikely as some will come from buses and some from shops), then 35% of the rail passengers would be leaving in hackney carriages. This suggests this rank is servicing not just the station demand as this is otherwise a very high level. Given the level of rail patronage remains lower than in 2017, the increased share of Market Hill is not surprising, although the level of change is not as strong as the decline in rail patronage would suggest.

The nine other stations range in current patronage from 160,182 to 28,164 passengers per year, none of which are likely to provide enough demand to encourage any active hackney carriage rank, although most would see private hire attend if phoned for, as many people now do. The previously available 'traintaxi' guide is no longer available to the public so checking quoted taxi links is no longer readily possible. All stations are operated by Northern Trains.

A check of the information for Barnsley Station suggests that their map shows only the rank on Schwabisch Gmund Way and the link to the bus station. Given the distances involved (which have lengthened since the last study) it is likely that those needing onward licensed vehicle connection would most likely phone and seek a collection from the nearest point in any event.

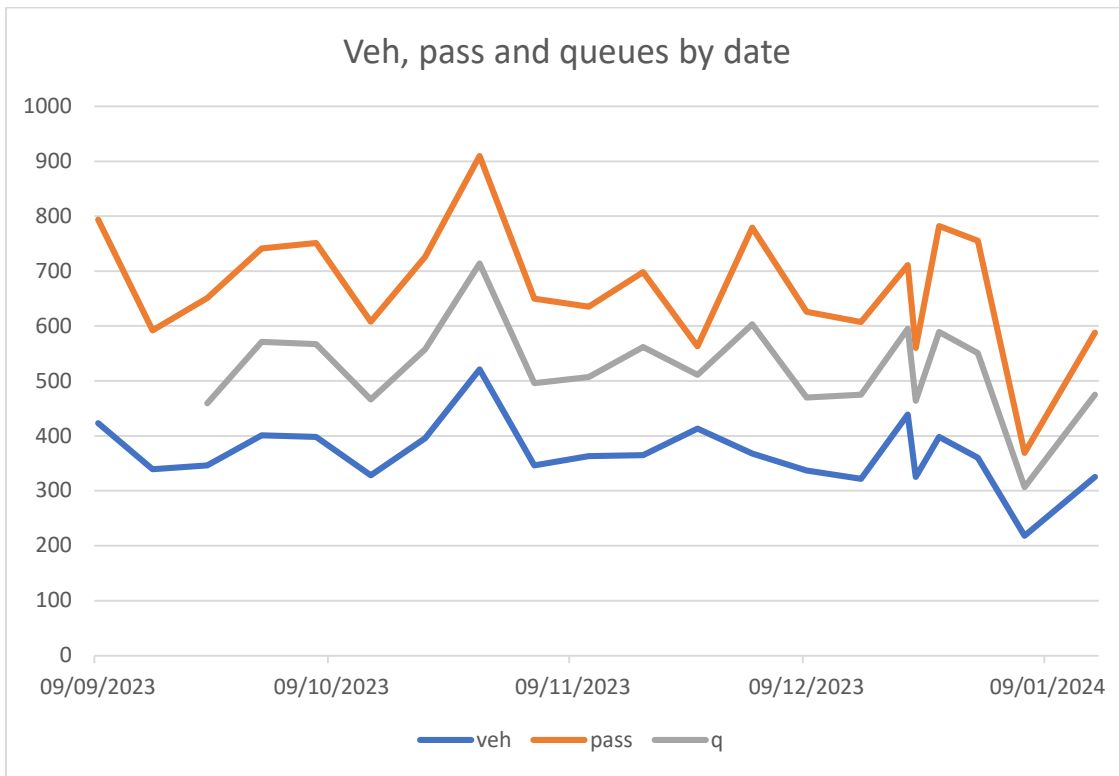
### **Marshal Data**

The marshals who police the town centre on busy nights also collect summary information regarding taxi numbers, passengers and queue levels. Information was provided from the date of the survey through to the second week of January 2024 to give context to the survey information.

A check was made comparing the information from the survey data analysis for Market Hill compared to the marshal data. The two sets of data were found to be very close with 423 vehicles counted by the marshals compared to 405 from our video survey, and 794 passengers compared to 800. Given the two methods of data collection are totally different, this is a close comparison. It validates both methods of data collection.

Data was then considered for all marshal nights observed, excluding three dates with particularly low levels of activity (24<sup>th</sup> November, 24<sup>th</sup> December and 30<sup>th</sup> December). The resulting flows of vehicles, passengers and queues in total are shown in the graph below:





The graph suggests that the date of the survey is a good average level of usage and therefore providing a good analysis of actual usage over the period.

The graph shows the busiest night was Halloween when a total of 910 passengers left in 521 vehicles. Considering the proportion of people who queued, this varied from 60% (our survey data) to 91% (actually on one of the quietest nights).

The overall view of the marshals was that, though there was queueing, particularly with their presence, there was no significant risk to public safety and people were generally content to wait and happy to be able to return home. They did not feel there was any shortage of vehicles on any night. The small number of incidents reported, however, confirmed that the presence of the marshals was critical to making the operation work in a safe and secure manner.

## 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. They can also give pointers regarding need for disabled accessible vehicles although more detailed research is needed to provide a more robust estimate for that element than these overarching surveys can provide.

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.

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.

135 persons were interviewed in the streets of central Barnsley during early October 2023. This was a lower level than expected with people reticent to stop, a result of the pandemic. Of these, 49% were interviewed on a Tuesday and the remainder on two different Saturdays. 21% were interviewed at the bus station, 10% at the library, 18% at the market and 34% at Eldon Arcade, with the remainder across the central area.

With reference to comparison to the initial results from the 2021 census, our sample interviewed less males (44% compared to 49%) but obtained response from exactly the same proportion of under 30's (24%), but more of the mid group (51% compared to 41%) and less of the older group (24% compared to 35%). 89% of those responding said they were from the area, although 13% chose not to answer this question.

Of these, a high level of 80% (58% in 2017) said they had used a licensed vehicle in the last three months in the area. Of all the responses, 10% said their use had been hackney carriage only, 18% said by both hackney carriage or private hire and 53% just by private hire.

Everyone told us how often they used licensed vehicles. From this, we were able to estimate that there are about 2.1 trips per person per month using total licensed vehicles, up slightly from the 1.8 quoted in 2017. This arises because the highest proportion of people are using them once or twice a month (23%), with the second highest proportion being 21% saying they used them once or twice a year.

This question was repeated, but having explained what a hackney carriage was. The same calculation provided some 0.24 (was 0.5 in 2017) trips per month specifically by hackney carriage, a reduced level and about 12% (was 28%) of the total, which is low. Further comparison and discussion of this occurs below.

People told us how they got licensed vehicles in the area. 87% of those interviewed gave at least one response. Of those responding, 7% gave three methods, 37% two and the remainder just a single method. This resulted in a total of 176 responses.

Just one person (9% in 2017) said they did not use licensed vehicles at all. Of all the responses, the highest was for telephone at 34%. This had been 45% in 2017. Use of freephone was 21% (up from 3% in 2017) making a total of 55% phone compared to 62% in 2017. 16% (25% in 2017) said they got licensed vehicles from ranks (which is just a little higher than our estimate of usage from the frequency chart) and a very high 7% (4% last time) said they hailed. Four people named an app-based company at this point under 'other'.

People were asked to name the companies they would contact if they phoned for a licensed vehicle. A list was used to review answers but was not shown to respondents. Interestingly, since the questionnaire was set up acquisition had occurred with a major player taking over two otherwise large companies.

102 people, 76% of all interviewees (131 people, 65% in 2017) gave a response, with 57% (53%) giving just one name, 35% (31% 2017) two names and 8% (15% 2017) three names. Of all the 154 total responses, one company obtained 32% (51%, same company 2017). The next two companies obtained (20%, again same company 2017) and 18% (not mentioned 2017). The company that obtained 15% in 2017 was not mentioned this time at all. A further company got 5% (7% in 2017) and others 4% and 3%, neither mentioned this time. 7% said other and then named two supermarket freephones. There had been 14 companies named in 2017, this time there were just eight.

Further, as already noted, a recent amalgamation has seen the top two companies named by our respondents both bought by the same national company. This was the third name in our responses, meaning that company obtained 80% of all 2023 responses. The next largest has just 5% of the mentions. This is a strong reduction in competition.

People were invited to tell us the app or website they used. Responses were 43%, 26% and 22% for the top three and 9% for an international app. However, as above, the top response has now bought the second and third response so in effect 91% of people named the same app. The possibly positive result is that this implies the national app has supplanted the international one.

With regard to use specifically of hackney carriages, 53% (65% 2017) of those responding said they could not remember when they last used a hackney carriage. However, only 3% (1%) said they could not remember seeing a hackney carriage in the area, a good result probably resulting from the long-standing livery for the vehicles.

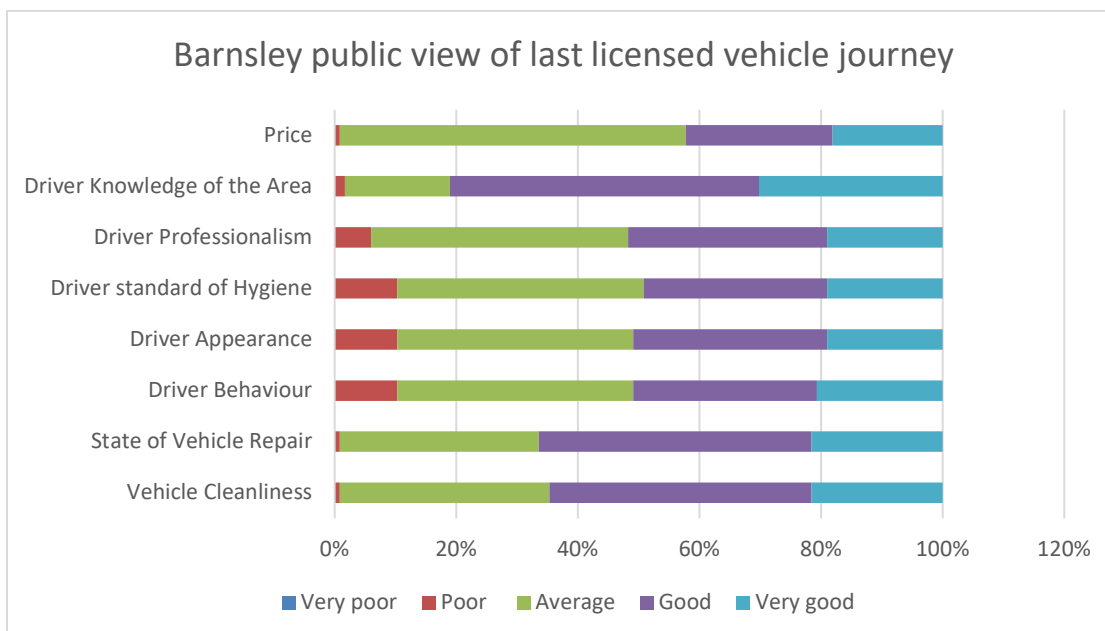
People told us about the ranks they were aware of, and if they used them or not. 86% (78% in 2017) of those interviewed told us the ranks they did or did not use. People gave between one and seven ranks. 16% named seven, 36% (43%) gave two ranks, 17% (38%) one, 23% three and 7% (1%) named four ranks. Of all the mentions, 76% (53% in 2017) said they did not use the ranks they named. This has changed from a relatively high level of people naming ranks which they did use to most people not using locations.

The most quoted rank was Mother Hubbards with 25.4% (49%) of mentions. 24.6% (15%) of mentions were for Market Hill, with a further 10% (11%) saying Peel Street.

11% (4%) said Wellington Street. 7.7% (5%) said Church Street. 15% named Schwabisch Gmund Way and one just said 'train station'. 6.3% said New Street. This may have been a result of the questionnaire having a list of all ranks which people may have been shown rather than them providing their direct thoughts as in previous years.

In respect to usage, there were some unexpected results. 34% said they used Wellington Street, 32% Schwabisch Gmund Way and 26% said Peel Street (although actual numbers were small). It is not clear why these responses were received given these locations are known to be unused or little used. However, 26% said they used Mother Hubbards and 19% Peel Square / Market Hill which are the two active ranks. This suggests reference to Peel Street could be Market Hill rank given their proximity.

Respondents were asked to rate various aspects of their most recent trip by licensed vehicle. This was not restrained to just hackney carriage to obtain the best overall view of the overall licensed vehicle service provided, and because often just asking about just hackney carriages leads to very low response rates. The results are shown in the graph below:



In general the graph shows a good and positive view of the recent journeys experienced by those responding. 86% gave their views of those interviewed. There are no 'very poor' scores at all, and at most 10% poor (just for driver behaviour, appearance and standard of hygiene). The dominant score is good for vehicle cleanliness, state of vehicle repair and driver knowledge of the area (which has the most positive score). As usual, price is the least favourable with 57% saying good, 1% poor but 24% good and 18% very good. The very good scores range generally from 18% (price) to 22%, but driver knowledge of the area is 30%.

People were asked what might encourage them to use hackney carriages or use them more. 81% (52% 2017) gave at least one answer. Of these, 51% (73%) gave just one answer, 44% (22%) gave two and 5% (same) gave three reasons they might use them more. The top response from 47% was 'if they were more affordable'. 28% said more hackney carriages they could phone for, 9% driver quality (35% 2017). 6% said nothing, 4% each vehicle quality improvements or more hackney carriages to hail or at ranks, 2% if they could pay by card and 1% if there was a screen between driver and passenger.

People were also asked if they had ever given up waiting for a hackney carriage in the Barnsley area, and if so, where. The raw result was that 9% (5% in 2017) said they had given up. However, one of these was not a location that was a rank, so the true value of latent demand from this measure is 7.4%, increased from the 3.4% of 2017.

Those giving a time when they gave up waiting all said at night, although this was only five people with the remaining respondents giving no response. Several responded by making a booking, others walked away and hailed a vehicle with others contacting friends.

75% felt there were enough hackney carriages in Barnsley, with 7% not knowing and 18% saying there were not enough.

A question was then asked about disability issues. 66% (80% in 2017) said they did not need, nor know anyone who needed an adapted licensed vehicle to travel in. This is a very low value, often areas have 90% saying this response, which implies high (and increased) level of need for disability friendly vehicles compared to previous surveys.

Of the 34% who needed some form of adapted vehicle, 26% needed a WAV. 7% said they needed a non-WAV but not specifying what the adaptation might be.

People were asked if they felt they knew the difference between Barnsley hackney carriage and private hire vehicles. 68% felt they did.

Several questions were then asked to test actual knowledge. Using expected responses from licensing, shown below, interviewee answers were reviewed:

<i>Please tell us yes or no for each item:</i>	<i>HCV</i>	<i>PHV</i>
<i>They have a door sticker with the council crest</i>	<i>yes</i>	<i>no</i>
<i>They have a roof sign saying "TAXI"</i>	<i>yes</i>	<i>no</i>
<i>They have a door sticker giving company name</i>	<i>no</i>	<i>yes</i>
<i>I can hail one in the street</i>	<i>yes</i>	<i>no</i>
<i>I can phone and book one</i>	<i>yes</i>	<i>yes</i>
<i>I can get one using an app</i>	<i>no</i>	<i>yes</i>
<i>Other comments:</i>		

53% gave an answer regarding the door sticker – with 99% correctly saying this only applied to hackney carriages. Just one said it applied to both types of vehicle.

62% answered about the roof sign. 95% correctly said only hackney carriages had this. One person said a private hire only had a roof sign with three saying both types of vehicle had them. This is fairly reasonable knowledge.

57% responded regarding the door sticker with company name. 74% correctly said only private hire had this. 21% said both could have and 5% said only hackney carriage, not so good knowledge.

48% answered regarding hailing. Of these, 92% correctly identified that a hackney carriage could be hailed. Two said only private hire could be hailed and three thought both could be hailed.

51% answered regarding which vehicle you could phone and book. In reality both can be phoned and booked, but 84% said only private hire could be booked in this way. 7% said only hackney carriage and 9% gave the correct answer. This could relate to peoples experience in Barnsley but is also an opportunity for hackney carriage to promote that they can be booked.

Just 28% answered regarding apps. None thought hackney carriages only could be got using an app. 95% thought just private hire and only 5% gave the correct answer that both could be. Again this may reflect operating practice, but again it is an opportunity being missed by hackney carriages.

Overall, this shows very good knowledge of the difference between hackney carriages and private hire in Barnsley, albeit with some opportunity being missed by the hackney carriage trade, and possibly value in the council making the realities clearer to people.



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## 5 Key stakeholder consultations

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 one stakeholder but we have tried to maintain their confidentiality as far as is possible. The comments provided in the remainder of this Chapter are the views of those consulted, and not that of the authors of this report. Appendix 6 lists those contacted and their response.

Our information was obtained primarily by issuing an email with a short online questionnaire appended. 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.

As is normal in post-pandemic England there was just one response to the general stakeholder exercise. They were from the local safeguarding children unit of the Council. They told us there were issues reported to them concerned about child safeguarding but gave no further detail.

A further survey was circulated by council representatives to those with specific needs for use of local licensed vehicles. Despite wide circulation this received no response.

Whilst this is not ideal, the opportunity has been provided for people to respond and lack of response suggests no critical issues that people wish to take opportunity to feed back to the licensing authority.

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## 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 terms of setting a context, overall response rates for these surveys range from well less than 1% up to 50%. The share between hackney carriage and private hire can also vary. Some authorities do not issue the invite to other than hackney carriage drivers, many authorities now cannot discriminate between drivers in terms of which vehicle they drive because they issue licensed drivers with licences to drive, not related to a specific vehicle. In any event, we believe it is best practise, and the guidance of the current BPG, that 'all those involved in the trade' should be invited to give response. While some would consider private hire have no real interest, in other cases they are those who believe they see unmet demand and wish to present their views and perhaps seek to obtain a hackney carriage plate.

For this survey, the council issued links to the online questionnaire using the method they find best to contact the most drivers. As already demonstrated in Chapter 2, there is only one form of driver licence in Barnsley, allowing anyone to drive either a Barnsley hackney carriage or private hire vehicle. There is no requirement for drivers to inform the Council which type of vehicle they operate, so the invitation went to all drivers.

There were a total of 78 responses, all but one using the on-line portal. This represents a 16% response rate, higher than the 11% from the previous survey. A check was made to see there were no obvious multiple responses or attempts to modify the survey results, and no evidence was found of either issue. All 78 responses were therefore analysed.

Of these, 87% said the licensed vehicle trade was their only or main source of income. 8% said they were working part time with other sources of income. 3% said they were working part time but had no other sources of income, with the final 3% (two drivers) saying they were not currently working but would return when demand had increased again (at least one of these appeared to be a specialist airport driver). None said they were not currently working nor did they intend to return.

Of those responding, 60% this time (36% last time) said they drove private hire vehicles, 15% (3% last time) said they drove both hackney carriage and private hire, and 24% (61% last time) said they drove hackney carriage. At present hackney carriages make up 15% of the fleet.

Drivers told us which kind of work they normally undertook. Several gave multiple responses. Of the 19 hackney carriage responses, 95% (all but one) said they worked ranks. The other was not presently working until demand returned but said they mainly undertook advanced hire only (and it appears this might actually principally be airport work). Of the total hackney carriage respondents, 21% undertook immediate rank work and immediate bookings, with 11% undertaking immediate rank work, immediate bookings and advanced hire work.

For those driving both kinds of vehicle, 25% said they serviced ranks with one also undertaking immediate hire bookings. 42% undertook advanced hire only, 25% undertook bookings only and 8% (one) only undertook chauffeur or corporate work.

The picture for private hire was that, as might be expected, none said they service ranks. 22% undertook immediate bookings only, 47% advanced hire only, 4% chauffeur only. For those giving more than one answer, 4% of the respondents said chauffeur and advanced and 22% said immediate hire and advanced. In total 72% of the respondents undertook advanced hire and 47% immediate hire suggesting a good proportion of the private hire fleet are not available to people wanting immediate telephone bookings.

For all those responding, the average length of service in the trade in the area was 13 years – the same as for the previous survey. This ranged up to 36 (34) years. When split by type of vehicle driven, the average for those saying they drove both was highest at 16.3 years, followed by hackney carriage at 15.2 and private hire at 11.4, a significant difference for the private hire trade.

In terms of the working week, the largest proportion, 32% (28% in previous survey) worked five days. 18% (12%) said they worked seven days. 31% (39%) worked six days, 6% (9%) three days, 1% (5%) just one day and 9% (7%) four days, with 1% not working and 1% working two days. This provides an average days' worked of 5.3 (5), covering an average 42 (41) hours. The longest hours worked quoted were 70 (72). (These statistics cover the full licensed vehicle fleet).

For the separate three vehicle groups, average days for private hire were highest at 5.4, lowest at 5.1 for those driving both and in between at 5.2 for those driving hackney carriage only – no real variation. However, for average hours hackney carriage were highest at 49, private hire second at 41 and the mixed group 36 hours, suggesting hackney carriages do put in more hours with more working seven days.

A very similar (34% compared to 33% last survey) of the total responses given about factors that affected when people worked were that family commitments were the main issue. 25% (27%) said they worked at busy times and when there was highest demand, 7% (5%) said they avoided times when there were likely to be drunken, violent or abusive customers, 6% said to cover airport work, with none saying because they shared a vehicle. For those saying airport bookings, none were hackney carriage and for all this was the only reason that affected when they worked. This suggests 6% of the total fleet of licensed vehicles exist principally for such work.

Several gave more than one response, but no particular mix was dominant. In terms of hackney carriages, 17% of those answering avoided awkward customers. For private hire this value was lower at 13%. These values are higher than the numbers quoted above which are for share of total mentions made, not by share of drivers.

88% (60%) owned their own vehicle. 83% (60%) said no-one else shared their vehicle. The 'drive both' group saw 42% say someone else drove their vehicle at some other time, but the value for hackney carriage was just 11% and for private hire 13%. Of those not sharing a vehicle, only one (hackney carriage) said they had stopped sharing since COVID, but generally it was clear that both ownership and sole usage of vehicles had increased since the last survey. This implies lower overall utilisation of the same number of vehicles.

Drivers told us if they accepted pre-bookings or not. For the total response, 72% said they did. The proportion of hackney carriages doing so was lower, 39%, for those driving both, even lower at 33%, but unsurprisingly much higher for private hire, being 87% of the total.

All those saying they took bookings were asked how they obtained them. The response was quite wide in terms of methods quoted. For the seven hackney carriages responding the largest method was 43% who said they obtained bookings from friends, relatives and customers usually by phone. One said bookings came through a company app, another through previous customers and a company, another through mobile phone bookings and the final person said a mix of phone, facebook and word of mouth.

For private hire, most said via company (40%), 17% through an app, 9% by phone, 9% by a range of methods, 6% by email and a further 3% each for via their own operator licence, via a company or an app, and using telephone, facebook, messenger or text. For those saying they drove both kinds of vehicle, two said via a company, three by phone, one by mobile and one said via a company, an app, or return bookings from customers.

The four respondents that said they drove both kinds of vehicle all said they used both ranks in Eldon Street. There were responses from all but the hackney carriage that said they were not yet returned to work – two thirds said they serviced the two Eldon Street ranks. One said just 'Mother Hubbards' (Interchange), one Mother Hubbards, Schwabisch Gmund Way and Church Street, another the two Eldon Street ranks and Wellington Street, another the two Eldon Street ranks, Schwabisch Gmund Way and Wellington Street, and another the two Eldon Street, Schwabisch Gmund Way and Church Street. Similar to the previous survey, the focus is the two main ranks but with some quoting of three lesser used ranks.

For this survey, 39% of the hackney carriages said they got all their work from the ranks. Another gained 99% and 1% from hailing. A further one saw 97%, 1% hail and 2% book; another 95% ranks and 5% booked, and another 90% rank and 10% hail. Two said 80% rank, two 75% and two 50% rank, with the least share being one that said 10% from ranks, 40% from hail, 40% from bookings and 10% from school contracts.

With reference to hailing, the highest percentage said 40% of their work was from hailing, with another saying 20%, another 10%, another 5% and three 1%. Just three said they had school contracts, providing 40%, 25% and 10% of work respectively.

In terms of phone bookings the range was 2%, two at 5%, 19%, 25%, 40% and 50%. This confirms hackney carriages undertake a significant amount of other work beyond that direct from the ranks. This is within their legal right and is usually essential given the generally lower level of usage of ranks than of bookings.

For those that said they drove both kinds of vehicle, four of the nine said all their work was from bookings. Another saw 90% from bookings and 10% from school contracts. Another saw 79% bookings and 30% ranks, another an equal 50/50 split between bookings and ranks, another half school contracts, 30% ranks and 20% phone and the final one 99% rank and 1% hail.

On the private hire side, 64% of those responding said all their work was from phone bookings. Another 10% said between 90 and 95%, 5% 75-80%, and one each for 60%, 40%, 30% and 20%. For school contracts one respondent got all their work from them, 28% of the respondents had school contacts ranging from 5% to 80%. One said 10% came from texts, with two others saying 20% came from other sources but not saying where.

A review was undertaken of the proportion of periods drivers said they worked during the week. In the previous survey there was a clear focus of hackney carriage operations during daytime hours apart from on Friday, Saturday and Sunday evenings / early mornings when increased proportions said they worked. For this survey, daytime shares have reduced with late evening shares increasing, and overnight shares also increasing but less so.

The share of vehicles saying they worked the overnight shift has increased, with values rising from 15% to 28% for Friday/Saturday, 25% to 39% Saturday/Sunday and 21% to 29% Sunday/Monday. In the previous survey the overall weekly spread of hours worked was 35% morning, 40% afternoon, 15% evening and 11% overnight, these values are now 25%, 31%, 24% and 21% respectively over the full week, suggesting a better spread of working.

Drivers told us the frequency of their obtaining a fare either using a wheel chair to travel or transferring, for travel from ranks, bookings and contracts. The highest response for all categories was 'never', ranging from 34% for booked transferring passengers to 79% for contract travel in a wheelchair.

However, the second highest score in all cases apart from rank journeys that transfer was 'weekly'. This ranged from 9% for contract wheelchair travellers transferring up to 25% for booked wheelchair transferring, with 18% saying they got weekly wheelchair trips from a rank. 15% also said they received daily bookings for wheelchair using travellers. For those transferring from their chair boarding at a rank, drivers suggested 20% of such trips were monthly.



This suggests fair usage of both hackney carriage and private hire both in wheel chairs and transferring.

For the full response, 69% said they felt there were enough hackney carriages at present in Barnsley. However, for those driving both kinds of vehicle the response was 92%, for hackney carriages 100% but for private hire only just 50%.

67% overall (87% last survey) of those responding agreed the limit should remain. As might be expected, all hackney carriages agreed, 92% of those driving both agreed but only 47% of private hire agreed (61% last time).

Most provided a comment to the question what the benefit of retaining the limit might be. However, as is usual, many did not give the direct answer expected and many answered why they thought the limit should not be kept. 17% did not know or said the question was not applicable to them. 16% said there was no benefit. 7% said they felt more vehicles were needed. 18% used the question to say there were already too many. 6% felt the main issue was driver shortages. One suggested retention of the limit but issue of a number of new licences.

3% said a limit restrained what would otherwise be over-supply, with the remaining 31% giving clear positive benefits. These included:

- Reduced levels of potential congestion
- Better vehicle standards
- Better air quality
- More reliable service from smaller fleet
- An emphasis on the benefit of more vehicles being available of a smaller fleet rather than simply too many vehicles

Similarly, with the question what people felt the benefits might be of removing the limit, one said they were not sure, 47% took the opportunity to confirm they felt removing the limit would have no benefit, and probably a disbenefit certainly to the trade (and thence to the public), and one took opportunity to complain about out of town vehicles, suggesting removing the limit for Barnsley vehicles might help resolve that issue.

On the positive side, two respondents felt it would increase wheel chair accessible vehicles and the remaining 45% provided benefits, mainly the increase in vehicle numbers and hence increased accessibility and, for many, they felt the elimination of passenger queues. One driver said they would swop to hackney carriage as it would free them from having to pay operator fees to a company.

Many comments were made, including many that were very similar to those made in the previous, pre-pandemic survey. New comments included issues with servicing ranks due to road works, and many pointing out the large number of out of town vehicles observed. There were also concerns about the recent merger of the two largest companies into one that was controlled at a national rather than local level.

Many suggested hackney carriages needed to focus on rank work whilst others made it plain that over a full week there was insufficient rank-based work for vehicles to be able to make a living.

Further discussion of these issues will follow in the synthesis section.



## 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 to 1.2 for January / February.

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.

ISUD component	2023	2018	2017 modified	2017
Average passenger delay (APD)	2.07	3.9	1.6	1.4
Proportion of off peak hours, any delay	24.49	56.3	50	34.8
Proportion of people in hours over 1 min APD	59.69	73.9	35.9	31.4
Seasonal factor	1	1	1	1
Peakiness factor	0.5	1	1	1
Latent demand factor	1.074	1.034	1.034	1.034
Overall ISUD value	1,622	16,687	2,972	1,581

For this survey:

- Average passenger delay calculated as 2.07 minutes
- 24.49% of observed off peak hours saw some queueing
- 59.69% of all passengers travelled in hours when the average delay was a minute or more
- Seasonality factor was 1
- The area now demonstrates peaky demand so the factor is 0.5
- Latent demand factor is 1.074

This leads to a calculated ISUD factor of 1,622 significantly higher than the accepted cut-off value of 80 which signifies that observed unmet demand is significant according to the tool definition. All the components of the index are consistent with this conclusion.

However, the 2023 value is marginally lower than that in 2017, mainly because of the change to a peaky profile, but also because off peak delay share has reduced whilst the proportion travelling in hours with a minute or more APD has almost doubled from 2017. Latent demand has also increased.

Compared to 2018, all values have decreased although the reduction in overall demand should normally reduce delay if the same number of vehicles are working in the same pattern.

Further discussion occurs in the synthesis chapter of the report.

### ***Extent and occurrence of unmet demand***

Given the above determination, a review was undertaken of when the largest waits and average delays occurred in the area. We have then compared this to the 2017 results to see how patterns have changed to understand how and if unmet demand has developed.

For the 2023 survey there was just one hour when average delay shared over all passengers was over 10 minutes – in 2017 there were three such hours. This was in the 03:00 hour at Mother Hubbard’s end rank, but only involved a single passenger, which relates to low levels of demand.

The next eight hours saw average queue time between five and ten minutes, the same number as in 2017, with maximum waits ranging from six (five) minutes up to 24 (36) minutes. Six of these were at Market Hill rank, mainly at higher levels of demand but with two also related to low demand levels.

There were a further 31 (18) hours with delays averaged between one and under five minutes, and 22 (23) hours when passengers experienced some average delay, but less than a minute. Overall, of the 192 (141) hours observed, 32% (37%) saw some passenger waiting – confirming that there has been some improvement since the 2017 survey.

The hours with any delay were further reviewed by time of day and location. There were now 19 (was just two) hours on the Thursday with any delay. There were delays on the Friday in most hours from 11:00 onwards, continuing right through most of Saturday to the early hours on Sunday. Compared to 2017, this suggests overall unmet demand has spread out.

The most concentrated period of unmet demand was also extended, now occurring from 19:00 (was 23:00) on the Saturday night. Midland Street and Market Hill both had average passenger waiting well in excess of a minute in every hour from the 19:00 (22:00) to the 03:00 (01:00)hour. Market Hill continued to see such high unmet demand through to the 06:00 hour. It took till that hour for queues and passengers to clear the area completely.

The overall conclusion is that on balance some elements of the unmet demand have worsened since 2017 whilst others have become a little better. As already noted, reduced demand however should have seen much more improvement.



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## 8 Summary, synthesis and study conclusions

This Hackney Carriage demand survey on behalf of Barnsley MBC has been undertaken following the guidance of the BPG and other recent case history regarding unmet demand and its significance. This chapter provides a summary of each of the preceding chapters key points, then draws these together into a synthesis of what the individual components of the study are saying, finally providing conclusions regarding unmet demand and its significance and other key conclusions. Although undertaken primarily before the revised November 2023 BPG was issued, the methodology remains valid based on the content of the latest BPG.

### ***Background and context***

This study was undertaken in line with our proposals of June 2023 between the September and November 2023. It covered rank and plate activity observations in September, on street interviews in October, key stakeholder consultation through the period and trade views canvassed by a posted out, on-line return survey during September and October 2023.

Barnsley is a metropolitan borough authority with overall transport policy under the control of the authority although set within the Sheffield City Region Transport Strategy. The value of licensed vehicles and need to consider future options are within the Strategy documents (a rare occurrence). Local application of policy for transport is through the Barnsley Transport Strategy, which does not mention licensed vehicles. This has been updated since the last survey and is a longer term plan till 2030. It notes reduced bus services have increased dependence on the car for travel for many.

Present licensed vehicle policy includes the authority using its power to limit hackney carriage vehicle numbers since at least 1976. An initial set of zones were removed during the following years. Since 1997, hackney carriage plates have increased 21% (but mainly at the start of the period), whilst private hire since 1997 has only grown a net 3%, though there was a peak in 2014 followed by a slump and recovery followed by a significant drop in the first year of COVID that has only recently begun to be reversed. However, it is also known that many private hire services are now met by out-of-town private hire which may explain the suppressed local numbers.

Total driver numbers have shown continual decline over time, with the current level some 30% lower than that in 1997. However, the number of drivers available to drive hackneys has effectively increased since the introduction of dual badges. Operator numbers declined till 2015, grew to 2019 then dropped back to almost 1997 levels before some recent growth, although mergers have also occurred.

There have been two major increases in levels of WAV in the hackney carriage fleet, in 2009 and 2017, but since that period the level has declined to the current level of some 7% whilst the small number in the private hire fleet has grown gently to 4% current. At the time of the 2023 DfT data collection, Barnsley had 9% hcv and 3% phv WAV, or 4% overall. In overall terms Barnsley was 204<sup>th</sup> out of 267 licensing authorities at that time in terms of WAV in the total licensed vehicle fleet. It is known that the lack of requiring WAV to remain as WAV in conditions has left the door open for drivers to revert to saloon readily, and there is anecdotal evidence of reticence of passengers to use WAV further reducing their appeal to the trade (a national issue).

Demand surveys were last undertaken in 2018 (partial), 2017, 2011 and 2005. The partial survey arose due to high levels of unmet demand being recorded in 2017 and those partial surveys also found unmet demand was high.

### ***Rank observations***

Rank observations, based on information from the council, our previous work and a streetview and on-the-ground review, were undertaken using current video methodology. Vehicle and passenger arrivals and departures, as well as other vehicles operating at or near ranks in a manner that might hinder the rank operation, were observed.

Since the last survey, the rank directly outside the Interchange in Midland Street has been closed and moved to outside Mother Hubbard's, further along Eldon Street towards the town centre. There have been no other changes in rank provision.

Our review of ranks found vehicle arrivals and departures made up 71% of the observed activity with 59% of the activity at Mother Hubbard's. Just under 100 people appeared to leave a rank without taking a hackney carriage, with 65% of these at Market Hill.

Of all the vehicle movements seen, 21% (13% in 2017) were private cars, 0.3% (5%) emergency vehicles, 2.4% (1%) goods vehicles and 5% (1%) private hire. This left 71.6% (80%) of our observed movements as legitimate Barnsley hackney carriage vehicles. Of these, 9% (16%) were WAV style, similar to the proportion in the fleet in the respective years.

12 (16) people used wheel chairs to access ranks during the course of the survey, seven at Mother Hubbard's and five at Market Hill. A further 60 (40) persons were considered to be disabled in some way visible to our observers (eg using a stick), mostly from Mother Hubbard's.

Comparing the profile of total passenger demand in Barnsley, the 2017, 2018 and 2023 profiles were relatively similar, but 2023 flows are almost always lower than the two previous surveys.

Thursday flows in all cases peaked around mid-day. Fridays and Saturdays always saw an overnight peak. Saturday is the highest peak, at midnight in 2017, 21:00 in 2018 and 22:00 in 2023. The end of usage and the major step down in levels of passengers all still occur at 06:00 and 03:00 respectively. In both 2017 and 2023 Saturday flows begin to rise at 18:00. Contrariwise the Friday-Saturday peak has moved later from 23:00 in 2017 to 01:00 in both 2018 and 2023. The 2023 flows are peakier than 2017.

A graph of the actual rank observations demonstrates Saturday is busier than Friday (as in 2017), and that Mother Hubbard's is the rank operating over the longest period. Market Hill is clearly still the rank mainly used at night and provides the highest hourly levels of demand. However, overall Mother Hubbard's in a typical week is estimated to provide 65% (67%) of passengers whilst Market Hill provides 35% (32%) with none from any other location.

Since 2017 total passenger flows are down 31%. However, estimated levels in 2018 were higher, suggesting the impact of the pandemic is more severe than these values suggest.

Plate activity levels found 8% of taxi like vehicles appeared to be from out of town with 15% local private hire and 76% local hackney carriage. Over the three days 79% of the hackney carriage fleet was observed, slightly less than the 81% seen on just the busiest (Saturday) in 2017. The proportion of the fleet active rises from Thursday to Saturday. 2023 values are lower than 2017 suggesting less plates active, with the biggest drop being in the overnight proportions, a national issue arising from drivers choosing to work preferable hours and avoiding times when passengers can be more difficult. However, for this sample it was also clear more vehicles were working daytimes.

A review was undertaken of the observed unmet demand considering the levels of average passenger delay and the number of passengers waiting for different lengths of time. Generally, passenger delay is worse than in 2017 albeit better than the situation in 2018. In 2017 there was no unmet demand on Thursdays, this has now spread to daytime Thursdays. Although there has been some improvement in the daytime Saturday, late nights Saturday to Sunday have worsened. The unmet demand remains endemic, i.e. spread widely over the different days.

Review of the marshal data validated the survey data as being correct for the Market Hill rank. It also suggested that, though queues were endemic, with

the presence of the marshals, the public were kept safe and confident they would get home. Their on-the-ground conclusion was there were sufficient vehicles present.

A review of rail passenger levels suggested they are 30% lower than the peak pre-pandemic. However, if all Mother Hubbard's rank passengers were from the rail patronage, this would account for 35% of those leaving the station. This suggests this rank is also servicing bus and town centre passengers.

### ***On street public views***

Our 135 (201 in 2017) on-street interviews obtained the views of a randomly selected set of people in the streets of Barnsley during early October 2023. Our sample over-represented women (as in 2017) but for the age profile matched 2021 census levels for the younger group but more mid-group and less older group than in the census population.

A high level, 80% (58% 2017), said they had used a licensed vehicle in the last three months in the area. 10% had used just hackney carriage, 18% both hackney carriage and private hire and just 53% private hire only.

The average usage levels suggest a higher 2.1 (1.8 in 2017) licensed vehicle trips per person per month in the area, with the hackney carriage value being lower at 0.24 (was 0.5) or 12% (was 28%) of the overall level. This is slightly lower than the proportion who said they generally got licensed vehicles from ranks (16%, was 25% in 2017). On the contrary side, hailing was up to 7% compared to 4% in 2017.

The overall level of phone methods used was now 55% compared to 62% in 2017 with an apparent switch to use of freephones compared to direct phone.

Further investigation of those phoning for vehicles found evidence of reduced competition, relating to the merger of the top two named companies close to the time of our interviews. The number of companies quoted since 2017 had also strongly reduced. This also saw the top three named apps also merging, giving 91% of apps quoted now the same, although this had pushed the international app quoted down the rankings.

Of those responding, 53% (65% in 2017) said they could not remember when they last used a hackney carriage. However, just 3% (1%) said they could not remember seeing one, so the livery does make them visible, just not used as much.

Best known rank was Mother Hubbard's with 25.4% (49%) then Market Hill 24.6% (15%) but with several quoting the lesser ranks, some saying they did use them. 26% said they used Mother Hubbard's and 19% Market Hill.

A good and positive view of recent journeys was given. The dominant score was good with no very poor and very few poor scores. Driver knowledge had the most positive result. Price was least favourable but even then, 57% felt it was good, and just 1% said it was poor.

A wider range of reasons why people might use hackney carriages more was given this time. 47% said if they were more affordable, 28% if there were more hackney carriages to phone for, and 9% if drivers were better quality.

The true latent demand value from the sample was increased at 9% compared to the 3.4% of the 2017 survey.

75% felt there were enough hackney carriages in Barnsley with 18% thinking there were not enough and the remainder unsure.

The proportion saying that they did not need or did not know anyone needing an adapted vehicle was relatively low, and even lower than in 2017, suggesting relatively high and increased need for such vehicles in the area. Most of these needed a WAV.

68% felt they knew the difference between Barnsley private hire and hackney carriage vehicles. In general responses showed good knowledge of the difference between the two vehicle types although some answers suggested hackney carriages might be missing out on some custom because people were not aware they could be obtained by booking or apps.

### ***Key stakeholder views***

As with many recent surveys, there was only one response to the key stakeholder consultation despite attempts both by ourselves and the Council to generate response. This is not a major issue and suggests that people have no strong views.

### ***Trade views***

For this survey there was a 16% response rate, higher than the 11% of 2017. 87% of those responding said the licensed vehicle trade was their main or only source of income. 3% were not currently working but planned to return, with a further 3% working part time with no other sources of income and 8% working part time with other sources of income.

The survey obtained 60% from private hire, higher than the 36% of 2017. This compares to private hire being 85% of the fleet.

All but one of the hackney carriages said they worked ranks. 21% also undertook immediate bookings and a further 11% immediate bookings and advanced bookings. The private hire responses suggested a high proportion are not available for immediate bookings but more for advanced bookings.

Those responding had a good level of experience. Most worked five (was six in 2017) days and an average of 42 (41) hours. Hackney carriage hours were highest at 49 with private hire 41 and those saying they drove both kinds of vehicle saying 36 hours (some of these appeared to be mainly contract operators).

Most people chose preferred hours to work, with a marginally increased 7% (5% last time) saying they avoided times there might be drunken, violent or abusive customers.

88% (60%) of vehicles were owner-drivers with 83% (60%) not sharing their vehicles. 72% in total said they accepted bookings although this proportion was 39% for hackney carriage and 87% for private hire. The hackney carriages said their bookings were from friends, relatives and return customers, usually by phone.

39% of hackney carriages said they got all their work from ranks. One suggested 40% of their work was from hailing, with another saying 20%, another 10%, another 5% and three 1%. Three hackney carriages admitted having school contracts, providing 40%, 25% and 10% of their weekly work. This is 16% of the hackney carriage respondents.

Interestingly, the stated periods worked by drivers saw reduced daytime shares with increase late evening but increased (but not as much) for overnight. This could have resulted from the fare change which was not long before the survey occurred.

There appeared to be a relatively high quoted level of wheelchair based trips with 18% saying they got weekly wheelchair trips from a rank.

100% of hackney carriages felt there were enough hackney carriages but for private hire only 50% felt this was the case.

67% (87% in 2017) of respondents, including many private hire, supported retention of the limit on vehicle numbers. All driving hackney carriages supported retention but just 47% of private hire agreed.

Many gave positive benefits of retaining the limit and took opportunity to repeat this when asked what benefits of removing the limit or given chance to make other comments. These included reduced levels of potential congestion, better vehicle standards, better air quality and more reliable service from a smaller fleet.

Concerns were raised regarding impact on service of road works and the level of out of town vehicles servicing demand.

### ***Formal evaluation of significance of unmet demand***

The industry standard index of significance of unmet demand identified that the observed unmet demand was highly significant in terms of the values estimated. Compared to 2017, average passenger delay (APD) had increased from 1.4 to 2.07 minutes. The general incidence of delay, the proportion travelling in hours with a minute or more APD had increased from 31.4 to 59.69 and the latent demand factor had increased from 1.034 to 1.074.

However, the proportion of off peak hours with any delay had fallen from 34.8 to 24.49 and the peakiness factor has switched from the area not being peak to being peaky (the impact of higher peak flows compared to the average on Saturday nights).

The combination of these factors means that the value found for the 2023 survey (relating to the September observations) is around 2.5% higher than the 2017 value. Given the large changes since 2017 in terms of impacts from the pandemic, this is effectively a very similar situation and result.

Compared to the 2018 test all values apart from the latent demand value have decreased, suggesting an improvement from that time. This is discussed further in the synthesis section below.

Review of the incidence of the unmet demand by hour and location found that there were some signs of improvement since 2017, but other signs of matters getting worse. The most concerning matter was that unmet demand had spread back into occurring on the Thursday now. The extent of unmet demand on the Saturday night has also spread from affecting from 23:00 onwards to affecting 19:00 onwards.

### ***Changes since the data collection***

The production of this report has inevitably taken time since the initial collection of the database of information. During that period there have been a number of changes that modify the interpretation and possible recommendations for future development of local policy particularly that related to passenger demand and vehicle numbers.

National change in November 2023 saw the publication of the final version of the Department for Transport revised "Best Practice Guidance". This document provides current thought on a number of issues and changes some of the encouragements for development. A key element is seeking to develop the licensed vehicle service in conjunction with overall transport policy through the Local Transport Plan. Other parts of the background tapestry include wider thinking about overall accessibility, not just WAV vehicles and WAV-users but all those with protected characteristics that affect their ability and need for travel.

Local changes include not least the re-opening of the Midland Street rank, albeit in its new format whereby vehicles enter and leave Midland Street at the same point, looping round.

The change to the local private hire industry as well as the change in fare structure will both have changed provision of services.

Intelligence from the licensing officer regarding items noted has been added to the below following an initial review of this Report in mid-February 2024. This ensures that the Report is as up to date as possible allowing any decisions made to be fully in current context.

### ***Synthesis***

With respect to actual numbers, the private hire vehicle fleet and total driver numbers are now very similar to levels when statistics were first recorded in 1997. Only hackney carriage vehicle numbers have increased since then, and the pandemic had severe impact on levels of private hire vehicles, whilst the limit possibly kept hackney carriage numbers more stable. Even before the pandemic there had been a clear issue of a shortage of drivers particularly on the private hire side which had led to most night demand being met almost solely by the hackney carriage trade, which was a strong element of the reason there was unmet demand that was significant in 2017.

The interim test in 2018, which mainly considered rank patronage on the Friday-Saturday-Sunday found around a 41% increase in passenger numbers and a very significant increase resulting in terms of unmet demand levels.



Although there was some slight increase in drivers and vehicle numbers this was only temporary and in general the decline of both continued.

This was despite growth in passenger demand, which therefore fell almost exclusively to being served by the hackney carriage trade particularly later at night. Remarkably, there was no evidence that extended passenger waiting times deterred anyone from travelling or making use of the night life, with evidence in effect to the contrary in observed numbers. We are not aware of any change occurring following the 2018 report and not long after, in March 2020, the pandemic hit.

The impact on driver and private hire vehicle numbers was significant. Hackney carriage vehicle numbers remained much more resilient. At the same time, progress with the town centre redevelopment saw the main rank in Midland Street moved to its current location in Eldon Street near Mother Hubbard's. The impact on rail patronage of the pandemic continues, with latest annual estimates (only available for year ending March 2023) suggesting Barnsley station still had 30% less passengers than pre-pandemic.

The current level of licensed vehicle trips has increased a little since 2017, but hackney carriage share of that total has fallen, though quoted hailing had increased (although this might be use of apps given the public are not fully aware of the difference between hailing and an app). There was clear evidence of a focussing of use of private hire on the two main companies, who have now merged, reducing competition in the area. The plate observations found 76% of vehicles observed passing along Eldon Street were local hackney carriages, with 15% local private hire but 8% out of town vehicles (the balance being a few plates that could not be readily captured).

Peoples views of the overall licensed vehicle service focussed on them thinking this was 'good' with very few negative points. However, latent demand for hackney carriages has increased to 9% from 3.4% in 2017. In many similar areas with increased unmet demand, latent demand has decreased, so there is evidence that people are more concerned about waiting than they had been.

Levels of WAV in the hackney carriage fleet have reduced whilst stated need for their services have increased.

Trade responses showed increased levels of both vehicle ownership and reduced sharing of vehicles, following national trends with influences against being the pandemic and increased insurance costs, plus drivers preferring to be able to work when they wish rather than be dictated to by sharing of vehicles.

Drivers told us they were working more late evenings, but not as high an increase was seen overnight compared to the increase quoted in earlier periods. However, the plate analysis suggested a general shift of all hackney carriage vehicles towards daytime working, but confirming the general reduction in overnight service, mainly from concern about working when customers might be less easy to serve (this level had increased marginally).

All hackney carriages and half of private hire supported retaining the limit. Public benefits were quoted by the trade for retention, although those suggesting benefits of removing the limit, or adding more plates, were principally that 'more was better'. Concerns were raised regarding the impact of road works on rank service levels as well as drivers feeling there were too many out of town vehicles active. The Council confirmed that it appeared that the key private hire players had brought in out-of-town vehicles and drivers to improve their service levels in recent months.

The stability in the level of the unmet demand statistic is remarkable given the level of change that has occurred since 2017. The two noted changes are the move of the area to having peaky demand and the improvement in levels of off peak service despite observations showing unmet demand had actually spread to the Thursday. A 31% reduction in demand would normally result in reduced levels of unmet demand, but the plate information suggests the reduction in levels of vehicles working late night and their shift to daytime hours that explains some of the increased unmet demand.

The fact the values in terms of service level have remained similar does suggest the operation is in equilibrium, albeit at a level of service that would normally require further action. It is also noted that since the survey, more private hire services are believed to have been added albeit by use of vehicles registered 'out of town' by large companies who are regionally and not locally organised.

What is not clear, and what would be usefully identified if possible, is if these 'out of town' vehicles are actually fresh drivers brought in from other areas or if it is simply that the vehicles and drivers are registered elsewhere but actually live in the area and are therefore mainly taking advantage of lower operating costs arising from 'out of town' operating standard differences. Such identification could be critical in understanding if this 'improvement' is really of public benefit or not.

Licensing understand that around five of the 'out of town' drivers actually chose to live in Barnsley but be licensed by other local authorities. The majority of others live in other areas, are licensed in other areas, and are effectively sub-contracted by the main local private hire company to provide service in the Barnsley area incentivised by higher fares charged by that operator after 22:00.

Licensing believe there is need for more detailed information on which vehicles people are ending up hailing, given the high level of quoted hailing. They may be hailing local hackney carriages, stating they are hailing when they are actually booking by app, or hailing out of town vehicles. This is a matter that increased enforcement resources could be targeted to identify and remediate for over the coming months.

Further, there is a view that many passengers book a private hire vehicle and then from previous experience of them not appearing, also join the hackney carriage queue and leave when their vehicle arrives. Record of this by the marshals has now been promoted (see below).

There is also clear evidence that the in-line nature of the two main ranks means that the Mother Hubbard rank gets better service than the Market Hill location whenever there is demand at that former location. In the former days of the Midland Street Interchange rank, vehicles had to choose to divert to service that rank or continue along Eldon Street. Now, any need for vehicles at Mother Hubbard's is clear to any vehicles passing along Eldon Street, who may therefore choose to service known demand there than risk continuing and finding no demand further along (although that would be unlikely). This will have contributed to worsening levels of unmet demand. This will now be modified by the reopening of the Midland Street rank.

The maintenance of numbers of hackney carriages at the pandemic appears to relate to these vehicles being limited compared to the severe impact that occurred to private hire vehicle numbers. However, that impact will also have given hackney carriages opportunity to fill in gaps undertaking more booked work which perversely would have worsened unmet demand at ranks.

The existence of clear significant unmet demand is therefore undeniable but also needs to be held in full context. The marshal view and the lack of significant safety issues arising from the queues suggests people are used to queueing and are satisfied they will get home and therefore generally content to queue. This implies the situation is less of concern than the bald statistics might otherwise suggest. This supports the equilibrium view.

## **Conclusions**

Unmet demand existed at the time of taking the snapshot in September 2023. This was evidenced through the industry standard index of significance of unmet demand measure as well as through increased latent demand stated by the public. It is explained now by the national change of drivers moving away from serving times that customers can be less easy to service and vehicles more likely to be damaged towards daytime service, partly to fill in gaps arising from the shortage of private hire drivers. The change from a non-peaky to peaky demand profile also makes it harder for the same fleet to meet demand were all other matters equal.

What is interesting, however, is the apparent stability of the level of service now resulting despite all the various changes that have occurred. Apart from the increase in latent demand that counters the view of stability, it could be argued that the present level of service is an equilibrium for Barnsley, a level that people have now effectively become used to. The change with latent demand does however suggest some evidence of reduced tolerance, and therefore need for action, although the presence of the marshals also has remediated and minimised risk to the public.

It is unclear if the fare increase three months in advance of the survey had encouraged either more drivers to work or to extend their hours. The existence of unmet demand in earlier hours in 2023 does suggest that there could be value in extending the 01:00 to 07:00 additional tariff to begin earlier in any future review, perhaps at 22:00, although such fare increases tend to have only minor impacts generally around the country.

There would be value in a limited exercise speaking with hackney carriage drivers to identify if they stated they had begun to serve nights again or had chosen to extend their hours based on the changed fares. This would formally back up comments already made to licensing (see below). It is likely this element will have increased since the survey was undertaken.

What is also clear is that the introduction of the marshals has been significant in improving public safety within the queues that exist. Further, the licensing section said they had received feedback from drivers that more now felt safe to work later with the marshal presence. Quoted examples of incidents prove that marshal intervention has reduced potential harm both to the public and to the trade, with many potential harm incidents to drivers being dissipated by marshal intervention.

Licensing also told us that new drivers (perhaps 10) had more recently entered the trade who seemed keener to work nights than those they replaced. Some more formal confirmation of this would be valuable.

### **Options**

A range of options are available.

It is normal when unmet demand is identified that is significant that adding extra vehicle plates is considered to reduce the level of the unmet demand back under the value of 80 that is considered significant. However, this is not a statutory requirement and needs to be undertaken making use of all the appropriate evidence available as to how customer service might be improved.

**1 - Do nothing:** As noted above, there is no statutory requirement to act, although Section 16 does call into question if a limit can be retained if significant unmet demand is identified. In favour of doing nothing is the apparent stability of the level of service indicator, which despite a wide range of changes (reduced passenger demand, changed / reduced supply of vehicles, increased peakiness of passenger demand, fare change, amongst others) is now very similar to that pertaining in 2017. The level of service is also improved since the 2018 test, and significantly so.

All hackney carriages support retaining the limit, as do half the private hire respondents. The public did not suggest they would use hackney carriages more if more were available at ranks. There were no views received from key stakeholders about impacts on their businesses as there were in 2017. Further, this was the chosen option in 2018 by default and as already noted service levels appear to have improved to that set of observations.

The only negative aspect from the evidence against this option is that public views show that latent demand has increased. This is significant given that many other similar studies with strong and significant unmet demand in other places have seen reduced latent demand.

**2 - Managed growth:** A number of authorities determine a policy whereby they grow the hackney carriage fleet by a number per year. This has the benefit of enabling issue to be stopped or amended if issues arise requiring amendment. It provides more control over impacts than limit removal.

**3 - One off issue:** A number of hackney carriage plates could be issued as a one-off to seek to redress the level of service.

**4 - Limit removal:** This option would see the current limit removed and any new entrants allowed. Often termed 'deregulation' this is not the correct term given that many authorities that do this then apply quality control to new vehicles, such as requiring them to be wheel chair accessible. This has been the case with previous plate issues in Barnsley, which did result in increased levels of WAV although in both cases the WAV level was not sustained which suggests other issues at play.

It should also be noted that there is the possibility that no applications might be received to any offer of plates, which would be a statement in itself and would need further consideration of why this might occur.

**5 - Maintain limit, take remedial actions and review :** Given there has only recently been a fare change, any further revision to the hours covered by the night rates would not be sensible but should be discussed and considered for the next review that occurs, with the suggestion being to shift the start of the higher rate perhaps back to 22:00.

With the level of significance of unmet demand any option would be prudent to consider further review (on the basis of rank and plate observations) perhaps a year on from when actions taken were completed. This would require review covering Thursday / Friday / Saturday at the two main ranks (only) plus plate review over the three days. This would have the added benefit of allowing the level of out-of-town vehicles active to be reviewed. The reintroduction of Midland Street as well as the other changes in the private hire scene suggest that in reality a full demand survey would be more prudent, with revisions to both public and driver surveys to cover the issues known to be in play.

Early warning of developing issues could also be obtained by continual review of the marshal data, particularly if this shows growth in the share of people queueing, or particularly any reports of growing unrest within the queues of people, or growing numbers of incidents. A regular review and reporting of the marshal results should be considered to help keep the committee informed of how the public safety is being maintained or otherwise. A revision has been made to encourage marshals to record how people leaving the hackney carriage queues then leave the area. This would provide evidence regarding the potential impact of those who join the hackney carriage queues having made a private hire booking and then leaving the queue when that vehicle arrived. Those records will be very helpful in the period from now to the next survey.

It is also critical that the marshal presence is retained on busy nights and its value needs to be included in any further funding consideration in this respect.

It may be that other methods of increasing safety for drivers, such as inclusion of CCTV in hackney carriages, might further improve driver willingness to work.

Documented confirmation of the change of driver operating hours would be obtained if a new comprehensive study was undertaken in due course.

Licensing suggest that a number of developing revisions also encourage fresh review within the next six to twelve months including:

- Further and more full impact of the fares change on driver service levels
- CCTV funding may occur and enhance driver safety further
- The merger of the two largest private hire companies occurred very close to the rank surveys in particular and also will have changed results that would be obtained now
- Local drivers have reported a glut of private hire vehicles now compared to the pre-merger period
- Reopening of Midland Street will have changed the balance of operations again
- There is the possibility of marshals being funded also for Fridays and also to cover the re-opened rank, again having impact on driver and passenger safety experience
- More enforcement is planned.







## 9 Recommendations

On the basis of the evidence gathered in this Hackney Carriage demand survey for Barnsley, our key conclusion is that there is evidence of unmet demand for the services of hackney carriages which is significant at this point in time in the Barnsley licensing area.

However, with marshal presence the risk of harm to the public with the level of queueing is remediated and kept to a minimum. It therefore appears that the situation is in equilibrium and that continual review of the outputs from the marshal summaries would ensure any potential issues were quickly identified and pointers for further action raised.

Such summary of marshal reports should be made to the licensing committee at a frequency to be agreed, but no less than every six months to ensure prompt identification of any growth or reduction in issues. This is critical to ensure the continuing viability of the night life of the area is not hindered by inability of people to get home in a timely manner.

It would also be prudent to identify a means of documenting driver attitude changes to hours worked, with a limited review of hackney carriage driver operating hours undertaken.

Identification if out of town vehicles are actually based in and operating from other locations or if they are simply local drivers taking advantage of reduced operating costs could be undertaken to provide a view if this operation is actually providing public benefit or not.

Whilst it is normal practice for demand surveys to be refreshed every three years (although the latest BPG suggests five years, but aligned to the LTP process), for this survey we would recommend repeat with rank surveys no later than March 2025. This would include revision of both public and driver questionnaires to cover the changes needed to be understood more, and ensuring the plate survey clearly identified as many out of town plates as possible, with potential use of collaboration with those other authorities to confirm if drivers servicing demand are living locally or not.

In the interim, it would be prudent for regular review and reporting of the marshal results to occur. There may be need for some external support to ensure there is adequate resource to interpret this information.

This is taking option 5 above – maintain limit, take remedial actions and review their impacts.

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# Item 6

## Report of the Service Director to the General Licensing Regulatory Board to be held on the 17 April 2024

### Policy Update

#### 1. Purpose of Report

The purpose of this report, is to inform Members and seek approval to amend Appendix J of the Council Taxi and Private Hire Policy which specifically provides guidance to assist with the assessment of suitability with regard to all Private Hire Driver, Private Hire Vehicle Proprietor, Hackney Carriage Driver, Hackney Carriage Vehicle Proprietor and Private Hire Operator Licences.

#### 2. Background

In March 2022, the Council approved revised guidelines to help Members to consider applications where criminal convictions are involved. The purpose of Appendix J is to offer guidance on how licensing authorities can determine whether a particular person is safe and suitable either to be granted a licence in the first place or to retain such a licence. As outlined above, a policy can be robust, and if necessary, say never, and each case is then considered on its own merits in the light of that policy.

#### 3. Current Position

The licensing process places a duty on the local authority to protect the public. Given the nature of the role, it is paramount that those seeking a living in the trades meet the required standards. As the previous offending behaviour can be considered as a predictor in determining future behaviour as well as culpability, it is essential that the decision maker considers all relevant factors including previous convictions, cautions and complaints and the time elapsed since these were committed.

Taxis are used by almost everyone in our society occasionally, but they are used regularly by particularly vulnerable groups: children; the elderly; disabled people; and the intoxicated, and a taxi driver has significant power over a passenger who places themselves, and their personal safety, completely in the driver's hands.

Drivers and operators cannot be granted a licence unless the authority is satisfied that they are a "fit and proper person" to hold that licence (see Local Government (Miscellaneous Provisions) Act 1976 ss 51 and 59 in respect of drivers; s55 in respect of operators).

The current policy does not specifically address re-applications following the refusal or revocation of any licence.

The process of issuing an immediate revocation to a Private Hire or Hackney Carriage driver is only exercised in the most extreme circumstances.

Where there is deemed to be an immediate danger to the public, Officers must act immediately in the interests of public safety.

The current policy does not support the severity and seriousness of a revocation and the work of Officers and Elected Members when dealing with such serious cases.

The current policy allows that an unrestricted re-application can be made following a revocation.

It has become apparent that there should be a significant amount of time for someone who was subject to a revocation to have changed their personal circumstances to such an extent that Officers can be satisfied they are fit and proper to hold a licence. Applicants need to be able to confidently prove that they have changed significantly and show adequate evidence that they are fit and proper.

#### **4. Proposal**

To immediately revoke is defined as:

***To take back something for an indefinite period of time***

Our Taxi and Private Hire policy needs to reflect the severity of an immediate revocation and support the work of Licensing Officers and Elected Members. The policy also needs to allow sufficient time for re-applicants to change their circumstances and actively prove to Officers that they are fit and proper.

As such Members are asked to approve the amendment to Appendix J of the Council guideline policy to read:

**Re-application following refusal or revocation.**

***Where a Licence has been refused or revoked by the Council (or another Local Authority) a further application will be refused if received within five years from the date of the refusal/revocation, or the conclusion of any appeal process following refusal/revocation as it will be deemed that the persons circumstances will not have changed significantly within that period to make them 'fit and proper'.***

#### **5. Recommendation**

That Members approve the amendment to Appendix J of the Councils Taxi and Private Hire Policy with immediate effect.

#### **6. Officer Contact**

Debbie Bailey

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