

1. Introduction and Review the Legal Position.

The Hastings & St Leonards Taxi Association have been asked to respond to the Council Officers proposals to changes to the Hackney Carriage Taxi trade in Hastings,

The current legal position in England.

The current laws that governs taxis in England became law in 1985 under the then new transport act, this law is not being changed now or in the near future, Hastings Borough Council adopted this act in 1985, and it is this act under section 16, that has been invoked until today, 'a council may retain control of taxi numbers, as long as there is no significant unmet demand in that area'.

To prove if an area has any unmet demand, a survey has to be undertaken, otherwise a Council may find it is legally challenged in the law courts, this is the procedure that Hastings Council have adopted over the years.

In 2013 the Government commissioned the Law Commission to review the whole Taxi & Private Hire (P.H) trade in England, our association took part in this review, The Law Commission issued there report in May 2015.

I will set out below some of the main recommendations that are relevant to Taxis and P.H cars that could affect the current Council review.

The Law Commission Recommend the Following:-

1. That Local Councils are best placed to make decisions based on local circumstances on any future limits to Taxi numbers, and the (LC) recommend that local authorities should continue to have the power to limit taxi vehicles in their area.
2. The Law Commission recommend that Councils that limit Taxi numbers conduct a review at least every 3 years, otherwise that council could be open to a legal challenge from hopeful applicants.

2. Recent Taxi Reviews within the Borough of Hastings.

In 2004 the local Taxi trade underwent a massive review into the whole taxi trade within Hastings, the Public of Hastings and all the then sitting Councillors, and Council officers were involved in this review, the main agreed actions that came out of this review were:-

- That all the Taxis in Hastings be the colour Blue.
- That all Taxis will carry the Hastings coat of arms on the bonnet.
- That an age limit was applied to putting a vehicle on as a Taxi and an upper limit of 7 years old before that vehicle has to be removed.
- That an unmet demand survey takes place in 2005.
- That all Taximeters be of a calendar type.
- 2 Underused Taxi Ranks were closed.

The above came to pass in 2005, the unmet demand survey took place, and after the findings were published, it was agreed by all parties that there would be no further increase in Taxi numbers, due to no unmet demand having been found.

3. De-Limiting.

The Taxi Association cannot agree with the proposals for removing the total limit on Hackney Carriages numbers in the Borough, this proposal totally ignores the needs for a stable trade within Hastings, the needs of the public and the needs of the disabled people living within the borough.

The Taxi Association will set out below the main reasons for not being able to agree with the Officers on the de-limiting issue, and we will be putting forward our own proposals, based on many years experience within the trade, we will also be drawing on the OFT report and the House of Commons Transport Select Committee report on the OFT report.

The Main Reasons Against De-Limiting.

- It is a fact that Taxi numbers increase when an area is de-limited, and the numbers of Private Hire (P.H) cars decrease, this imbalance causes a smaller number of vehicles for hire per head of population, in a de-limited area, so the public will suffer. (Select Committee).
- In Hastings most of the 48 Hackney Carriages are doubled shifted, eg: days and night shifts, if the taxis were to be de-limited most of the taxis within Hastings will then become single man taxis, because it would be assumed that a lot of drivers would want to have a plate.
- The knock on effect of the above would mean that drivers would then only work the good shifts, days and Friday and Saturday nights, this very scenario is be found in areas that are de-limited, so the public would suffer from a poor taxi service.
- The earnings potential would drop for owners, drivers, and the P.H. drivers would also suffer, this effect will mean people who have taken out finance to support their entry into the trade will find it hard to service those loans, this is also a common occurrence in a de-limited area.

- The Officers and Councillors should ask themselves why does Hastings have such a high standard of service, in the Taxi and P.H trade? Answer, because there is enough of the financial cake to go round, so allowing both trades to invest in new vehicles and other taxi equipment, eg: new radio systems, update office premises.
- To increase the taxi fleet will mean more taxi officers would be needed to police the higher numbers, and not allow the standards of the vehicles to fall. (OFT report), the Officers already have a heavy workload, and more Officers would mean higher costs to the trade.
- Some areas in England have re-limited after de-limiting, due to the poor service that was being offered in these areas, the most notable area's to do this were Chesterfield, the Wirral, Hatfield and Watford.

4. The Taxi Associations Way Forward For 2016.

The Taxi Association recommends that the Council carries out a new unmet demand survey, the last survey was in late 2005, the reason that no survey has taken place since 2005, is that all local authorities were waiting for the Law Commission to undertake their review into the UK taxi industry, and were awaiting their findings.

We the trade accept that we need a new survey, as a lot has changed in Hastings over the last 10 years, and a new survey would determine where the trade stands in 2016, the Association will abide with the results of the survey.

The cost of the survey would be met by the Association in the form of increased Licence fees over a two year period, as in previous years.

We recommend the following reference points for any future unmet demand survey:-

- Is there a significant unmet demand for Taxis in Hastings?
- Ask the public for their views on the towns Taxi & P.H service.
- Ask local disability groups for their views on Taxi & P.H service.
- Are the current Taxi ranks in the correct location? Do we need more taxi ranks? We are owed a new taxi rank in the Old Town area, as our rank was removed from Rock a Nore Road when the Jerwood was built.

The association agrees with the proposal of longer licences of 3 and 5 years in length.

A point of interest is the DFT Best Practice Guide of 2010, is just that, a Guide, Taxis and P.H cars in England are governed by the 1985 Taxi Act not a departments take on that act or someone's wishes, if any Government want to change the law, they will have to pass a new act, at the moment no new Taxi acts are proposed by the sitting Conservative Party.

The Association would enter into meaningful discussions with the Council to find out what would be the best way forward in relation to what additional quality controls would be needed if any survey suggested an increase in Taxi plates are required, these discussions would include at what rate any new plates would be issued, as not to have a detrimental effect on the local trade.

At a recent Taxi Association meeting, I presented this report to my members, the members then voted to adopt this report as the official response to Mr Brown's consultation letter, in total there were 40 Plate owners present, I have attached their names and plate numbers as conformation of their attendance.

The Taxi Association would be happy to talk to any interested parties if anyone needed us to expand on any of the contents or comments of our report.

Graham Wallace.

Hon Secretary of the Hastings and St Leonards Taxicab Association.

November 2015.

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N. P. THOMAS P46

V. OKUR P30

D. GRASS A38

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O. OKUR P11

F. AYOBZADEH P48

S. KEATES P14

G. STEADMAN P007

A. BERWICK P035

R. A. PIPER P04T

~~Brown~~ PLATE 18

M. A. BROWN P28

~~W. Thompson~~ PLATE 12

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~~N. P. THOMAS~~

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