



*Alison Stuart
Head of Legal and
Democratic Services*

MEETING : LICENSING COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 21 AUGUST 2019
TIME : 7.00 PM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE COMMITTEE

Councillor D Andrews (Chairman)
Councillors S Bell, R Bolton, B Crystall, A Hall, J Jones, M McMullen,
T Page, S Reed, M Stevenson, N Symonds and C Wilson.

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1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.
4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
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AGENDA

1. Appointment of Vice-Chairman

2. Apologies

To receive apologies for absence.

3. Chairman's Announcements

4. Declarations of Interest

To receive any Members' declarations of interest.

5. Minutes - 19 March 2019 (Pages 7 - 12)

To approve the Minutes of the meeting of the Committee held on Tuesday 19 March 2019.

6. Licensing Sub-Committee - 3 April, 20 May, 21 June and 23 July 2019
(Pages 13 - 44)

To receive the Minutes of meetings of the Licensing Sub-Committee held on:

3 April 2019

20 May 2019

21 June 2019

23 July 2019

7. Consideration of the Results of the Hackney Carriage Unmet Demand Survey (Pages 45 - 120)

8. Consideration of the responses to the draft Revised Taxi Licensing Suitability Policy (Pages 121 - 152)
9. Report on Licensing Activity 2018-19 (Pages 153 - 168)
10. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON TUESDAY 19 MARCH 2019,
AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors P Ballam, Mrs R Cheswright,
K Crofton, B Deering, J Jones, M Stevenson
and N Symonds

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Oliver Rawlings	- Service Manager (Licensing and Enforcement)

458 APOLOGIES

Apologies for absence were submitted on behalf of Councillors G Cutting, R Brunton, M McMullen and T Page.

459 MINUTES - 6 FEBRUARY 2019

Councillor J Jones proposed and Councillor B Deering seconded, a motion that the Minutes of the meeting held on 6 February 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 6 February 2019, be confirmed as a correct record and signed by the Chairman.

460 CONSIDERATION OF DRAFT SUITABILITY POLICY IN RELATION TO HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

The Head of Housing and Health submitted a report advising that in August 2016, East Herts Council had implemented a convictions policy to be applied to applicants and existing licence holders in the Hackney Carriage and private hire trade. This policy had now been reviewed and amended in light of lessons learned, case law, best practice and updated guidance.

Members were being asked to endorse the wording of the new 'Suitability Policy' for an 8 week public consultation. The Service Manager (Licensing and Enforcement) referred to the institute of licensing guidance on suitability policies. Members were advised that the policy closely mirrored or was stronger than the Department for Transport (DfT) draft guidance which was currently out for consultation.

The Service Manager referred to the register of refused licenses that was run by the anti-fraud network. Every driver whose licence had been refused or revoked in the last 7 years would appear on the system.

Councillor P Ballam commented on the complicated nature of the process in respect of data security. The Service Manager confirmed that the system would flag to Officers if a driver had had an application refused or

revoked and only a limited number of Officers could search or input data into the system.

Councillor M Stevenson asked a number of questions which the Chairman requested that the Service Manager address outside of the meeting.

The Service Manager confirmed to Councillor N Symonds that taxi drivers could continue to work during the 21 day right of appeal period and could also continue to work if they appealed a decision to revoke or refuse their licence. Members were advised that the law would need to be changed to ensure every revocation would apply with immediate effect.

Councillor Mrs R Cheswright commented on the wording in the policy in respect of whether, regardless of their condition, people would allow a person about whom they cared to travel alone in a vehicle at any time of day or night. The Service Manager confirmed that 'fit and proper' was not defined in the policy and if Members had even the slightest of doubts then a licence should not be approved.

The Service Manager explained that vehicle licence holders would be subjected to Criminal Records checks if the policy was ultimately approved. The holders of proprietor's licences were not currently checked however and this matter needed to be looked at.

Councillor J Jones commented on driving offences and the circumstances whereby an existing licence would be revoked. The Service Manager advised that no applicants would be accepted with 7 or more DVLA

record points. Drivers who had accumulated 9 DVLA points had a set time period to pass a driving course or they would have to surrender their badges.

Members were advised that public safety takes precedence over a driver's livelihood. The Service Manager emphasised that a driver with 9 DVLA record points should not be considered fit to driver a taxi in East Herts. The Service Manager confirmed to Councillor M Stevenson the approach that was being taken in respect of Taxi Drivers who had taken controlled drugs.

The Committee had a general discussion in respect of CCTV in taxis. In response to comments from Councillor Mrs R Cheswright and the Service Manager in respect of the process whereby taxi drivers continued to drive until appeals were heard, the Chairman commented on work that had to take place with the Ministry of Justice to help judges understand how local authority licensing worked.

The Services Manager responded to a number of other queries from Members in respect of public safety and Officer delegated decisions and the issue of Taxi Drivers refusing to take passengers with assistance dogs.

Members received the report and endorsed the recommendation now detailed.

RESOLVED – that the draft 'Suitability Policy' be endorsed for an 8 week public consultation.

The meeting closed at 7.46 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 3 APRIL 2019,
AT 2.00 PM

PRESENT: Councillor P Ballam (Chairman)
Councillors Mrs R Cheswright and
B Deering

ALSO PRESENT:

Councillors D Andrews, P Ruffles and
N Symonds

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Brad Wheeler	- Senior Licensing and Enforcement Officer
Victoria Wilders	- Legal Services Manager

13 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor B Deering and seconded by Councillor R Cheswright that Councillor P Ballam be appointed Chairman for the meeting. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor P Ballam be appointed Chairman for the meeting.

14 MINUTES - 8 OCTOBER 2018

It was proposed by Councillor B Deering and seconded by Councillor R Cheswright that the Minutes of the meeting held on 8 October 2018 be confirmed as a correct record and signed by the Chairman.

RESOLVED – that the Minutes of the meeting held on 8 October 2018 be confirmed as a correct record and signed by the Chairman.

15 APPLICATION FOR VARIATION OF THE PREMISES LICENCE FOR THE HORN AT THE HALF MOON, 31 NORTH STREET, BISHOP'S STORTFORD

The Chairman outlined the procedure to be followed. All those present were introduced. The Senior Licensing and Enforcement Officer summarised the application made under the Licensing Act 2003. He detailed the licensable activities being sought by the applicant and the requested hours outlined in paragraph 2.2 of the report. The Sub Committee was advised that 1 objection to the variation had been received regarding the prevention of public nuisance and that any decision should be evidence based.

The Sub-Committee Chairman asked why 14 year olds would be allowed on the premises of the Half Moon.

Mr Bell, Licence Holder explained that their other pub in St Albans had been operating without problem for

20 years and that the Licence Holder had worked closely with the Police, Licensing Authority and local residents. He confirmed that plus 14 years olds would only be allowed for certain music events and that it gave them somewhere to go. Mr Bell summarised the security arrangements in place and advised that everyone would be required to wear a wrist band and would be challenged. He detailed what type of music would be play by tribute bands, other artists and background music and how this would impact on opening and closing times and what audiences this may attract. Mr Bell emphasised that in terms of the objection, extra sound proofing had been installed including the use of acoustic and deadening foam to address any noise nuisance. He assured Members that he would continue to work with local residents to address issues.

In response to a query from the Chairman regarding the different types of events and what age groups these might be aimed at, Mr Bell advised that at weekends, Tribute Bands would attract an older audience interested in music from the 60s, 70s and 80s whereas plus 14s would attend Monday, Tuesday and Wednesday for a different genre of music. He explained that the Half Moon had a capacity of 220 people and that 40-50, 14 year olds might attend at any one time but that they needed to be accompanied by an adult.

Councillor B Deering queried the inclusion of "indoor sport" within the application. Mr Bell confirmed that he would be happy to remove this. Councillor Deering queried point 5 (Essential Reference Paper B) adding that he felt the wording "at all times" was very wide

and without pre-empting any decision, suggested that this should be more restrictive. Mr Bell supported the suggestion adding that he was prepared to add the days Monday, Tuesday and Wednesday to point 5 (Essential Reference Paper B) of the application.

At the conclusion of the closing submissions, the Sub-Committee and the Democratic Services Officer withdrew to allow Members to consider the evidence.

Following this, Members and the Democratic Services Officer returned and the Chairman announced that the Sub Committee had listened to the Licensing Officer, the applicant and the objection received. The Sub Committee felt that having carefully considered all relevant representations, having regard to the Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State and the further amendments put forward by the applicant to vary their applications, the application for variation of a premises licence be granted, subject to the following amendments proposed by the applicant:

- (1) Deletion from the application in relation to indoor sport;
- (2) Revision of Point 5 (page 30) of the report such that, events for plus 14 year olds be limited to any given Monday, Tuesday and Wednesday only, no later than midnight.

RESOLVED – that the application for the variation of the premises licence, be approved as amended for the following reasons:

Reason for decision

Having considered the application the Licensing Sub-Committee listened to the report of the Licensing Officer and the applicant and read the interest parties representation. The Members felt that the conditions proposed by the applicant would promote licensing objectives and would address the interest parties concerns.

The meeting closed at 2.45 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON MONDAY 20 MAY 2019, AT
10.00 AM

PRESENT: Councillor T Page (Chairman)
Councillors B Crystall and J Jones

ALSO PRESENT:

Councillors S Reed and P Ruffles

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Oliver Rawlings	- Service Manager (Licensing and Enforcement)
Claire Spendley	- Senior Environmental Health Officer
Paul Thomas-Jones	- Environmental Health Manager - Commercial
Holly Wilson	- Community Safety Support Officer

1 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor J Jones and seconded by Councillor B Crystall that Councillor T Page be appointed Chairman for the meeting. After being put

to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor T Page be appointed Chairman for the meeting.

2 MINUTES - 3 APRIL 2019

It was proposed by Councillor T Page and seconded by Councillor J Jones that the Minutes of the meeting held on 3 April 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 3 April 2019 be confirmed as a correct record and signed by the Chairman.

3 APPLICATION FOR NEW PREMISES LICENCE FOR STONE VALLEY SOUTH, HILLSIDE FARM, HILLSIDE LANE, GREAT AMWELL, WARE, HERTFORDSHIRE, SG12 9SH

The Chairman outlined the procedure to be followed. All those present were introduced. The Service Manager (Licensing and Enforcement) summarised the application made under the Licensing Act 2003 for a festival called 'Stone Valley South' to take place at the venue in fields adjacent to Hillside Farm, Hillside Lane, Great Amwell.

He detailed the licensable activities being sought by the applicant as part of a request for a new premises licence from Friday 24th to Sunday 26th May 2019.

The Sub-Committee was advised that representations had been received from the Police and from Environmental Health as Responsible Authorities and 35 representations had also been received from interested parties. The representations included concerns that this application would undermine all 4 of the licensing objectives.

The Service Manager stated that 10 comments had been received in support of the application. Following an amendment to the application, including changing the event to a time limited licence for one year, Environmental Health had withdrawn their representations. Members were advised that negotiations had been ongoing right up until the day of this Sub-Committee hearing.

The Sub-Committee was advised that the traffic management plan was evolving and it was for Hertfordshire County Council to judge whether the plan was adequate and appropriate. The event would not go ahead if the traffic management plan was not agreed. The traffic management plan would serve to prevent unreasonable traffic impact and keep people safe.

At this point, the Chairman commented on the prevention of public nuisance and public safety. The Applicant's legal representative stated that the applicant had 9 years' experience and was a very experienced licensing operator. The applicant was content to sign up to the police conditions endorsing the event management plan. This event was for this

year only and the applicant wished to run the event in a way that did not result in crime and disorder or undermine public safety.

In respect of the Parish Council objections, the Applicant's legal representative confirmed that very strict measures would be in effect and no alcohol would be allowed to be taken off site and only limited amounts were permitted in the campsite area. Members were advised that a zero tolerance policy towards drugs and psychoactive substances, also known as 'legal highs', would be in effect and all of this would be managed by Security Industry Authority (SIA) licensed security staff.

The Sub-Committee was assured that children at the nearby school would be safe from harm as it was unlikely that there would be any interaction between the children and those arriving to attend the festival.

The Applicant's legal representative advised that litter would not affect the wider community as litter management would be in effect on the site and the site would be restored to its original condition after the festival. The issue of noise nuisance had been resolved with Environmental Health and this objection had been withdrawn.

The Applicant's legal representative explained that maximum sound levels had been agreed with Environmental Health and a very experienced sound consultant had been working with the applicant. The Sub-Committee was advised that a noise complaints hotline would be in place for the Stone Valley South

festival weekend.

The Sub-Committee was also advised that very strict sound curfews would be in effect after 11 pm for the campsite area and after 12 midnight for the interior of the festival site. The Solicitor concluded that sales of alcohol would cease at 11 pm and all other licensable activity would cease at 12 midnight.

Mr Robson, a former Durham Police Licensing Officer, detailed his career and experience. He stated that the application should be judged on its own merits and advised that similar Stone Valley Festivals had been managed in an exemplary manner. Mr Robson further advised that the operation of this festival would not in any way, undermine the 4 licensing objectives and total consideration had been given to preventing the objectives from being undermined.

PC Simon Mullen, Hertfordshire Constabulary, summarised the police concerns and referred to a number of agreed conditions following discussions with the applicant. He stated that the event should not go ahead if an agreed traffic management plan was not in place as part of the event management plan. He referred to the need for condition 12 to be amended to reinforce the importance of this plan being submitted prior to the event.

The Chairman of Great Amwell Parish Council referred to the prevention of public nuisance with the Stone Valley South site being in close proximity to a quiet village residential area. He expressed concerns in respect of noise disturbance from a large number of

people arriving at and camping in this location. He also expressed concerns regarding crime and disorder being controlled on site and outside of the festival location.

The Parish Council expressed reservations in respect of Public Safety in terms of the traffic impact on the already busy highway due to the traffic entering and leaving the Van Hage Garden Centre. The Chairman of the Parish Council expressed concerns regarding car parking problems and the parking of cars linked to this festival and an existing car boot sale being a significant issue as parking in residential streets was unenforceable as there were no double yellow lines.

The Parish Council Chairman referred to the influence of the time pressures with an application that had been submitted so late. He concluded that this venue was inappropriate for an event of this type and scale.

Other persons, namely Mr and Mrs Ratcliffe, Mr Goding, Mr Pearce and Mr Mason raised a number of concerns including traffic, community protection, access and egress for this site and concerns that preparations were underway for the event taking place regardless of the outcomes of this Licensing Sub-Committee hearing. Concern was also expressed that children at a nearby after school club would be affected by the start of the festival on Friday.

Councillor T Page questioned the applicant in respect of event security and the proportion of door management staff that would be SIA trained. The applicant advised that 40 of the 60 door management

staff would be SIA trained and this was in excess of a ratio of 1 member of staff per 85 festival goers.

The applicant confirmed to Councillor J Jones that 1400 people had previously attended the Stone Valley Festival, including days of camping and there had been no incidents, no reported crime or noise issues with the venue being adjacent to a 60 mph road.

Councillor J Jones commented on the numbers likely to be present at the event. The applicant confirmed that 2,500 tickets were available and the maximum numbers permitted under the terms of the premises licence was 3,000, inclusive of all festival staff. The Police representative confirmed to Councillor Jones that the Police were satisfied with the Event Management Plan.

At the conclusion of the closing submissions, the Sub-Committee, the Local Authority's Legal Advisor and the Democratic Services Officer withdrew to allow Members to consider the evidence.

Following this, Members, the Local Authority's Legal Advisor and the Democratic Services Officer returned and the Chairman announced that the Sub-Committee had listened to the comments of Officers, the applicant, the responsible authorities and residents.

Members recognised the community's perception for the potential disturbance that could be caused by this event. With the exception of the traffic management plan, Members were confident that sufficient mitigation was in place to ensure a successful event.

With regard to the Traffic Management Plan, the Sub-Committee was reassured by the inclusion of condition 12 of the agreed Hertfordshire Police conditions, which requires agreement with Hertfordshire Highways and Hertfordshire Police, before the event can take place.

The application was granted subject to the conditions agreed with the Police and Environmental Health with condition 12 of the Police conditions amended as follows:

12. An external Traffic Management Plan must be submitted by 17:00 on 21 May 2019 and to be completed to the satisfaction of Hertfordshire Highways and Hertfordshire Constabulary prior to implementation.

The Sub-Committee stated that the conditions as agreed were appropriate to satisfy the 4 licensing objectives.

RESOLVED – that the application for a premises licence at Stone Valley South, Hillside Farm, Hillside Lane, Great Amwell, Ware be approved subject to the conditions agreed with Hertfordshire Constabulary and subject to an amended condition 12:

12. An external Traffic Management Plan must be submitted by 17:00 on 21 May 2019 and to be completed to the satisfaction of Hertfordshire Highways and Hertfordshire Constabulary prior to implementation.

4 URGENT BUSINESS

The Chairman advised that there was a matter of urgent business in the form of 6 Temporary Event Notices for Stone Valley Festival South at Hillside Farm, Pepper Hill, Great Amwell.

5 PREMISES USER ALEX HUTCHINSON - 6 TEMPORARY EVENT NOTICES FOR STONE VALLEY FESTIVAL SOUTH, HILLSIDE FARM, PEPPER HILL, GREAT AMWELL, HERTFORDSHIRE, SG12 9RZ

The Head of Housing and Health submitted a report inviting the Sub-Committee to consider 6 contested Temporary Event Notices (TENs). Members were advised that as a premises license had now been approved by the Sub-Committee, Members could transpose the conditions onto the 6 TENs applications.

At the conclusion of the closing submissions, the Sub-Committee, the Local Authority's Legal Advisor and the Democratic Services Officer withdrew to allow Members to consider the evidence.

Following this, Members, the Local Authority's Legal Advisor and the Democratic Services Officer returned and the Chairman announced that the Sub-Committee were satisfied that by imposing all of the conditions currently in existence on the premises licence, would be consistent with the four licensing objectives to allow the 6 temporary event notices to proceed.

The Local Authority's Legal advisor advised that the

conditions imposed onto the 6 TENs were not capable of being amended post the granting of the TENs, meaning that any subsequent revocation of the premises licence at appeal would not result in the removal of those conditions from the TENs themselves.

RESOLVED - that the 6 Temporary Event Notices for Stone Valley South, Hillside Farm, Hillside Lane, Great Amwell, Ware be allowed to proceed.

The meeting closed at 2.30 pm

Chairman
Date

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON FRIDAY 21 JUNE 2019, AT
10.00 AM

PRESENT: Councillor J Jones (Chairman)
Councillors D Andrews and N Symonds

ALSO PRESENT:

Councillors P Boylan and P Ruffles

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
James Ellis	- Solicitor
Brad Wheeler	- Senior Licensing and Enforcement Officer

6 APPOINTMENT OF CHAIRMAN

It was moved by Councillor N Symonds and seconded by Councillor D Andrews, that Councillor J Jones be appointed Chairman for the meeting. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor J Jones be appointed Chairman for the meeting.

7 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all to the meeting. He explained that there had been a change to the membership of the published agenda and that Councillor D Andrews had replaced Councillor M McMullen.

The Chairman explained a number of housekeeping arrangements in relation to fire exits and toilet facilities.

8 MINUTES - 21 MAY 2018, 8 JUNE 2018 AND 20 MAY 2019

It was moved by Councillor J Jones and seconded by Councillor N Symonds that the Minutes of the meetings held on 21 May 2018, 8 June 2018 and 20 May 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meetings held on 21 May 2018, 8 June 2018 and 20 May 2019 be confirmed as a correct record and signed by the Chairman.

9 APPLICATION FOR A VARIATION OF THE PREMISES LICENCE FOR THE WOOLPACK, MILLBRIDGE, HERTFORD SG14 1PZ

The Chairman outlined the procedure to be followed. All those present were introduced. The Senior Licensing and Enforcement Officer summarised the application and said that nine representations had been received. He stated that in summary, the main concerns related to the impact of the variation on neighbouring properties and of the request to allow unaccompanied children onto the premises.

The Senior Licensing and Enforcement Officer explained that two Members had visited the premises to view the site when the applicant was in attendance but that no questions were asked during the site visit, but had been held back until today's Sub-committee. The Senior Licensing and Enforcement Officer reminded Members that having considered the application, their considerations should be evidence based and proportionate to what was intended.

The Commercial Director (McMullens) on behalf of the applicant, summarised the current variation adding that the pub was a well run in the locality and that no representations had been received from responsible authorities. The Commercial Director (McMullens) explained the reasons for wanting to extend the licensable areas to include a games room and crazy golf and referred to the suggested condition (11) from the Police in relation to no children being allowed onto the premises after 21:00 on a Friday and Saturday unless they were eating and that they were happy to extend that condition to apply at all time.

Councillor D Andrews sought clarification from the applicant in terms of the business model in relation to the provision of children on site and the fact that in practice the pub was assuming parental responsibility. The Commercial Director (McMullens) on behalf of the applicant explained that he could not imagine that unaccompanied children would be on the premises at all and that the DPS had responsibility for such matters and would take a responsible view regarding the age of customers. He explained that children were almost, without exception accompanied by their parents.

Following a suggestion by Councillor D Andrews about the possibility of obtaining enhanced DBS checks on bar staff, the Legal Officer explained the position in relation to staff and DBS checks saying that such checks were not permitted for bar staff.

Councillor N Symonds asked whether plastic glasses could be used outside. The Commercial Director (McMullens) confirmed that they would not be using plastic glasses but that the ones used were of the toughed variety which shattered on impact.

In response to a query from Councillor Andrews, the DPS explained that background music would be played outside. The Director (McMullens) commented that the level of noise would not be an issue but was prepared to accept a condition regarding the closure of the garden area.

A local resident explained her concerns about the proposed variation adding that the noise generated (shouting, singing bad language) from the garden area was intolerable within her property and that the Environmental Health department had asked her to keep a diary. She explained that the noise was affecting her health and that of her grand-daughter. The Legal Officer reminded Members that the application before them was for a variation of their licence and that residents could, if they so wished at some future point, see to apply for a review of their licence, on other issues.

A resident challenged the suggestion that the pub was well run given the number of representations which had been submitted. He stated that many commitments were not being met and that if more being were being admitted

outside then more noise nuisance would be created. The Commercial Director (McMullens) suggested that residents' evidence be submitted to him so that the applicant could respond appropriately.

A further resident referred to the increasing numbers of people and elevated talking. He suggested that there needed to be a limit on the venue for a "Wool-Fest". The Commercial Director (McMullens) explained that they were not seeking to licence outside for any "Wool-Fest" The Senior Licensing and Enforcement Officer explained that capacity numbers would be determined by the Regulatory Reform (Fire Safety) Order 2005.

The Legal Officer summarised the conditions which the applicant was prepared to offer:

- To clear the outside area of all patrons (consisting of the courtyard bordering the river), by 22:30 hours Sunday – Thursday and 23:30 Friday – Saturday and Sunday immediately preceding a Bank Holiday.
- No unaccompanied children under 18 years of age shall be permitted on the premises at any time;
- No children under 18 years of age shall be on the premises after 21:00 unless they are eating.

At the conclusion of the closing submissions, the Sub-Committee, Legal Officer and Democratic Services Officer withdrew from the meeting to allow the Sub-Committee to consider the evidence and a summary of the discussions.

Following their deliberations, the Sub-Committee returned. The Chairman announced that the Sub-committee had

listened to the comments and representations by all parties, written and oral. As such the Sub-Committee announced that the conditions as agreed were appropriate to satisfy the 4 licensing objectives and approved the variation of the premises licence.

RESOLVED – that the application for the variation of a premises licence at the Woolpack, Millbridge, Hertford be approved subject to the conditions agreed with the Police (and as detailed within Essential Reference Paper “E” of the report as well as the following conditions:

- (1) No unaccompanied children under 18 years of age shall be permitted on the premises at any time;
- (2) No children under 18 years of age shall be on the premises after 21:00 unless they are eating;
- (3) The outside area consisting of the courtyard bordering the river, must be cleared of patrons by 22:30 hours Sunday – Thursday and 23:30 Friday – Saturday and Sunday immediately preceding a Bank Holiday.

(There was a short adjournment at 11.25am. The meeting re-convened at 11.35 am)

10 APPLICATION FOR VARIATION OF THE PREMISES LICENCE FOR THE WHITE HART, SALISBURY SQUARE, HERTFORD. SG14 1BW

The Senior Licensing and Enforcement Officer summarised

the application adding that one representation had been received. The Senior Licensing and Enforcement Officer reminded Members that having considered the application, their considerations should be evidence based and proportionate to what was being requested. He explained that two Members had visited the premises but that no questions were asked at the time but held until the Sub-committee today.

The Senior Licensing and Enforcement Officer tabled a response from the representative and stated that there were a number of inconsistencies (in terms of timings) in the document.

The Commercial Director (McMullens) stated that this was another well run pub and of a desire by the applicant to bring into use some storage areas and barns and of the suggested conditions by the Police. No representations had been submitted in relation to the use of the areas (used under TENs) in the past.

In response to a question, the DPS explained where the CCTVs were deployed.

Councillor D Andrews sought clarification regarding why there was a need for the kitchen to be open late. The Commercial Director (McMullens) explained that access to the kitchen was need to provide, in the main, teas and coffee.

At the conclusion of the closing submissions, the Sub-Committee, Legal Officer and Democratic Services Officer withdrew from the meeting to allow the Sub-Committee to consider the evidence.

Following their deliberations, the Sub-Committee returned. The Chairman announced that the Sub-committee had listened to the comments and representation received. As such the Sub-Committee was content that the variation as applied for be approved subject to the conditions agreed with the Police (and contained within Essential Reference Paper "E" of the report).

RESOLVED - that the variation be approved subject to the conditions agreed with the Police (and as detailed within essential Reference Paper "E" of the report).

The meeting closed at 12.15 pm

Chairman
Date

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON TUESDAY 23 JULY 2019, AT
2.00 PM

PRESENT: Councillor J Jones (Chairman)
Councillors R Bolton and S Reed

ALSO PRESENT:

Councillors D Andrews, G McAndrew and
P Ruffles

OFFICERS IN ATTENDANCE:

James Ellis	- Solicitor
Peter Mannings	- Democratic Services Officer
Brad Wheeler	- Senior Licensing and Enforcement Officer

11 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor R Bolton and seconded by Councillor S Reed that Councillor J Jones be appointed Chairman for the meeting. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor J Jones be appointed Chairman for the meeting.

12 MINUTES - 21 JUNE 2019

It was proposed by Councillor J Jones and seconded by Councillor R Bolton that the Minutes of the meeting held on 21 June 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 21 June 2019 be confirmed as a correct record and signed by the Chairman.

13 APPLICATION FOR A NEW PREMISES LICENCE FOR THE CRAFTY DUCK, 28 PARLIAMENT SQUARE, HERTFORD

The Chairman outlined the procedure to be followed. All those present were introduced. The Senior Licensing and Enforcement Officer summarised the application that was received by the Licensing Authority on 31 May 2019.

The Officer advised that the application had been modified to remove recorded music and the only licensable activity being sought by the applicant was the supply of alcohol for consumption on and off the premises at the following times:

Sunday to Thursday from 12:00 to 21:30

Friday and Saturday from 12:00 to 22:30

The Sub-Committee was advised that the premises would remain open for a further 30 minutes for the sale of soft drinks and drinking up time. The applicant had also committed to Pub Watch and the use of

challenge 21/25 policies.

The Officer summarised the other steps the applicant would take to promote the four licensing objectives including digital CCTV, closing but not locking all doors and windows, no smoking or use of the rear outside area and no disposal of bottles, or other refuse, between 21:00 hours and 07:00 hours.

The Sub-Committee was advised that if the application did not undermine the four licensing objectives, then it should be granted. Members were advised that the application of appropriate conditions, a restriction of opening hours or a refusal of the application had to be an evidence based decision that was proportionate and justified.

The applicant was present at the hearing and said that he lived in Hertford. He detailed his experience as a publican and emphasised that he had recognised a gap in the market for the sale of craft beers in Hertford and this was a fast growing segment of the market. He said that the growth of the sales of craft beer was more about offering a great service and a great product rather than encouraging binge drinking.

The applicant said the responsible authorities had not objected to the application and he hoped to bond with the community whilst championing Hertford. He said recorded music had been removed from the application and he would be working with a successful publican who had experience of running the Duncombe Arms in Hertford and The Punch House in Ware.

The applicant confirmed to Councillor S Reed that windows closed in hot weather would be fine as air conditioning units had been installed. He also responded to a query from Councillor R Bolton by stating that there would be no rear access to the Crafty Duck. The applicant responded to a query from Councillor J Jones by advising that there would be no provision of a smoking area or any provision for vaping inside or outside the premises.

The Senior Licensing and Enforcement Officer advised that the control of recorded music as a licensing activity was only relevant after 11 pm. The residents present stated that noise and music as if from a pop up bar had been heard on a number of occasions and residents had been able to identify where the music was emanating from.

The residents who were present commented on issues with smoking, vomiting and urination in public and close to their properties which they believed was being carried out by customers who had left licensed premises including the Crafty Duck. The applicant pointed out that he and his pub staff would not be in a position to control how customers behaved once they had left the Crafty Duck. The applicant confirmed that the planned off sales of alcohol would all be carried out online and the Crafty Duck would not be operating as a take away for alcoholic beverages.

Councillor S Reed commented on the capacity of the Crafty Duck and was advised by the applicant that there was one toilet and he hoped to be installing a second toilet facility. In response to a comment from Councillor R Bolton regarding children in the Crafty

Duck, the applicant confirmed that after 6pm, all under 18s would have to be accompanied by an adult.

The Council's legal advisor sought and was given clarification by the applicant that no over the counter off sales of alcohol would occur at the Crafty Duck. The applicant confirmed to the residents that CCTV would be in use and he would not be hiring out rooms for anything other than small scale events such as the use of board games.

The Senior Licensing and Enforcement Officer confirmed to the residents that the Premises License could be transferred to another operator once the application was approved. The Premises License would lapse however if a license holder was declared insolvent.

The applicant and the residents provided a summary of their final submissions to the Sub-Committee. At the conclusion of the closing submissions, the Sub-Committee, the Local Authority's Legal Advisor and the Democratic Services Officer withdrew to allow Members to consider the evidence.

Following this, Members, the Local Authority's Legal Advisor and the Democratic Services Officer returned and the Chairman announced that the Sub-Committee had listened to the comments of Officers, the applicant and residents and had read all relevant representations. Having considered the views of all parties, the decision of this Sub-Committee was to grant the licence for the following reasons:

1. Having listened to the representations of each

of the parties present at the hearing, the Sub-Committee considered the potential impact of the licence on the promotion of the four licensing objectives. In considering the licensing objective of Prevention of Crime and Disorder, which was clearly a grave concern of the Interested Persons, the Sub-Committee had to bear in mind that the Police, who were the experts on crime and disorder, were satisfied that the agreed conditions contained at Essential Papers E were appropriate and sufficient to promote that licensing objective. Having itself considered those conditions, the Sub-Committee were satisfied that the police conditions, as slightly amended, were appropriate to promote the licensing objective of Prevention of Crime and Disorder.

2. In considering the potential for public nuisance, the Sub-Committee were reassured by the conditions requiring the closing of windows and restricting the use of the outside areas.
3. The Sub-Committee were further reassured by the condition, and clarification provided by the applicants at the hearing, around the restriction on entry for children onto the premises.

The Sub-Committee agreed that the following additional conditions were to be added to the licence:

1. Where sales of alcohol take place via an online purchase, the licence holder must only send it via recorded and signed for delivery.
2. Police Condition 3 in Essential Reference Paper E

to be amended to read:

“Children will only be permitted into the premises with an adult.

No Children aged under 18 years of age to be on the premises after 18:00 until closing, if alcohol is being served.” (Previously 21:00).

The Chairman said the Licensing Sub-Committee had added these conditions for the promotion of the Licensing Objectives and only after discussing the conditions with the applicant and interested parties present at the hearing.

For all of these reasons the Sub-Committee were satisfied that the granting of the licence, with the additional conditions added did not put at risk the promotion of the four licensing objectives.

RESOLVED – that the application for a new premises licence at the Crafty Duck, 28 Parliament Square, Hertford be approved for the following reasons:

1. Having listened to the representations of each of the parties present at the hearing, the Sub-Committee considered the potential impact of the licence on the promotion of the four licensing objectives. In considering the licensing objective of Prevention of Crime and Disorder; which was clearly a grave concern of the Interested Persons, the Sub-Committee had to bear in mind that the Police, who were the experts on crime and disorder, were

satisfied that the agreed conditions contained at Essential Papers E were appropriate and sufficient to promote that licensing objective. Having considered those conditions itself, the Sub-Committee were satisfied that the police conditions, as slightly amended, were appropriate to promote the licensing objective of Prevention of Crime and Disorder.

2. In considering the potential for public nuisance, the Sub-Committee were reassured by the conditions requiring the closing of windows and restricting the use of the outside areas.
3. The Sub-Committee were further reassured by the condition, and clarification provided by the applicants at the hearing, around the restriction on entry for children onto the premises.

The meeting closed at 3.30 pm

Chairman
Date

EAST HERTS COUNCIL

LICENSING COMMITTEE – 21 AUGUST 2019

REPORT BY HEAD OF HOUSING AND HEALTH

CONSIDERATION OF THE RESULTS OF THE HACKNEY CARRIAGE UNMET DEMAND SURVEY

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- In March 2019 East Herts Council contracted LVSA (Licensed Vehicle Surveys and Assessment) to carry out an Unmet Demand Survey of East Herts licensed Hackney Carriage trade.
- The survey looks was commissioned to identify whether there are any particular sectors whose needs are not being met but the current number of licensed vehicles.
- Where there is no “significant” unmet demand this authority can limit the number of Hackney Carriage Proprietor licenses (vehicles) it issues if it chooses.

RECOMMENDATIONS FOR LICENSING COMMITTEE: That	
(A)	The Committee considers whether or not to limit the number of Hackney Carriage Proprietors Licences (vehicles) issued by East Herts Council;
(B)	If a decision is made to limit numbers to the current level of 247 Hackney Carriages, Licensing Committee make a recommendation to Council; or If a decision is made to limit numbers to an amount below the current level then Members instruct Officers to consult the trade regarding the proposed figure before bringing the results back to the Licensing Committee for consideration;

	and
(C)	If numbers are to be limited, the Head of Housing and Health, in consultation with the Chairman of the Licensing Committee, consider any applications for a new Hackney Carriage Proprietors Licence, on its merit, as an exception to the policy of not granting any new licences.

1.0 Background

- 1.1 East Herts, is an authority that grants licenses for Hackney Carriage and Private Hire drivers, vehicle proprietors and operators.
- 1.2 For a number of years the East Herts Hackney Carriage Trade has raised concerns that there are too many Hackney Carriage vehicles licensed within the District. Parts of the Hackney Carriage trade have advocated that the authority limits the numbers of Hackney Carriages.
- 1.3 Some concerns have been raised regarding the availability of wheelchair accessible vehicles (WAV) within the District. The Licensing Team has occasionally received enquiries from members of the public who are having difficulty hiring such a vehicle. The level of demand has not been quantifiable.
- 1.4 As a result of the above factors an Unmet Demand Survey was commissioned.

2.0 Report

- 2.1 The Unmet Demand Survey produced by LVSA is attached to this report as **Essential Reference Paper 'B'**.
- 2.2 Iain MacDonald from LVSA is in attendance at the meeting to present the report and answer any questions that Members may have about the report and the results of the survey.

2.3 The Council is the licensing authority for Hackney Carriages within the District. Under section 16 of the Transport Act 1985 there is a power to limit the number of Hackney Carriages vehicles (HCVs) where it appears there is no *significant* unmet demand for such licences.

2.4 The effect of section 16 was approved by the Court of Appeal in these terms:

- a) before a local authority can refuse an application for a vehicle licence in order to limit the number of licensed taxis, they must be satisfied that there is no significant unmet demand for the services of taxis, within the area to which the licence would apply, which is unmet;
- b) if the local authority are thus satisfied, a *discretion*, as opposed to an obligation, arises to refuse the grant of a licence; but
- c) if the local authority is not satisfied, they cannot refuse to grant a licence for the purpose of limiting the number of licensed taxis and are thus obliged to grant it.

2.5 The following conclusions are drawn from the report:

- a) There is no unmet demand which is significant
- b) The biggest wait times for Hackney Carriages were at the Railway Station Ranks where the availability is limited by permit
- c) There appears to be an oversupply of Hackney Carriage vehicles
- d) The trade have responded to the consultation with the majority of respondents stating that there are too many Hackney Carriages with a suggestion that a limit should be set somewhere between 100 and 200 vehicles
- e) The availability of Wheelchair Accessible Vehicles (WAV) was not identified as a major issue.
- f) Much of the Hackney Carriage trade is engaged in pre-booked work which could be carried out by Private Hire vehicles.

2.6 **OPTIONS**

1. Continue with the current policy of not limiting the number of Hackney Carriage vehicle licence this authority issues.

This option leaves the number of Hackney Carriages to be limited by market forces however it is evident that despite the trade believing that there is an oversupply of vehicles the numbers have remained largely unchanged (250 in June 2013, 247 in August 2019). The pressures on the market have changed over this period which may be a contributing factor to Hackney Carriages placing more reliance on private hire work rather than being more traditionally rank based.

2. Attempt to overcome the current excess of Hackney Carriages by other amendments to licensing policy whilst retaining the freedom of others to obtain a Hackney carriage vehicle licence

For a number of years East Herts has been improving standards amongst licensed drivers and vehicles and increasing the criteria required to successfully become licensed. The relatively consistent numbers of drivers and vehicles that the authority has licensed over this period of change demonstrates that standards have been raised without creating barriers to entry into the trade. To raise the bar higher in an attempt to slow down the rate of applications would be open to challenge as this could be perceived as creating barriers to entry into the trade.

3. Apply a limit to the number of Hackney Carriage vehicle licences issued to the current number of licensed Hackney Carriage vehicles (247)

This would maintain the current level of licensed vehicles and would prevent any further increase in the oversupply of vehicles. This decision can be taken without further consultation with the trade. East Herts would also face the

possibility of individual applicants appealing to court against the decision to refuse to grant a new licence but the Unmet Demand Survey would be used as evidence to support the policy of limiting vehicle numbers.

4. Apply a limit to the number of Hackney Carriage vehicle licences issued to a figure below the current number of licensed Hackney Carriage Vehicles.

This would involve a diminishing limit on the number of licences issued. There would no immediate change to the number of vehicles that are licensed; vehicle licences would not simply be revoked to bring numbers down to the set figure. The lower limit would be reached over time through natural change. When a Hackney Carriage vehicle licence lapses, surrendered or revoked no further vehicle licences would be issued. As with option 3 above further surveys would need to be commissioned in the future to consider whether the limit remained appropriate and refusals would be open to appeal.

2.7 When considering limiting the numbers of Hackney Carriage vehicles concerns are sometimes raised that standards will fall as licence holders feel protected from competition. The policies that East Herts have in place are likely to prevent any deterioration in standards amongst what is a professional Hackney carriage trade. If a diminishing limit was placed on the trade it can be argued that this may raise standards as licence holders are able to invest in newer and cleaner vehicles in the knowledge that competition from other new vehicles will not be increase for a set period and that if a licence were to be revoked it would be highly unlikely that a new licence would be granted.

2.8 Policy will continue to develop and evolve and the other information contained within the Unmet Demand Survey, which does not link directly to the question of limitation, will be used to help shape this.

2.9 By allowing the Head of Housing and Health in consultation with the Chair of the Licensing Committee to grant licences outside of the policy when it is believed merited the ability to licence vehicles in exceptional circumstances remains. The suggested criteria for granting licences outside of any policy to limit vehicle numbers would be:

- a) if relevant regulations are made, under equalities legislation, requiring a certain percentage of the vehicle fleet to be Wheelchair Accessible Vehicles (WAV). At that point, if the existing fleet did not contain the specified percentage the Council would grant the number of necessary licences to accommodate the short-fall;
- b) if anyone presents a vehicle to provide Hackney Carriage services where demand is not yet met – for instance, some form of specialist market area which is currently being catered for. In these circumstances, the applicant may be said to be a genuine exception to the general policy. In these circumstances the decision to grant or not will be made by the Head of Housing and Health in consultation with the Chair of the Licensing Committee;
- c) the Crown Court on appeal orders additional licences to be granted following a refusal by the Council to grant one when it is demonstrated that in fact there is significant unmet demand at the time of the appeal. In this instance it is for the Council to allocate the licence according to its own criteria and not the courts

2.10 Waiting list and refusals

If a policy of limiting numbers is introduced, officers will refuse those applications other than those that can be considered a genuine exception to the policy as detailed above. A list will be maintained of people interested in obtaining licences in the future but applications will not be accepted at the time of being entered onto the list. Applications will only be accepted when a licence becomes available.

2.11 Impact on the Private Hire Trade and neighbouring authorities
Imposition of a limit, particularly a diminishing limit, on Hackney Carriage numbers may lead to an increase in the number of Private Hire Vehicles licensed instead. The Council is unable to limit the number of Private Hire vehicle licences it issues although the increase since 2013 has only been 9 vehicles. Given the over-supply of Hackney Carriages within the District, which are carrying out a lot of private hire work), officers believe that there is a low risk of this happening. There is a possibility that applicants unable to licence a vehicle with East Herts may go to a neighbouring authority and licence a Hackney Carriage there with the intention of predominately working within East Herts, this would be unlawful and enforcement action would be taken in relation to this matter.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

Not applicable.

Contact Member: Councillor Peter Boylan – Executive Member for Neighbourhoods.

Contact Officer: Jonathan Geall – Head of Housing and Health, Tel: 01992 531594.

Report Author: Oliver Rawlings – Service Manager (Licensing and Enforcement, Tel: 01992 531629.

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate)</i> :	<p>Priority 1 – Improve the health and wellbeing of our communities</p> <p>Priority 2 – Enhance the quality of people's lives</p> <p>Priority 3 – Enable a flourishing local economy</p>
Consultation:	<p>The Unmet Demand Survey was carried out between 14th March 2019 and 14th April 2019. During this period identified stakeholders were contacted by the commissioned consultant.</p> <p>Webpages were created for both the public and licensed trade to respond to the survey.</p> <p>Officers contacted the licensed trade directly in writing to notify them of the survey and request their involvement.</p> <p>The survey results may inform decisions regarding future policy changes and any revision of the Policies in relation Hackney Carriage and Private Hire licensing that the Authority seeks to rely upon must be subject to public consultation.</p>
Legal:	<p>If a policy of limiting the number of Hackney Carriage licences is adopted then the refusal of a licence application can be appealed to court.</p>
Financial:	<p>If a policy of limiting the number of Hackney Carriage licences is adopted:</p> <ul style="list-style-type: none">• If a refusal were appealed then there would be a cost to defending such an appeal.• To continue to maintain the policy a new Unmet Demand Survey would need to be conducted at least every 3 years. The majority of the associated

	costs can be recovered through licence fees.
Human Resource:	<i>No issues identified by report author or contact officer</i>
Risk Management:	<i>No issues identified by report author or contact officer</i>
Health and wellbeing – issues and impacts:	<p><i>The survey was commissioned to identify any unmet demand for the services of East Herts licensed Hackney Carriages.</i></p> <p><i>By identifying any unmet demand, particularly in relation to persons mainly or wholly reliant on this service, the authority can consider measures to address this need.</i></p>
Equality, diversity and human rights considerations, and whether Equality Impact Assessment required:	<p><i>One of the reasons for commissioning the unmet demand survey was to identify any groups that may have issues with using the Hackney Carriage trade within East Herts, including wheelchair users.</i></p> <p><i>The survey did not identify any unmet needs that need to be addressed.</i></p>
Environmental Sustainability	<i>If a diminishing limit is placed on the number of Hackney Carriages this could gradually lower the number of vehicles waiting in our Town Centres for the limited amount of work available. This could help to improve air quality.</i>



East Herts
Hackney Carriage Unmet Demand Survey

District

June

2019

Executive Summary

This Hackney Carriage Unmet Demand Survey has been undertaken on behalf of East Herts District following the guidance of the April 2010 DfT Best Practice Guidance document, and all relevant case history in regard to Hackney Carriage unmet demand. This Executive Summary draws together key points from the main report.

Video cameras were used to record 864 hours of footage at 12 locations. From the video footage 100 active hours of rank operation were fully processed to derive passenger and taxi volumes at ranks. The data processed from footage included all passengers who had to wait for Hackney Carriages at ranks. The 12 locations observed, included formal ranks and informal rank locations. The rank observations were undertaken over three days from Thursday morning through to Sunday morning. The volume of hires over the three days of observation are presented below.

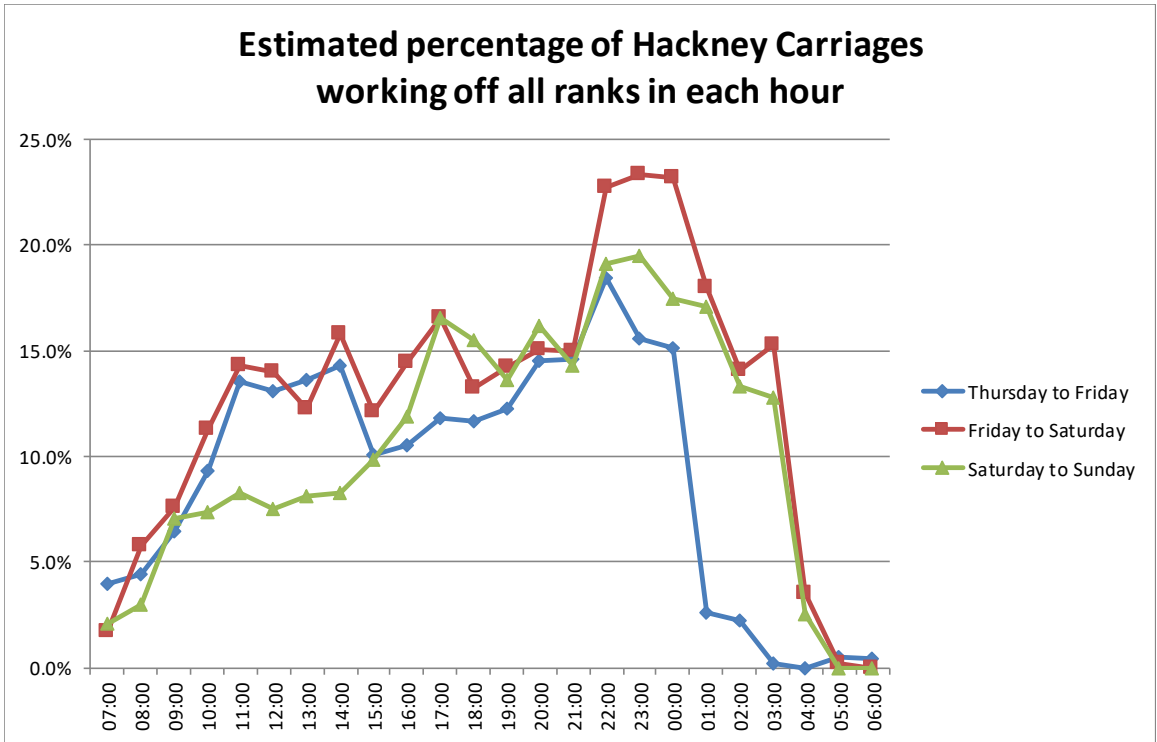
All 3 days					
Rank location	Total Hackney Carriages departing the ranks empty	Total Hackney Carriages departing the ranks with passengers	Total Hackney Carriages departing the ranks	Total passengers departing the ranks	Average passengers per Hackney Carriage
Total for all locations	765	2645	3276	4171	1.6
Anchor Street	2	4	6	9	2.3
Bishops Stortford Bus Station	42	65	106	117	1.8
Bishops Stortford Railway Station	107	969	1081	1454	1.5
Bull Plain	0	0	0	0	0.0
Fore Street	56	542	598	1134	2.1
Hertford East Station	4	3	7	3	1.0
Hertford North Station	98	367	465	491	1.3
North Street	8	18	26	24	1.3
Railway Street	156	342	498	428	1.3
Riverside Bishops Stortford Shopping Centre	76	243	318	386	1.6
Riverside Bishops Stortford Wetherspoons	10	4	13	6	1.6
Ware Station	68	90	158	120	1.3

Many of the Hackney Carriages subscribe to a booking circuit, with a private hire operator. This appears to be more prevalent in Bishop's Stortford than in Ware or Hertford. Most respondents to the trade survey indicated that they commonly obtain hires through telephone bookings. This can be either directly or through an operator.

According to the public consultation survey undertaken as part of this study, the majority of Hackney Carriages are hired by telephone, mobile app or internet booking. This feature of the Hackney Carriage trade is reflected in the fact that 23% of Hackney Carriages observed at the taxi ranks, left the ranks empty. The majority of these empty departures were likely to be to pick up a hire which had been pre-booked.

A further feature of the trade in East Herts is that the proportion of Hackney Carriages working from the ranks appears to be relatively low. The proportion of the fleet either waiting at ranks or having left a rank with a hire, commonly ranges from around 14% to around 23%. The proportion working from ranks on Saturday night was less than that working from ranks on Friday night.

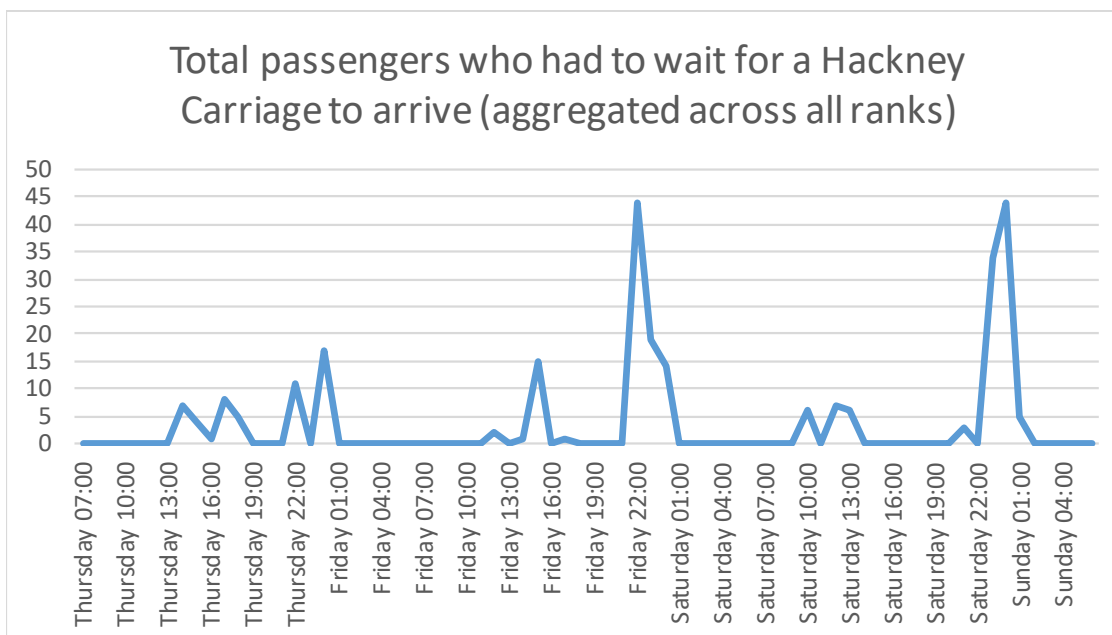
The proportion of the Hackney Carriage fleet which was observed working from the ranks each hour is presented in the following figure.



The proportion of Hackney Carriages working off the ranks is relatively low and reflects the fact that some Hackney Carriages earn much of their income from pre-booked hires, rather than from rank hires.

Passenger waiting occurred from time to time throughout the day on each day surveyed and at night.

A profile of the number of waiting passengers is presented below.



The total number of waiting passengers was 254 passengers (6.1% of all passengers). The passenger waiting was largely concentrated on railway station ranks. Primarily Bishop's Stortford Station.

The number of waiting passengers and the duration of waiting is taken into account when assessing whether the level of unmet demand is significant. A calculation was undertaken, using rank activity data and evidence from public consultation, to determine the Index of Significance of Unmet Demand (ISUD). Where the index value is below 80, this is taken as a good indicator that the level of unmet demand is below the level which is deemed to be significant. The result of the ISUD calculation for East Herts was 17.3. Taking this value and other background factors into account, the findings of this study are that there is **no unmet demand which is significant**.

The number of hackney carriages licensed by East Herts is higher than that needed to service the rank based demand. Consequently, many of the Hackney Carriages rely on a combination of both rank based and pre-booked hires, to generate sufficient income. Some Hackney Carriages rarely engage in rank based work and concentrate on booking circuits to obtain hires. The level of demand at the ranks is also presumably influenced by the availability of Hackney Carriages to be pre-booked to pick up at a more convenient location for the passengers. i.e. if it took longer to wait for a pick up from a location not at a rank, then more passengers may go to the ranks to hire a Hackney Carriage.

The balance between those Hackney Carriages which work independently of booking circuits and those which subscribe to booking circuits can be sensitive to changes. If the number of Hackney Carriages were to increase, then it is

likely that some of the additional vehicles would follow the current practice adopted by some and join a booking circuit. This would further limit the number of vehicles working from the ranks.

Some of the private hire operators utilise private hire vehicles and Hackney Carriages licensed by other authorities, to service private hire bookings in East Herts. If competition from vehicles licensed by other authorities were to increase, this would tend to reduce the number of pre-booked hires undertaken by East Herts licensed vehicles, including those undertaken by Hackney Carriages, by diluting demand amongst more vehicles. This, in turn, could result in increased attendance at ranks, by those vehicles which currently obtain hires through booking circuits and consequently, increased competition at ranks. Such increased competition, could, in turn, lead to more independent drivers joining a booking circuit to boost earnings.

If more of the fleet were reliant on booking circuits, chasing fewer hires, then at peak rank demand times, there could be fewer Hackney Carriages available at the ranks, as many of them may be primarily engaged on pre-booked hires.

Future changes could affect availability of hackney carriages at the ranks and increase incidences and duration of passenger waiting at the ranks. If passenger waiting were to increase, then increasing the number of Hackney Carriages, to an already over provided fleet, would tend to exacerbate the issue of provision at peak times, for the reasons discussed earlier. The counter intuitive result of an increase in Hackney Carriages under such circumstances, would be to decrease the available capacity at ranks at key times.

If, the situation should arise that more Hackney Carriages are required to address increased passenger waiting. Rather than increase the number of Hackney Carriages in the fleet, alternative measures would be more likely to succeed. The most effective means to address excessive passenger waiting at ranks would be to implement measures which effectively incentivise some Hackney Carriages to service ranks, rather than service pre-booked hires. There are a range of measures which could be explored, should the circumstances arise. Currently there is no need to explore any such measures.

It is noted that the number of Hackney Carriages in the fleet is more than sufficient to cater for rank based demand at this time, as not all Hackney Carriage capacity is utilised to service rank based demand. The number of Hackney Carriages licensed by East Herts has dropped over the last two years, to 257. Members of the trade were asked their opinion of how many Hackney Carriages were needed in East Herts. The most common response range was between 100 and 200 Hackney Carriages.

Feedback from the public was generally favourable and identified relatively few issues. Those issues which were identified, included:

- Limited availability of vehicles which can carry powered wheelchairs.
- Wheelchair accessible vehicles charge more than standard vehicles.
- Reliability of pre-booked hires.
- Availability of taxis to meet busy trains / multiple train arrivals.

Stakeholder consultation most commonly resulted in no comments or issues raised. Whilst some members of the public who are wheelchair users, faced some challenges with availability, such issues didn't appear to affect corporate users of wheelchair accessible vehicles, such as care homes.

No other significant issues were raised by stakeholders.



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1 General introduction and background

East Herts District 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.

This review of current policy is based on the Best Practice Guidance produced by the Department for Transport in April 2010 (BPG). It seeks to provide information to the licensing authority to meet section 16 of the Transport Act 1985 "that the grant of a hackney carriage vehicle licence may be refused if, but only if, the licensing authority is satisfied that there is no significant demand for the services of hackney carriages within its local area, which is unmet." This terminology is typically shortened to "no SUD".

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

Beyond legislation, the experience of the person in the street tends to see both hackney carriage and private hire vehicles both as 'taxis' – a term we will try for the sake of clarity to use only in its generic sense within the report. We will use the term 'licensed vehicle' to refer to both hackney carriage and private hire.

The legislation around licensed vehicles and their drivers has been the subject of many attempts at review. The limiting of hackney carriage vehicle numbers has been a particular concern as it is often considered to be a restrictive practice and against natural economic trends. The 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. None of these 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.

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.

It is also understood that the revisions resulting from the recently closed Government Consultation will eventually lead to a more comprehensive review of the sections of the BPG not affected by the February 2019 Statutory Guide, as stated in para 1.8 of that document – "A consultation on revised BPG, which focusses on recommendations to licensing authorities to assist them in setting appropriate standards (other than those relating to passenger safety) to enable the provision of services the public demand, will be taken forward once the final Statutory Guidance has been issued." There is currently no quoted date either for final agreement on the "Protecting Users Statutory Guidance" nor for the taking forward of the wider BPG review. The April 2010 BPG therefore remains valid for our review.

A more recent restriction, often applied to areas where there is no 'quantity' control felt to exist per-se, is that of 'quality control'. This is often a pseudonym for a restriction that any new hackney carriage vehicle licence must be for a wheel chair accessible vehicle, of various kinds as determined locally. In many places this implies a restricted number of saloon style hackney carriage licences are available, which often are given 'grandfather' rights to remain as saloon style.

Within this quality restriction, there are various levels of strength of the types of vehicles allowed. The tightest restriction, now only retained by a few authorities only allows 'London' style wheel chair accessible vehicles, restricted to those with a 25-foot turning circle, and at the present time principally the

LTI Tx, the Mercedes Vito special edition with steerable rear axle, and the Metrocab (no longer produced).

Others allow a wider range of van style conversions in their wheel chair accessible fleet, whilst some go as far as also allowing rear-loading conversions. Given the additional price of these vehicles, this often implies a restriction on entry to the hackney carriage trade.

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

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 authority's. This is mainly due to some court cases in Scotland taking interpretation of the duty of the licensing authority further than is usual in England and Wales, requiring current knowledge of the status of unmet demand at all times, rather than just at the snap-shot taken every three years. However, the three-year survey horizon has become generally accepted given the advice of the BPG and most locations that review regularly do within that timescale.

The DfT asked in writing in 2004 for all licensing authorities with quantity restrictions to review them, publish their justification by March 2005, and then review at least every three years since then. In due course, this led to a summary of the government guidance which was last updated in England and Wales in 2010 (but more recently in Scotland).

The BPG in 2010 also provided additional suggestions of how these surveys should be undertaken, albeit in general but fairly extensive terms. A key encouragement within the BPG is that "an interval of three years is commonly regarded as the maximum reasonable period between surveys". BPG suggests key points in consideration are passenger waiting times at ranks, for street



hailings and telephone bookings, latent and peaked demand, wide consultation and publication of “all the evidence gathered”.

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, or for the update of the BPG.

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).

In general, industry standards suggest (but specifically do not mandate in any way) that the determination of conclusions about significance of unmet

demand should take into account the practicability of improving the standard of service through the increase of supply of vehicles.

It is also felt 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. The Government has broadly supported the recommendations of this Task and Finish Group.

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

As already stated, other groups have provided comments giving their views about licensing matters but the upshot remains no change in legislation from that already stated above.

In conclusion, the present legislation in England and Wales sees public fare-paying passenger carrying vehicles firstly split by passenger capacity. All vehicles able to carry nine or more passengers are dealt with under national public service vehicle licensing. Local licensing authorities only have jurisdiction over vehicles carrying eight or less passengers. Further, the jurisdiction focusses on the vehicles, drivers and operators but rarely extends to the physical infrastructure these use (principally ranks).

The vehicles are split between hackney carriages which are alone able to wait at ranks or pick up people in the streets without a booking, and private hire who can only be used with a booking made through an operator. If any passenger uses a private hire vehicle without such a properly made booking, they are not generally considered to be insured for their journey.

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.

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.

2 Local background and context

Key dates for this Hackney Carriage Unmet Demand Survey for East Herts District are:

- appointed Licensed Vehicle Surveys and Assessment (LVSA) on 7/03/2019
- in accordance with our proposal of February 2019
- as confirmed during the inception meeting for the survey held on 14/03/19
- this survey was carried out between 14/03/2019 and 29/03/19
- On street pedestrian survey work occurred between 26/04/2019 and 29/04/2019
- the video rank observations occurred between 21/03/2019 and 24/03/2019.
- Licensed vehicle driver opinions and operating practices were surveyed between 21/03/2019 and 14/04/2019
- Key stakeholders were consulted throughout the period of the survey

East Herts District has a current population of 141,076 based on the latest estimates currently available from the 2011 census.

All licensing authorities have full powers over licensing the vehicles, drivers and operators serving people within their area. At the time of writing this report, East Herts District does not exercise their powers to limit the number of Hackney Carriages. However, the results of this survey will be used to consider whether a limit should be introduced.



Licensing Statistics from 2013 to date

The provision of Hackney Carriages and private hire vehicles has varied over recent years. The following table presents the historic trends over recent years.

Date	Number of HC vehicles	Number of PH vehicles
June 2013	250	46
June 2014	254	44
June 2015	257	57
June 2016	257	56
June 2017	266	58
December 2017	265	62
November 2018	257	63

3 Patent demand measurement (rank surveys)

Our methodology involved obtaining video footage of activity at all ranks in the licensing area. The video footage was then analysed to identify hours at each rank for which each rank was active.

Video footage was collected from 7:00 on a Thursday morning through to 7:00 on the following Sunday morning. This coverage ensured that weekday and weekend activity was represented.

In addition to formal marked ranks, some additional locations were included in the video footage, as informal rank locations which may be used from time to time.

The formal ranks surveyed were:

- Bishop's Stortford Railway Station
- Fore Street, Hertford
- Hertford East Station
- Hertford North Station
- North Street, Bishop's Stortford
- Railway Street, Hertford
- Riverside, Bishop's Stortford Shopping Centre
- Riverside, Bishop's Stortford Wetherspools
- Ware Station

Informal rank locations were:

- Bull Plain, Hertford
- Anchor Street, Bishop's Stortford
- Bus Station, Bishop's Stortford

The ranks at Bishop's Stortford Railway Station, Hertford East Station and Hertford North Station are not on public land. Each of these ranks requires vehicles waiting on the ranks to have a permit to operate there. Consequently, not all of the Hackney Carriage fleet may operate from these ranks.

The informal rank locations were located close to active night time economy premises.

For each rank the level of activity in each hour was classified as:

- No Activity = No hires observed during that hour.
- Low activity = One or two hires were observed during that hour.
- Active = Three or more hires were observed during that hour.

In addition to classifying the activity levels at each rank, the initial observation was used to identify periods when any passenger waiting was observed.

Detailed processing of the footage is a relatively expensive component of the overall project budget. Therefore the rank activity classification and passenger waiting identification was used to identify active hours which were targeted for full analysis of rank activity.

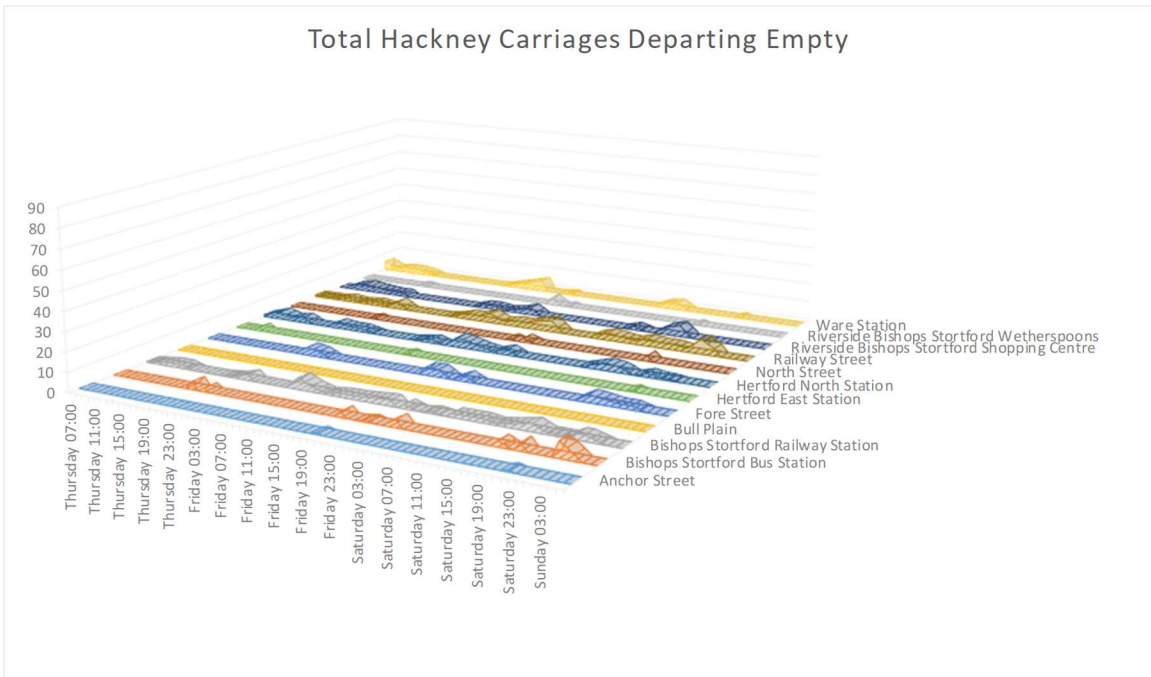
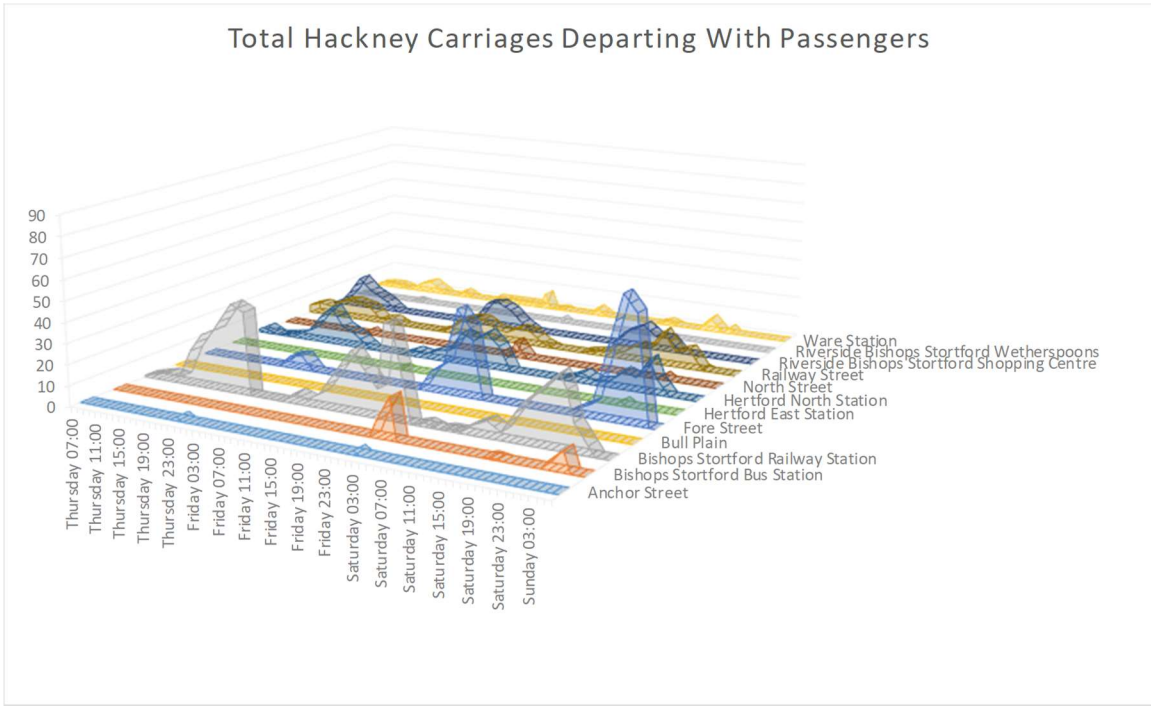
The project budget allowed for 100 hours of footage to be processed with fully detailed analysis. The detailed analysis included:

- Identification of how many hires were undertaken, classified by the number of passengers for each hire.
- Waiting times for passengers who had to wait for a Hackney Carriage to arrive at the ranks.
- Waiting times for Hackney Carriage vehicles waiting at the ranks for passengers.

The footage to be fully processed was chosen from those hours of footage which had indicated that there was some passenger waiting and which were deemed to be Active.

The tables indicating active hours for each day, are presented in Appendix 1

The following figures illustrate the levels of usage observed at each of the ranks observed.





Hertford Ranks

The ranks in Hertford included Fore Street, Hertford East Station, Hertford North Station, Railway Street and Bull Plain.

The rank on Fore Street is a night time only rank. However, despite the restricted operating hours, the Fore Street rank was the busiest of the Hertford ranks, with the greatest number of hires observed. Hertford North Station and Railway Street ranks were active each day from morning until late evening. There were very few hires observed at Hertford East Station and no hires observed on Bull Plain.

Parked vehicles were observed parking within the marked taxi rank on Fore Street, for much of the time that the rank was operational each evening. The presence of parked vehicles limited the space available for Hackney Carriages to wait on the rank. The rank on Railway Street was also affected by parked vehicles from time to time.

Ware Rank

The rank at Ware Station, on Station Road, was active throughout each day. However the level of activity was variable and generally low. The rank is adjacent to a private hire booking office and there were often licensed vehicles waiting near the rank. Most of the licensed vehicles were associated with the booking office.

Further along Station Road, West of the Railway Station entrance, the roadway is also used by private hire vehicles to pick up passengers. Most passenger

pick ups are in the evenings. The following volume of passenger pickups by private hire vehicles, were observed on Station Road.

Thursday	21
Friday	4
Saturday	10

All of the passenger pickups appeared to have been pre-booked.

Bishop's Stortford Ranks

The ranks in Bishop's Stortford included Riverside at the Shopping Centre, Riverside at Wetherspoons, Bishop's Stortford Station, North Street, Anchor Street and the Bus Station.

The rank at Bishop's Stortford station was the busiest of the ranks in Bishop's Stortford, accounting for approximately 75% of all observed hires in Bishop's Stortford. The rank was active from morning until late at night.

The rank on Riverside, outside the entrance to the shopping centre, accounted for around 19% of observed hires in Bishop's Stortford. This rank was active each day from morning to early evening, in accordance with the opening hours of adjacent retail premises.

The rank on Riverside at Wetherspoons is a full time rank. The location of the rank means that it would be most likely to be used at night. However, the rank was normally occupied by parked vehicles from early evening to late at night. Consequently there was rarely much space for Hackney Carriages to wait on the rank. Whilst Hackney Carriages were occasionally observed during the early evenings, most of these Hackney Carriages left the rank without passengers.

The informal rank space on Anchor Street was generally not attended by Hackney Carriages. However, a handful of hires were observed.

The rank on North Street is a night time rank. This rank was often partly occupied by parked cars in the evenings, limiting the opportunity for Hackney Carriages to wait on this rank. A relatively low volume of hires were observed at this rank.

At Bishop's Stortford bus station, Hackney Carriages form an informal rank at night, once bus services have stopped. Prior to this time, some Hackney Carriages also wait close to the bus station, around the corner on Dane Street. Both locations were covered by video camera footage and the results from



both locations grouped as results for the bus station. The bus station was active late at night, with peak levels of activity observed after 2:00 on Saturday morning and 2:00 on Sunday morning.

Tables of detailed Hackney Carriage volumes and Hackney Carriage wait times are presented in Appendix 2.

Hackney Carriages working from ranks profile

During the ranks surveys, the time taken for a Hackney Carriage to return to the rank, having picked up a fare, was recorded for a sample of Hackney Carriages. This information provides an estimate for the time Hackney Carriages spend on rank based hires. When this information is coupled with the vehicle queue lengths at the ranks, we can estimate how many Hackney Carriages are working from the ranks at any given time, (i.e. those waiting on the ranks and those which are engaged on hires and returning to the ranks.)

Based on a Hackney Carriage fleet size of 257, the following graph indicates our estimate of the profile of the proportion of the fleet which is engaged on rank based hires during each hour.

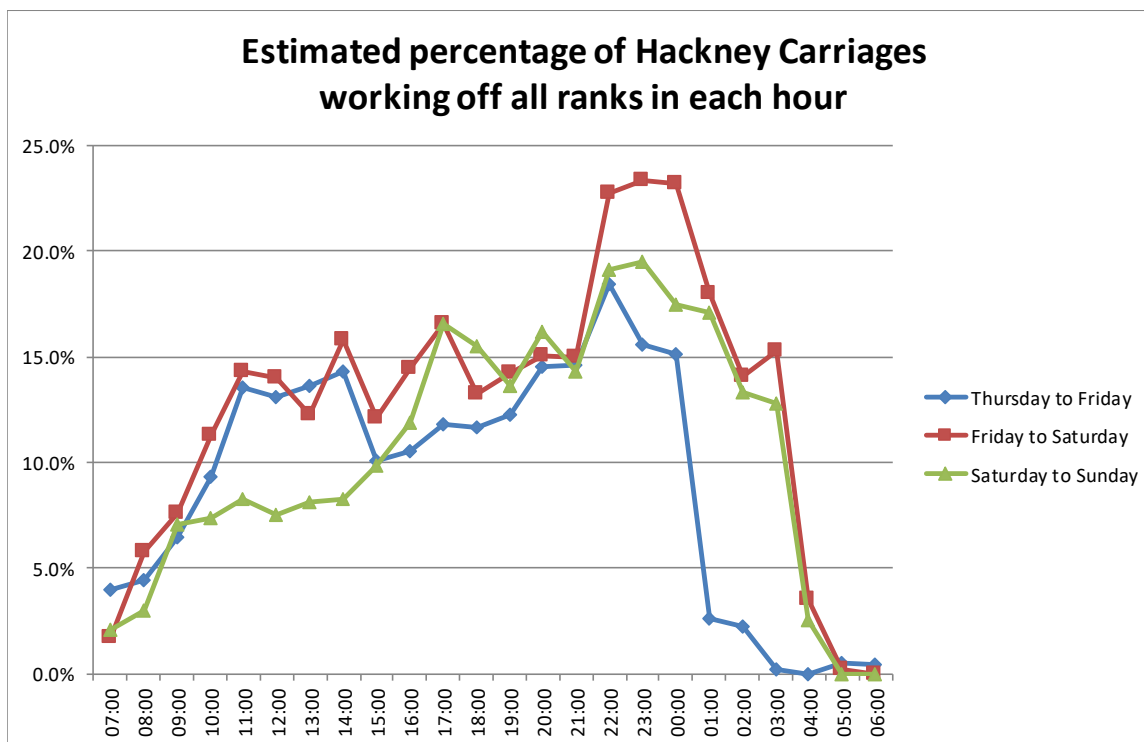


Figure 1 - Proportion of hackney carriages working off ranks

Normally one would expect to see between 25% and 60% of the fleet in operation (depending on time of day and day of the week), in locations where the trade predominantly focus on rank hire work. However, where much of

the trade is engaged in pre-booked hires obtained either through booking circuits or direct telephone bookings, then the proportion of the Hackney Carriage fleet operating from the ranks would be expected to be lower. The low levels of deployment in East Herts indicate that some of the trade are likely to be engaged on pre-booked hires, reducing the numbers operating from ranks.



4 General public views

It is very important that the views of people within the area are obtained about the service provided by hackney carriage and private hire. A key element which these surveys seek to discover is specifically if people have given up waiting for hackney carriages at ranks (the most readily available measure of latent demand). However, the opportunity is also taken with these surveys to identify the overall usage and views of hackney carriage and private hire vehicles within the study area, and to give chance for people to identify current issues and factors which may encourage them to use licensed vehicles more.

Such surveys can also be key in identifying variation of demand for licensed vehicles across an area, particularly if there are significant areas of potential demand without ranks, albeit in the context that many areas do not have places apart from their central area with sufficient demand to justify hackney carriages waiting at ranks.

These surveys tend to be undertaken during the daytime period when more people are available, and when survey staff safety can be guaranteed. Further, interviews with groups of people or with those affected by alcohol consumption may not necessarily provide accurate responses, despite the potential value in speaking with people more likely to use hackney carriages at times of higher demand and then more likely unmet demand. Where possible, extension of interviews to the early evening may capture some of this group, as well as some studies where careful choice of night samples can be undertaken.

Our basic methodology requires a sample size of at least 200 to ensure stable responses. Trained and experienced interviewers are also important as this ensures respondents are guided through the questions carefully and consistently. A minimum sample of 50 interviews is generally possible by a trained interviewer in a day meaning that sample sizes are best incremented by 50, usually if there is targeting of a specific area or group (e.g. of students, or a sub-centre), although conclusions from these separate samples can only be indicative taken alone. For some authorities with multiple centres this can imply value in using a higher sample size, such as 250 if there are two large and one moderate sized centre.

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.

East Hertfordshire Public Attitude survey results

Public attitude data was collected through both face to face interviews with members of the public and through an online survey.

A total of 204 face to face surveys were conducted. In addition, a sample of 67 surveys were collected via online survey.

When analysing the results obtained from the survey data, we need to consider factors which may influence the results of the survey. Variations between online survey responses and face to face responses will also be highlighted and examined.

The results from the face to face and online surveys are presented in the following table.

Table 1 – Public consultation survey results

Question	Response	Face to face interviews	Online survey
In the last three months, have you made one or more trips by taxi or private hire vehicle in East Hertfordshire?	Yes	52%	91%
	No	48%	9%
For your most recent trip by taxi, what kind of vehicle did you use?	Private Hire Vehicle	15%	43%
	Hackney Carriage	25%	45%
	Don't recall	60%	12%
Respondents were asked to identify valid means of hiring a private hire vehicle. This question was asked to check the level of understanding of the differences between how private hire and Hackney Carriage vehicles may operate..	Identified only correct means of hiring a private hire vehicle	80%	58%
	Identified one or more incorrect means, or didn't know.	20%	42%



How frequently do you travel by Hackney Carriage (not Private Hire)?	Almost daily	4%	7%
	Weekly	0%	11%
	A few times a month	44%	20%
	Once a month	34%	21%
	Less than once a month	16%	38%
	Never	2%	3%
How did you obtain the most recent taxi you used?	At a rank	21%	33%
	Hailed in the street	10%	3%
	By telephoning a company	56%	46%
	By using a freephone	4%	0%
	By using an app or website	9%	18%

<p>If you used an App or Website, which one did you use? [Responses listed in order of popularity]</p>	A2B		
	Associated		
	Lawlors		
	Acre		
<p>If you book taxis by phone, please tell us the three private hire or mini cab companies you use most frequently? [A range of providers were listed by respondents. The three most popular responses are listed in order of popularity]</p>	Associated		
	Foxholes		
	A2B		
<p>What improvements to Hackney Carriage services (if any) would you like to see? [Responses listed in order of popularity]</p>	Less diesel cars/more electric and cleaner cars		
	Higher standard of vehicles		
	Cars more suitable for electric wheelchairs		
	More reliable service		
	Better pricing		
	Bookable and trackable by App		
	Pay with contactless payment		
	More easily visible/better indication of when taxi is available		
	Less use of sat navs		
<p>Please tell us the ranks you are aware of in East Hertfordshire.</p>	Bishop's Stortford Train Station		
	Fore Street		
	Hertford North Railway Station		
	Ware Station		
	Riverside (Sainsburys)		
	Railway Street		
<p>Is there any location in East Hertfordshire where you would like to see a new rank? If so, where?</p>	Buntingford		
	Ware High Street		
	Bishop's Stortford Town Centre		
	Tesco Bishop's Stortford		
	Sele Farm		
	Ware centre		
	Sawbridgeworth Station		
<p>Would you use that new rank (or those ranks) if Hackney Carriages could reliably be found there?</p>	Yes	100%	78%
	No	0%	22%



<p>Have you had any problems with the local Hackney Carriage service? If so, could you tell us about the problem(s).</p>	<ul style="list-style-type: none"> • Taxi that is suitable for wheelchair charges more/over charges • Not enough to meet demand from trains • Speeding / poor driving • Turn up late when pre-booked 		
<p>What would encourage you to use Hackney Carriages more often?</p>	<p>Lower fares / better value</p>		
	<p>Better service for villages</p>		
	<p>More suitable vehicles for electric wheelchairs</p>		
	<p>Bookable / trackable by app</p>		
	<p>More environmentally friendly vehicles</p>		
<p>Do you consider you or anyone you know to have a disability that means you need an adapted vehicle? (Not necessarily a licensed vehicle)</p>	<p>No</p>	<p>97%</p>	<p>89%</p>
	<p>Yes - I need a wheelchair accessible vehicle</p>	<p>1%</p>	<p>2%</p>
	<p>Yes - someone I know needs a wheelchair accessible vehicle</p>	<p>1%</p>	<p>5%</p>
	<p>Yes - I need an adapted vehicle but not a wheelchair accessible vehicle</p>	<p>0%</p>	<p>0%</p>
	<p>Yes - Someone I know needs an adapted vehicle but not a wheelchair accessible vehicle</p>	<p>1%</p>	<p>4%</p>
<p>Have you wanted to hire a Hackney Carriage in the last three months at a rank in East Hertfordshire and given up or made alternative arrangements for travel because none were available?</p>	<p>Yes</p>	<p>5%</p>	<p>39%</p>
	<p>No</p>	<p>98%</p>	<p>61%</p>

If the answer to the previous question was yes, could you state where you tried to hire the Hackney Carriage?	Bishop's Stortford Train Station		
	Hertford North Station		
	Hertford East Station		
	Main Street (Ware)		
Have you wanted to book a Hackney Carriage specifically, as opposed to a Private Hire Vehicle, by telephone or online, for immediate travel, in the last three months and had to make alternative arrangements because a Hackney Carriage was not available within a reasonable time?	Yes	0%	20%
	No	100%	80%
If the answer to the previous question is yes, how long approximately was the wait time quoted?	Up to 30 minutes	0%	15%
	30 minutes to 1 hour	0%	15%
	Over 1 hour	0%	39%
	No Hackney Carriages available	0%	31%
Do you have regular access to a car?	Yes	43%	84%
	No	57%	16%
Are you a student or a permanent resident in East Hertfordshire?	Yes, permanent resident	94%	82%
	Yes, student	3%	0%
	No, neither of the above	3%	18%
What gender are you?	Male	48%	39%
	Female	52%	58%
	Prefer not to say	0%	3%
Which of the following age group do you fall into?	16 – 30 years old	6%	11%
	31 – 55 years old	37%	54%
	Over 55 years old	57%	35%
Are there any other comments that you would like to make?	<ul style="list-style-type: none"> • What assurance do the public have that the drivers are safe and trustworthy? • Taxis often queue beyond the end of the rank causing obstruction to other vehicles • More hackney carriage and private hire vehicles available for booking via apps • More visible signage on Private Hire Vehicles regarding taxi firms they work for • Would like to see electric taxis introduced 		

The online public consultation questionnaire was publicised using Facebook, with links to the online survey. The link was shared and referenced in other social media posts, by third parties, as they were encouraged to do. All responses have been incorporated in the results analysed.

The on street public consultation was undertaken in East Hertfordshire, with approximately 40% of samples obtained in Hertford, 40% in Bishop's Stortford and 20% of samples obtained in Ware. There were no significant differences in responses between the areas to note.

There was a significant proportion of online responses which were concerned with the level of service and lack of availability of Hackney Carriages at Bishop's Stortford Station and Hertford North Station. These account for the majority of references to locations where respondents had given up waiting for a Hackney Carriage to arrive.

Pre-booking of licensed vehicles was the most popular method employed, with the market led by Associated taxis, Foxholes and A2B taxis. The majority of face to face respondents didn't name any private hire firms but those who did, generally named three.

Awareness of taxi rank locations was better amongst online respondents than face to face respondents. Most face to face respondents could, however, name one or more rank locations and over half of face-to-face respondents had used ranks named. The online responses named ranks with frequencies which were similar to the profile of relative demand across all the ranks. i.e. the most well used ranks were named more frequently.

Online responses indicated that delays in getting a taxi was the most common problem encountered with taxis. This was generally associated with telephone bookings.

Some of the respondents who indicated that they had a disability which required an adapted vehicle, or who knew someone who did, commented on performance of wheelchair accessible vehicles. The only negative comment regarding wheelchair accessible vehicles was the inability to take electric wheelchairs.

Further comments included clearer signage indicating which taxi firm the driver is operating for, want for more electric taxi vehicles and want for more text confirmation and apps. Whilst there were a range of comments, including those regarding the cost of fares and availability at busy times, the majority of respondents generally felt that service was good.

5 Key stakeholder consultation

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

- Supermarkets
- Hotels
- Pubwatch / individual pubs / night clubs
- Other entertainment venues
- Restaurants
- Hospitals
- Police
- Disability representatives
- Rail operators
- Other council contacts within all relevant local councils

Comments received have been aggregated below to provide an overall appreciation of the situation at the time of this survey. In some cases, there are very specific comments from given stakeholders, but we try to maintain their confidentiality as far as is possible. The comments provided in the remainder of this Chapter are the views of those consulted, and not that of the authors of this report.

Our information was obtained by telephone, email, letter or face to face meeting as appropriate. The list contacted includes those suggested by the Council, those drawn from previous similar surveys, and from general internet trawls for information. Our target stakeholders are as far as possible drawn from across the entire licensing area to ensure the review covers the full area and not just specific parts or areas.

For the sake of clarity, we cover key stakeholders from the public side separately to those from the licensed vehicle trade element, whose views are summarized separately in the following Chapter.

Where the statistical analyses in Chapter 2 demonstrate low levels of wheelchair accessible vehicle (WAV) provision, an increased emphasis will be given to the issue in terms of the focus of stakeholders but also in specific efforts to contact disabled users and their representatives. However, it must be remembered that none of our consultation is statutory and for cost effective and fixed budget reasons we limit our attempts to contact people generally to a first attempt and reminder.

Supermarkets

All of the supermarkets contacted indicated that they were not aware of any issues with availability of licensed vehicles. Some, such as the Sainsbury's on Riverside, indicated that there was a taxi rank outside and people would tend to use this. Others, where there were not adjacent taxi ranks, felt that the majority of people would phone for a licensed vehicle. Few customers used the customer service desk in supermarkets to book a vehicles and most made their own arrangements for obtaining a licensed vehicle if needed.

Hotels

None of the hotels contacted felt that there was any particular issue with availability of licensed vehicles. Most customers make their own arrangements for a licensed vehicle if required. There can occasionally be some delay in availability in the mornings during 'school run times'. However, delays are generally less than 10 minutes in addition to any time that it would normally take for a vehicle to be available. There was no noticeable difference in views of hotels located centrally compared with those located in out of town or suburban locations.

Public houses

None of the public houses contacted felt that there was any particular issue with availability of licensed vehicles for their clients. None indicated that they regularly called to book a licensed vehicle on behalf of a client. Most clients make their own arrangements to book a licensed vehicle. Many of the clients use mobile apps to make a booking.

Night clubs

Night clubs in Hertford and Bishop's Stortford were contacted for their views on provision. None of the clubs contacted were aware of any issues with availability. In Hertford, it was felt that if customers wanted a taxi, there were some on the rank on Fore Street until late at night. It was thought that many customers phoned for a licensed vehicle. In Bishop's Stortford, it was felt that if customers wanted a taxi at a rank, then the Railway Station rank generally had Hackney Carriages waiting, but late at night, Hackney Carriages ranked up at the Bus Station as well.

Restaurants

Restaurants contacted rarely ordered a licensed vehicle for customers. If required, customers often made their own arrangements. No consultees were aware of any issues.

Hospitals

The Herts and Essex Hospital in Bishop's Stortford and the Hertford County Hospital were contacted to discuss whether they were aware of any issues with availability of licensed vehicles. Neither hospital was aware of any issue with availability. Licensed vehicles arrived from time to time at each of the hospitals to drop off and pick up patients. Generally patients or visitors made their own travel arrangements. The hospitals have travel advice pages on their web pages which indicate availability of car parking and charges together with public transport options by bus and train.

Police

The area teams for Hertford, Ware and Bishop's Stortford were contacted. No issues with availability were raised. Provision of a formal rank in Ware centre, on the High Street, would be welcomed as this is the centre of the night time economy in this area.

Disability and minority interests

Disability and minority groups were contacted, including those representing interests of elderly, visually impaired, mobility impaired and with learning difficulties. No significant issues were raised. Little feedback was received and the feedback which was received was favourable.

Rail and other transport operators

Staff at Hertford North and Bishop's Stortford Railway Stations were contacted. No issues with availability were raised. Generally there were taxis on the ranks when required. The only times that there may be a delay for passengers were when a busy train came in, or two busy trains closely spaced together, which happened occasionally when trains were delayed.

Arriva buses were contacted for any views on licensed vehicle provision and interchange with bus services. No issues were noted with interchange in either Hertford or Bishop's Stortford, where the main bus interchanges are located.

6 Trade stakeholder views

The BPG encourages all studies to include 'all those involved in the trade'. An online survey was created and the link to the survey distributed to members of the licensed vehicle trades in East Hertfordshire.

In addition to the online survey, some face to face discussion was held with drivers at some of the ranks in East Hertfordshire to get feedback on the trade and current issues which affect the trade.

Operators were also contacted for their views on the trade and to obtain information on how rank based hires relate to pre-booked hires of both Hackney Carriages and private hire vehicles.

Online survey results

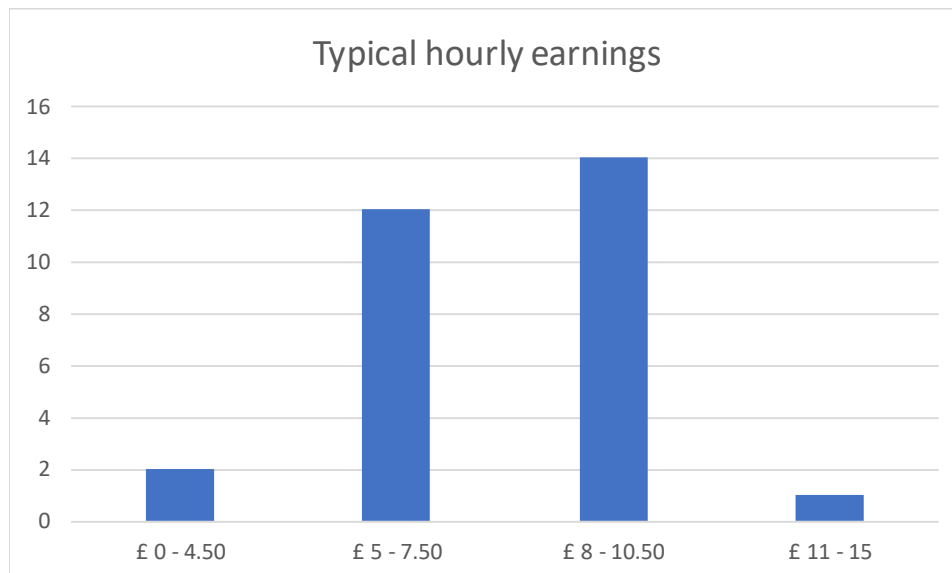
Members of the licensed vehicle trades were asked a series of questions. The responses to these questions are summarised in this section.

A total of 31 responses were received.

90% of respondents indicated that they normally drove a Hackney Carriage. A further 7% indicated that they normally drove a private hire vehicle and 3% didn't normally drive but owned one or more licensed vehicle.

All respondents indicated that their vehicles were licensed by East Hertfordshire.

Respondents were asked; in a typical week, how much they would estimate their average hourly earnings were, after costs. The responses were grouped into hourly earnings as follows:



The majority of respondents earn £5 – 10.50 per hour.

Respondents were asked how many hours they operated each day. The responses varied from some who worked shorter specific periods, such as an hour in the morning and an hour in the evening, to some who worked two to four hours at night, to others who worked days with lengthy shifts, in excess of twelve hours. The average number of hours worked daily, Monday to Thursday, was around 7.7 hours. On Saturday, the average number of hours worked rose to 8.6 and on Sunday, the average number of hours was also 8.6.

Drivers were asked approximately how many journeys on average each day they pick up from ranks. The average number of daily rank pickups is around 8 per day. However, responses varied from none to around 20 per day.

Respondents were asked how many hires they pick up each day from hailing. The average number was around 5. However, there were several outlier responses which were similar to the number of rank hires. Direct discussion with some drivers indicated that hire by hailing was rare, except perhaps on a Saturday night. It was felt that some respondents may have mis-understood the question being asked and included all non pre-booked hires. Consequently, it was felt that in fact, the number of hires obtained by hailing was likely to be significantly lower than 5 per day.

The average daily pickups from contracts is around 4 per day. Hires obtained through telephone bookings was around 9 per day. Respondents who indicated a greater than average number of hires obtained through telephone bookings generally indicated that they obtained lower numbers of hires at the ranks.

Finally, weekly pickups which require a carriage of a wheelchair is 1.5 per week. Levels varied across responses, with some respondents indicating significantly higher numbers and others indicating that they never picked up hires which required the carriage of a wheelchair. Such a range in responses is not unusual. Some providers who have made investment in wheelchair accessible vehicles are more likely to advertise their services as able to carry wheelchairs and are likely to have built up a customer base who will provide repeat business.

The majority of hires which require the carriage of a wheelchair are pre-booked. 16% of respondents indicated that they have regular clients who use wheelchairs and 23% said they have regular clients with mobility impairments, other than wheelchair users.

Respondents were asked which days of the week are the busiest, during their normal working times. 61% of respondents said Saturday is busiest followed by Friday (36%).

16% of respondents said the vehicle they drive is used by more than one driver.



Drivers were asked what issues they feel can adversely affect the successful operation of the Hackney Carriage trade. The principal issues suggested were:

- Uber / cross border trading, mentioned in around two thirds of responses.
- Too many Hackney Carriages / private hire vehicles for demand. Around a quarter of respondents mentioned this issue.
- Private hire drivers illegally picking up. Approximately 10% of respondents mentioned this issue.

Further issues identified included:

- Having to buy a car under 5 years old,
- Not enough taxis to meet demand,
- Small ranks,
- Lack of support from Police or Licensing Officers.

89% of respondents suggested the supply of Hackney Carriages is adequate to meet needs of the public. 85% of respondents thought the supply of Private Hire Vehicles is adequate to meet the needs of the public.

Drivers were asked what they thought about the number of Hackney Carriages in East Hertfordshire. 83% of respondents felt that there were too many taxis, 3% felt there were too few taxis and 13% felt that there is about the right number. The response that there were too few taxis came from a respondent who owned licensed vehicles, but did not drive.

Respondents were then asked how many Hackney Carriages they think should be in the East Hertfordshire area. A range of values were provided. Around two thirds of respondents indicated that they felt the number should be in the range 100 to 200 vehicles. The remainder indicated values above and below this range.

Drivers were asked, considering a hypothetical future, what would be the impact of increasing the number of Hackney Carriages vehicle licenses in East Hertfordshire. The majority of responses indicated a loss of earnings due to fewer taxi jobs per driver and owing to this impact, drivers looking for jobs elsewhere.

Drivers were also asked, considering a hypothetical future, what would be the impact of reducing the number of Hackney Carriages vehicle licenses in East Hertfordshire. The converse of responses to the hypothetical increase in numbers was apparent, with just over half of respondents indicating that they thought there would be an increase in demand for hires per driver and therefore, an increase in personal earnings.

Respondents were asked if there are any factors which limit the supply of Hackney Carriages or Private Hire Vehicles at certain times or in certain locations. 17% of respondents didn't think there were any factors limiting the supply of taxis in East Hertfordshire. The remaining drivers thought lack of rank space (50%) limits supply, cost of cars having to be under 5 years old and cost of license (15%) limits the supply and public using rank space to park in (5%).

Respondents were asked if any ranks need improved. Suggestions included: Fore Street rank should be 24 hour rank instead of just evening, more space at Ware Station rank on Railway Street rank and stricter enforcement on private cars and private hire vehicles parking in ranks in all locations.

Respondents suggested new ranks at the following locations:

- Parliament Square, Hertford
- Hertford House, Hertford (Fore St, West of current rank on Fore St)
- Market Square, Bishop's Stortford.

Drivers were asked if they were aware of any times or locations where members of the public may face difficulties hiring a Hackney Carriage or Private Hire Vehicle. Those which were aware indicated the following may be of difficulty: Small villages where there are no local taxi firms, Bishop's Stortford Railway Station at peak times, Parliament Square after midnight and Hertford North Railway Station in the evening.

Respondents suggested signage for current taxi ranks could be improved by making taxi rank signs bigger and light up at night and North Street rank being re-painted.

97% of respondents felt the level of customer care and service quality from Hackney Carriage drivers in general in East Hertfordshire is satisfactory.

In a normal week, respondents said they would wait in the following locations in order to pick up a fare.

- Railway Street,
- Hertford North Station,
- Hertford East Station,
- Bishop's Stortford Railway Station,
- Fore Street,
- Sainsbury's (Riverside),
- Market Square (Bishop's Stortford),
- Black Lion (Bridge Street, Bishop's Stortford) and
- Ware High Street.



Respondents were asked in their opinion, what benefits are there to customers in limiting the number of Hackney Carriages. Benefits included:

- May stop public getting in the taxi at the end of a rank queue (as opposed to the first vehicle in the queue)
- Less traffic
- Reduced air pollution
- Better service from drivers as they can invest more into vehicles and don't have to work as many hours so will be less tired.

Respondents were asked if they had any other comments, these included:

- Too many public cars using rank space
- Not enough customers for the number of Hackney Carriage Vehicles in East Hertfordshire
- Many respondents mentioning the number of Uber drivers in the area

Discussion with a selection of drivers on ranks around East Herts further emphasised the views that parked vehicles on ranks was an issue. Some issues varied by location around East Herts. In Hertford, the principal issue was lack of rank space and a desire for some day time space on Fore Street, rather than a night time only rank. At Hertford North Station, some drivers felt aggrieved that despite paying for a station permit to operate from the railway station rank, this didn't guarantee that there would be sufficient rank space to enable them to access the rank.

In Ware, the proximity of the A2B private hire booking office, to the rank, was also source of some disquiet. In Ware, at the Railway Station.

In Bishop's Stortford, the rank at the Railway Station is on private ground controlled by the railway operator. The rail operator permits some Hackney Carriages to access the rank on a concession basis. One of the local operators, Omega Taxis, pays the rail operator for the concession to service the rank at the Railway Station. The operation of this concession is a source of some contention amongst the trade. Drivers affiliated with Omega felt that other Hackney Carriages were, on occasion, 'poaching' their fares, by either picking up fares from outside the station entrance, having dropped off a passenger, or by waiting further along Dane Street (where the rank is located) to pick up passengers who pass the official rank.

Close to the Railway Station rank in Bishop's Stortford is the bus interchange (bus station). Late at night, when bus services have ceased running, Hackney

Carriages form an informal rank on the bus station, to pick up passengers leaving nearby pubs and clubs. This location lies between most of the pubs and clubs and the rank in the Railway Station. Some of the drivers in the Railway Station rank felt aggrieved that Hackney Carriages on the Bus Station informal rank, were poaching their fares. Conversely, some of the drivers who could not access the Railway Station rank, owing to the permit system, felt justified in ranking up at the Bus Station to service demand from the night time economy.

Comments on trade feedback

The dominance of the Railway Station rank in Bishop's Stortford and the restrictions in access to the rank, is a source of some contention.

There are several operators which utilise Hackney Carriages to fulfil bookings, in Bishop's Stortford.

The use of the North Street rank in Bishop's Stortford is limited and other informal ranks are used to service late night demand associated with the night time economy.

In Ware, the single rank at the Railway Station, whilst not restricted by permit, is affected by the adjacent private hire booking office. The booking office often has private hire vehicles, working for the operator, waiting outside the office. This offers the prospect of immediate availability for passengers entering the booking office to hire a licensed vehicle. The presence of private hire vehicles waiting outside the station is a source of some contention with some Hackney Carriage drivers. The lack of a formal night time rank closer to active night time economy venues in Ware, was mentioned by several drivers. However, feedback from the trade questionnaires suggests that a temporary or informal rank on the High Street is used to service night time demand.

In Hertford, feedback from the trade was focussed on rank provision, vehicles parked on the ranks and the impact of UBER on the trade.

Rank provision and suggestions for new ranks

Several suggestions were made for new ranks and several locations have been identified as locations used as informal ranks to service the night time economy. In order for a rank to be successful, it would be regularly attended by Hackney Carriages waiting for passengers and in regular use by passengers, with good expectation of finding a Hackney Carriage waiting at the rank, or that a Hackney Carriage would arrive at the rank after a short wait. Some types of location are more suitable for establishing a taxi rank, than others. Certain land uses tend to generate greater numbers of trips by Hackney Carriage and private hire vehicles. These include transport interchanges, concentrations of retailing and premises associated with the night time



economy such as pubs and clubs. Ranks placed close to such trip generators tend to be more readily established. The local road system also influences the level of success which may be expected with establishing a new rank. Locations which are along a 'circuit' or tour of ranks, are more likely to be attended by Hackney Carriages. In this way, if one rank is full of Hackney Carriages, or nearly full, subsequent approaching Hackney Carriages may choose to pass that rank and move on to the next one. Conversely, if the rank is empty or nearly empty, then a Hackney Carriage may be more likely to stop there. Ranks in locations close to trip generators and on a route to other ranks, are more likely to be well serviced by Hackney Carriages as there is a greater frequency of passing vehicles.

The type of adjacent land use is likely to influence when a rank is likely to be active. Ranks close to retailing are likely to be most active during the day. Ranks close to pubs, clubs and restaurants are more likely to be active at night. Some town centre ranks are close to both retailing and night time economy premises and are active during daytime and night time. Ranks close to transport hubs tend to be active at times which support the other transport modes at the hub and the times when they are active. For example, at some railway stations with infrequent services (say less than one service per hour), Hackney Carriages arrive to meet train services. Any Hackney Carriages which have not been hired by arriving passengers, then leave, to attend other ranks. Finally, a taxi rank should ideally be located in a place which does not interfere with passing traffic and is unlikely to be abused by other vehicles parking on the rank. Well attended ranks are less likely to be abused by parking vehicles, when they can see that the rank is in use by waiting Hackney Carriages.

Several locations have been suggested by members of the public and the trade. The suggestions have been objectively reviewed against likely levels of demand from local land use, suitability of location and available road space.

Buntingford – There is potentially some space for a rank, on the High Street. In order to provide rank space, some existing parking would need to be re-designated as a taxi rank. Proximity to housing would be likely to be an issue. Residents would be likely to object to the establishment of a taxi rank outside their houses. Local retailing and night time economy premises are limited. This may limit the level of demand which would be generated locally. The location of a potential rank would not be close to existing ranks in Bishop's Stortford or Hertford and is unlikely to be an attractive alternative for drivers who currently service existing ranks in these locations or in Ware. It may be possible that one or two drivers may choose to focus on a rank in Buntingford. However, it is not clear that there would be sufficient demand to support even this level of provision.

Ware High Street – Ware has a relatively high proportion of night time economy premises and the current acknowledged use of the High Street to wait for fares indicates that demand for Hackney Carriages exists at night. There is also extensive local retailing but few larger stores or supermarkets, to generate day time demand. Space exists on the High Street, which is currently used for parking and could be re-designated as a taxi rank. The parking spaces are predominantly outside commercial premises and hence, less likely to attract objections from local residents. The High Street also lies along a potential route to the existing taxi rank at Ware Station. With existing proven demand, potential rank space available in existing parking bays and location on a route to an existing nearby rank, a potential rank on Ware High Street would be likely to become established quickly as a night time rank. Potential for day time use is less clear. If a night time only rank were provided, then there is a danger that the rank space could be occupied by other vehicles during operational times.

Bishop's Stortford Town Centre – The dominance of the Railway Station rank in Bishop's Stortford impacts the use of other ranks. Retailing is anchored around the Riverside rank outside Sainsbury's which is well served and generates significant daytime demand. Establishing another rank for daytime use would face challenges. Another daytime rank exists on Riverside (outside Wetherspoon), which is not used. The rank on North Street is well located as a town centre rank, but is evening operation only. If the North Street rank was changed to a 24 hour rank, this may serve alternative day time demand as well as establishing the rank to continue in operation to serve the night time economy. There are no other obvious locations which would better serve day time demand than the existing rank on Riverside.

Tesco Bishop's Stortford – It was assumed that this suggestion related to the Tesco Superstore on the outskirts of Bishop's Stortford. Whilst taxi ranks at large supermarkets can become well established and well used throughout the operational hours of the supermarket, it is by no means guaranteed that a taxi rank at a large supermarket would become well used. Consultation with the Tesco Superstore indicated that availability of licensed vehicles for those customers who need one, is not perceived as an issue. Most customer use private cars to get to and from the supermarket. It is thought unlikely that a new rank in this location would become established or offer sufficient demand to encourage Hackney Carriages to wait at a rank there.

Sele Farm – This is a primarily residential suburb in the outskirts of Hertford. The location lacks the density of trip generators, such as retailing, pubs, clubs and restaurants, which would sustain a taxi rank either during daytime hours or at night. Normally demand from residents in such localities is satisfied by telephone bookings, either to Hackney Carriages or private hire operators.

Sawbridgeworth Station – There is limited space available on the station approach roadway to the east of the railway line. This could potentially fit up to two Hackney Carriages waiting for train arrivals. The use of this space as a taxi rank would be subject to agreement by the railway operator as the space appears to be on railway property. The prospective rank location is not close to other ranks in Bishop’s Stortford and the likelihood of Hackney Carriages choosing to attend a rank in this location, rather than other ranks in Bishop’s Stortford, is low. Unless one or two drivers chose to operate from this rank regularly, it is unlikely that a rank in this location could become established and Hackney Carriages reliably found there.

Parliament Square, Hertford – This location is close to night time economy venues and is en-route to other taxi ranks nearby. Therefore, it is likely that there could be sufficient night time demand to sustain a taxi rank in this location. A small rank in this location could be served by passing Hackney Carriages, which would encourage use by customers. Availability of road space which could be re-designated as taxi rank space, is limited. It may be feasible to implement a single rank space outside the Blackbirds pub, or perhaps a two space rank across the road. Either location would operate as a night time only rank.

Hertford House, Hertford (Fore St, West of current rank on Fore St). This location is close to night time demand and en-route to other ranks. However, road space is limited and offers little scope to implement a rank in this location.

Market Square, Bishop’s Stortford – This location is on a cul-de-sac road. There is a mix of commercial and residential frontage along the roadway. As such, local residents may object to use of the roadway near their homes, as a taxi rank. This location is close to night time economy venues and as such, is likely to generate sufficient demand to sustain a small rank. Whilst the location may be suitable in terms of demand, the configuration of the roadway limits scope for creating a taxi rank and the presence of residential property nearby is likely to raise objections.

Black Lion (Bridge Street, Bishop’s Stortford) – This location is close to venues associated with the night time economy. The location is also on a through route to other ranks and could potentially be a successful rank location on the basis of nearby demand and placement. However, the road at this location is narrow, without potential to create a taxi rank area, without interfering with passing traffic. Further to the east along Bridge Street, close to the junction with Link Road, the roadway is wider. The road further east accommodates a bus stop bay. This location offers potential for part time use as a night time rank, when bus services have stopped running each night.

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. This coefficient is referred to as the Steady State Performance (**SSP**) coefficient.

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. This coefficient is referred to as General Incidence of Delay (**GID**).

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 (**APD**) 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 (**SF**) allows for the undertaking of rank survey work in periods which are not typical, although guidance is that such periods should normally be avoided if possible particularly as the impact of seasons may not just be on the level of passenger demand, but may also impact on the level of supply. This is particularly true in regard to if surveys are undertaken when schools are active or not.

Periods when schools are not active can lead to more hackney carriage vehicles being available whilst they are not required for school contract work. Such periods can also reduce hackney carriage demand with people away on holiday from the area. Generally, use of hackney carriages is higher in December in the run-up to Christmas, but much lower in January, February and the parts of July and August when more people are likely to be on holiday. The factor tends to range from 0.8 for December (factoring high demand level impacts down) to 1.2 for January / February (inflating the values from low demand levels upwards).

There can be special cases where summer demand needs to be covered, although high peaks for tourist traffic use of hackney carriages tend not to be so dominant at the current time, apart from in a few key tourist authorities.

The peakiness factor (**PF**) 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 (**LDF**) was added following a court case. It comes from asking people in the on-street questionnaires if they have ever given up waiting for a hackney carriage at a rank in any part of the area. This factor generally only affects the level of the index as it only ranges from 1.0 (no-one has given up) to 2.0 (everyone says they have). It is also important to check that people are quoting legitimate hackney carriage rank waits as some, despite careful questioning, quote giving up waiting at home, which must be for a private hire vehicle (even if in hackney carriage guise as there are few private homes with taxi ranks outside).

The **ISUD** index is the result of multiplying each of the components together and benchmarking this against the cut-off value of 80. Changes in the individual components of the index can also be illustrative. For example, the growth of daytime hour queueing can be an earlier sign of unmet demand developing than might be apparent from the proportion of people experiencing a queue particularly as the former element is based on any wait and not just that averaging over a minute. The change to a peaky demand profile can tend towards reducing the potential for unmet demand to be significant.

Finally, any ISUD value must be interpreted in the light of the sample used to feed it, as well as completely in the context of all other information gathered. Generally, the guide of the index will tend not to be overturned in regard to significant unmet demand being identified, but this cannot be assumed to be the case – the index is a guide and a part of the evidence and needs to be taken fully in context.



We have calculated a factor for the Incidence of Significant Unmet Taxi Demand

(ISUD) using the following standard formula:

$$\text{ISUD} = \text{APD} \times \text{PF} \times \text{SSP} \times \text{GID} \times \text{SF} \times \text{LDF}$$

where:

ISUD = Incidence of Significant Unmet Demand

APD = Average passenger delay across all time periods

PF = whether the demand is highly peaked. This will equal 1 if there is no peaking and 0.5 if peaking is present

SSP = Steady State Performance - Percentage of weekday daytime hours in which passenger queues are observed

GID = General Incidence of Delay - Proportion of Hackney Carriage users travelling in hours where average passenger delay exceeds one minute

SF = Seasonality Factor

LDF = Latent Demand Factor. Takes into account trips not made owing to perceived poor quality of service.

Calculation of ISUD variables

APD: Passenger delays occurred primarily during peak demand times. The average delay is determined by calculating the total passenger delay as aggregate passenger delay minutes, then dividing by the total number of passengers, including those who did not suffer any delay.

The Average Passenger Delay was = 0.36 minutes (22 seconds).

PF There are no consistent sharp peaks in demand across all of the taxi ranks surveyed. Therefore, taking demand across all ranks, whilst there were peaks in the evening, the increase in overall demand, compared with the rest of the day, was not sufficient to deem the peak factor to be reduced. Given the lack of sharp peaks in overall demand, the PF value is 1.0.

SSP Week day, daytime hours are deemed to be between 10.00 am and 6.00 pm. The proportion of active rank hours when waiting passengers had an average wait of more than one minute is taken at the SSP coefficient. The SSP proportion is 4.7%.

GID The percentage of Hackney Carriage users travelling in hours where the average passenger delay exceeds one minute was 9.7%.

SF For this study, a factor of 1.0 is assumed.

LDF Latent Demand Factor. This is derived from the public attitude survey results and the proportion of passengers observed waiting at the ranks, who gave up waiting before a Hackney Carriage arrived. It is measured as 1+ proportion giving up waiting. The inclusion of this factor is a response to the latest DfT guidance requiring an estimate of latent demand.

The public consultation face to face survey results indicate that 5% of respondents have given up trying to hire a taxi by hailing or at a rank. In addition, 0.4% of passengers observed waiting at the ranks, gave up before a Hackney Carriage arrived. Therefore, the LDF factor is 1.054.

The ISUD value was calculated as follows, using the variables derived for this study.

$$\text{ISUD} = \text{APD} \times \text{PF} \times \text{SSP} \times \text{GID} \times \text{SF} \times \text{LDF}$$

$$\text{ISUD} = 0.36 \times 1.0 \times 4.7 \times 9.7 \times 1.0 \times 1.054 = 17.3$$

Where the ISUD value is less than 80, it is generally considered to be an indicator that there is no unmet demand which is significant.

Consideration of wider factors

The ISUD value of 17.3 is an indication that unmet demand is below a level which would be considered to be significant. However, it is prudent to consider other aspects of the trade in East Herts to determine whether there are any other factors to be taken into account.

The online public consultation yielded a significantly different result with respect to the proportion of respondents who stated that they had given up waiting for a Hackney Carriage at a rank. A sensitivity test, using the online LDF of 1.39, resulted in an ISUD value of 22.8. This value remains significantly below the threshold value of 80.

A significant proportion of passenger waiting occurred at Bishop's Stortford Railway Station rank (76% of all waiting passengers) and at Hertford North Railway Station (8% of all waiting passengers). Both of these ranks are on private land and subject to restriction by permit or concession. As such, access to the ranks is not open to all East Herts licensed Hackney Carriages. It could be argued that passenger waiting is at least in part, due to the constraints limiting access to the ranks by Hackney Carriages. Hence, any increase in general availability of Hackney Carriage vehicles would not necessarily increase provision at these restricted ranks. A sensitivity test was undertaken to calculate the ISUD value, excluding private ranks. The ISUD value, excluding the ranks at Bishop's Stortford Railway Station, Hertford North Railway Station and Hertford East Railway Station was calculated to be **6.5**. This value is lower than the value calculated for all ranks, including private ranks. Whilst the majority of passenger waiting was observed at the private ranks, so was the majority of passengers, including those who didn't have to wait. The ISUD value is essentially a weighted calculation of the proportion of passengers who had to wait for a Hackney Carriage. The proportion of passengers having to wait and the average wait time for these passengers was similar at public ranks, compared with the private ranks.

It is worth noting that only 1.5% of all observed passenger waiting was observed on public ranks in Hertford. This relates to 4 observed passenger waiting events on the Railway Street rank on Thursday afternoon and early evening.

Whilst passenger waiting has been observed at various times throughout the survey period, the level of waiting, compared with the volume of passengers which did not have to wait, is not significant. Consequently, we conclude that there is no significant unmet demand.

8 Summary, synthesis and study conclusions

This Hackney Carriage Unmet Demand Survey on behalf of East Herts District has been undertaken following the guidance of the BPG and other recent case history regarding unmet demand and its significance.

The way in which Hackney Carriages operate varies across the district. In Bishop's Stortford, more of the Hackney Carriages operate for private hire and Hackney Carriage operators undertaking pre-booked hires, than is the case elsewhere in the District. This manifests as a low level of peak demand for Hackney Carriages hired from ranks on Saturday night, compared with during the day. In Hertford, on the other hand, the demand profile of rank based hires follows a more traditional pattern, with a significant increase in demand on Saturday night, compared with other times.

The proportion of private hire vehicles licensed by East Herts Council, compared with Hackney Carriages, is fairly low. Around 20% of the licensed vehicle fleet are private hire vehicles. Whilst this is by no means unique, this proportion of private hire vehicles supports the pattern of provision indicated by other data collected during the survey, that much of the pre-booked hire demand is catered for by Hackney Carriages. Many of the private hire vehicles licensed by the Council primarily target the sector of the market dealing with non-immediate hires, such as airport transfers, tour parties, corporate transport and chauffeur hire style services. Consequently, many of the private hire vehicles licensed are not engaged in immediate hire work, such as on private hire booking circuits.

Generally, we would expect that most licensed vehicle use is by pre-booked hire. This is a normal pattern in most licensing areas and confirmed by the results of the public consultation survey in East Herts. In many areas, the majority of the licensed vehicle fleet are private hire vehicles. However, where this is not the case, it is commonly found that Hackney Carriages are actively engaged in the pre-booked hire market, providing a service which could otherwise be provided by private hire vehicles. This is the case in East Herts.

There are some obvious advantages to Hackney Carriages undertaking pre-booked hires. These include Hackney Carriages waiting at ranks between bookings and hence maintaining availability to the public. In East Herts, the low proportion of Hackney Carriages observed working from the ranks, suggests that many of the Hackney Carriages in the fleet, operate primarily on booking circuits and rarely visit ranks. When we consider purely the level of provision required to service rank based demand, it is clear that there are more Hackney Carriages licensed, than would be required to service purely rank based demand. However, if the number of Hackney Carriages in the fleet were



only just sufficient to cater for rank based demand, and only worked from ranks, rather than booking circuits, then additional private hire vehicles would be required to service pre-booked hire demand.

In addition to Hackney Carriages and private hire vehicles licensed by East Herts, there are licensed vehicles licensed by other authorities, operating in East Herts, for local private hire operators. Some of these vehicles are out of area Hackney Carriages. In addition, UBER vehicles have been observed operating in East Herts. The presence of UBER and other out of area licensed vehicles operating in East Herts is a source of some disquiet in the trade.

Members of the public indicated that they were aware of relatively few issues with the service provided by Hackney Carriages. The primary issue identified by the public related to pre-booked hires and the reliability of the booking, i.e. vehicles arriving late or not at all. The second most common complaint was lack of availability, once again relating to pre-booked hires. Online respondents to the public consultation survey complained about the lack of Hackney Carriages at the station ranks, most commonly at Bishop's Stortford station.

Rank observations indicated consistent profiles of demand, with the majority of day time demand occurring at Bishop's Stortford Railway Station. At night, demand in Hertford peaked with the majority of night time demand in this area occurring at the Fore Street rank. Passenger waiting was largely concentrated at Bishop's Stortford Railway Station. Passenger waiting was generally of short duration, resulting in a low average passenger wait time. The passenger waiting at Bishop's Stortford Station was one of the more common issues identified from the public consultation. The level of passenger waiting was below that which would be considered significant.

There is **no unmet demand which is significant.**

9 Recommendations

On the basis of the evidence gathered in this Hackney Carriage Unmet Demand Survey for East Herts District, our key conclusion is that there is no evidence of any unmet demand for the services of hackney carriages either patent or latent which is significant at this point in time in the East Herts District licensing area.



Appendix 1 – Activity levels at ranks

Table 1 - Thursday activity level classification

Rank Location	Anchor Street	Bishops Stortford Bus Station	Bishops Stortford Railway Station	Bull Plain	Fore Street	Hertford East Station	Hertford North Station	North Street	Railway Street	Riverside Bishops Stortford Shopping Centre	Riverside Bishops Stortford Wetherspoons	Ware Station
Hour Commencing												
07:00	No	No	Active	No	No	No	Active	No	Active	No	Low	Active
08:00	No	No	Active	No	No	No	Active	No	Active	Low	No	Active
09:00	No	No	Active	No	No	Low	Active	No	Active	Active	No	Active
10:00	No	No	Active	No	No	Low	Active	No	Active	Active	No	Active
11:00	No	No	Active	No	No	Low	Active	No	Active	Active	No	Active
12:00	No	No	Active	No	No	Low	Active	No	Active	Active	No	Active
13:00	No	Low	Active	No	No	Low	Active	No	Active	Active	No	Active
14:00	No	No	Active	No	No	Low	Active	No	Active	Active	No	Active
15:00	No	No	Active	No	No	No	Active	No	Active	Active	No	Active
16:00	No	No	Active	No	No	Low	Active	No	Active	Active	No	Active
17:00	No	Low	Active	No	No	No	Active	No	Active	Active	No	Active
18:00	No	Active	Active	No	No	Low	Active	No	Active	Active	Active	Active
19:00	No	Low	Active	No	No	Low	Active	No	Active	Active	Active	Active
20:00	No	Active	Active	No	Low	Low	Active	No	Active	Low	Low	No
21:00	No	Low	Active	No	Active	Low	Active	Low	Active	No	Low	Low
22:00	No	Active	Active	No	Active	No	Active	Active	Active	No	Low	Low
23:00	Low	Active	Active	No	Active	No	Active	No	Active	No	Low	Active
00:00	No	Low	Active	No	Active	Low	Active	No	Low	No	No	Active
01:00	No	No	Low	No	Active	No	Active	No	No	No	No	Low
02:00	No	No	Low	No	Active	No	Active	No	No	No	No	No
03:00	No	Low	Low	No	Active	No	No	No	No	No	No	No
04:00	No	No	Low	No	No	No	No	No	No	No	No	No
05:00	No	No	Active	No	No	No	No	No	No	No	No	Active
06:00	No	No	Active	No	No	No	Active	No	Low	No	No	Active

Note: Red text indicates hours in which passenger waiting was observed.

Table 2 - Friday activity level classification

Rank Location	Anchor Street	Bishops Stortford Bus Station	Bishops Stortford Railway Station	Bull Plain	Fore Street	Hertford East Station	Hertford North Station	North Street	Railway Street	Riverside Bishops Stortford Shopping Centre	Riverside Bishops Stortford Wetherspoons	Ware Station
Hour Commencing												
07:00	No	No	Active	No	No	No	Active	No	Active	No	No	Active
08:00	No	No	Active	No	No	Low	Low	No	Active	Active	No	Active
09:00	No	No	Active	No	No	No	Active	No	Active	Active	No	Active
10:00	No	No	Active	No	No	Low	Active	No	Active	Active	No	Active
11:00	No	No	Active	No	No	Low	Active	No	Active	Active	No	Active
12:00	No	No	Active	No	No	Low	Active	No	Active	Active	No	Active
13:00	No	No	Active	No	No	Low	Active	No	Active	Active	No	No
14:00	No	No	Active	No	No	Low	Active	No	Active	Active	No	Active
15:00	No	No	Active	No	No	No	Active	No	Active	Active	Low	Active
16:00	No	No	Active	No	No	Low	Active	No	Active	Active	No	Active
17:00	No	Active	Active	No	No	Low	Active	No	Active	Active	Active	Low
18:00	No	Low	Active	No	No	No	Active	Low	Active	Active	Active	Active
19:00	No	Active	Active	No	Active	Low	Active	Low	Active	No	No	Active
20:00	Low	No	Active	No	Active	Low	Active	Low	Active	Low	Active	No
21:00	No	Low	Active	No	Active	Low	Active	Active	Active	No	Low	Low
22:00	No	Active	Active	No	Active	No	Active	Low	Active	No	Active	No
23:00	No	Active	Active	No	Active	Low	Active	Active	Active	No	No	Active
00:00	No	Low	Active	No	Active	Low	Active	Active	Active	No	Low	Active
01:00	No	Active	Active	No	Active	No	Active	Low	Active	No	No	Active
02:00	Low	Active	Low	No	Active	No	No	No	Low	No	No	No
03:00	No	Active	Active	No	Active	No	No	No	No	No	No	No
04:00	No	Low	Active	No	Active	No	No	No	No	No	No	No
05:00	No	No	Active	No	No	No	Low	No	No	No	No	No
06:00	No	No	Active	No	No	No	Low	Low	Active	No	No	Active

Note: Red text indicates hours in which passenger waiting was observed.

Table 3 - Saturday activity level classification

Rank Location	Anchor Street	Bishops Stortford Bus Station	Bishops Stortford Railway Station	Bull Plain	Fore Street	Herford East Station	Herford North Station	North Street	Railway Street	Riverside Bishops Stortford Shopping Centre	Riverside Bishops Stortford Wetherspoons	Ware Station
Hour Commencing												
07:00	No	Low	Active	No	No	No	Low	No	Active	Low	No	Active
08:00	No	No	Active	No	No	No	Low	No	Active	Low	No	Active
09:00	No	No	Active	No	No	No	Low	No	Active	Active	No	Active
10:00	No	No	Active	No	No	No	Active	No	Active	Active	No	Active
11:00	No	No	Active	No	No	No	Active	No	Active	Active	No	Active
12:00	No	No	Active	No	No	No	Active	No	Active	Active	No	Active
13:00	No	No	Active	No	No	No	Active	No	Active	Active	No	Low
14:00	No	No	Active	No	Low	No	Active	No	Active	Active	No	Active
15:00	No	No	Active	No	No	Low	Active	No	Active	Active	No	Low
16:00	No	Low	Active	No	No	No	Active	No	Active	Active	Low	No
17:00	No	Active	Active	No	No	No	Active	No	Active	Active	Low	Active
18:00	No	Active	Active	No	Active	No	Active	Active	Active	Active	Low	Low
19:00	No	Low	Active	No	Active	Low	Active	Low	Active	Low	No	Active
20:00	No	Active	Active	No	Active	Low	Active	Low	Active	Low	Low	Low
21:00	No	Low	Active	No	Active	No	Active	Low	Active	Low	Low	Active
22:00	Low	No	Active	No	Active	Low	Active	Active	Active	No	No	Low
23:00	No	No	Active	No	Active	No	Active	Low	Active	No	Low	Low
00:00	No	Low	Active	No	Active	No	Active	Low	Active	No	No	Active
01:00	No	Active	Active	No	Active	Low	Active	Low	Active	No	No	Low
02:00	No	Active	Active	No	Active	No	Active	No	Low	No	No	No
03:00	No	Active	Active	No	Active	Low	No	No	No	No	Low	No
04:00	No	No	Active	No	Active	No	No	No	No	No	Low	No
05:00	No	No	Active	No	No	Low	No	No	No	No	No	No
06:00	No	No	Low	No	No	No	No	No	Active	No	Low	Low

Note: Red text indicates hours in which passenger waiting was observed.

Appendix 2 – Detailed rank observation results

Passenger volumes observed at ranks

Hour beginning	Anchor Street	Bishops Stortford Bus Station	Bishops Stortford Railway Station	Bull Plain	Fore Street	Hertford East Station	Hertford North Station	North Street	Railway Street	Riverside Bishops Stortford Shopping Centre	Riverside Bishops Stortford Wetherspoons	Ware Station
Thursday 07:00	0	0	1	0	0	0	2	0	4	0	0	0
Thursday 08:00	0	0	2	0	0	0	3	0	5	0	0	0
Thursday 09:00	0	0	4	0	0	0	2	0	6	5	0	0
Thursday 10:00	0	0	5	0	0	0	0	0	6	10	0	0
Thursday 11:00	0	0	6	0	0	0	1	0	5	19	0	0
Thursday 12:00	0	0	6	0	0	0	1	0	8	28	0	0
Thursday 13:00	0	0	6	0	0	0	2	0	11	24	0	0
Thursday 14:00	0	0	16	0	0	0	2	0	12	19	0	0
Thursday 15:00	0	0	25	0	0	0	5	0	13	14	0	0
Thursday 16:00	0	0	30	0	0	0	8	0	12	10	0	0
Thursday 17:00	0	0	35	0	0	0	14	0	10	5	0	0
Thursday 18:00	0	0	38	0	0	0	19	0	9	3	0	0
Thursday 19:00	0	0	40	0	0	0	20	0	6	0	0	0
Thursday 20:00	0	0	45	0	0	0	21	0	3	0	0	0
Thursday 21:00	0	0	51	0	6	0	16	0	5	0	0	0
Thursday 22:00	0	0	56	0	11	0	10	4	7	0	0	0
Thursday 23:00	6	0	53	0	11	0	11	0	4	0	0	0
Friday 00:00	0	0	49	0	10	0	11	0	0	0	0	0
Friday 01:00	0	0	0	0	5	0	7	0	0	0	0	0
Friday 02:00	0	0	0	0	0	0	4	0	0	0	0	0
Friday 03:00	0	0	0	0	0	0	0	0	0	0	0	0
Friday 04:00	0	0	0	0	0	0	0	0	0	0	0	0
Friday 05:00	0	0	0	0	0	0	0	0	0	0	0	0
Friday 06:00	0	0	0	0	0	0	0	0	0	0	0	0
Friday 07:00	0	0	4	0	0	0	0	0	2	0	0	0
Friday 08:00	0	0	8	0	0	0	0	0	3	2	0	0
Friday 09:00	0	0	6	0	0	0	2	0	6	4	0	0
Friday 10:00	0	0	3	0	0	0	3	0	9	13	0	0
Friday 11:00	0	0	6	0	0	0	3	0	11	21	0	0
Friday 12:00	0	0	8	0	0	1	3	0	12	21	0	0
Friday 13:00	0	0	16	0	0	0	4	0	12	21	0	0
Friday 14:00	0	0	25	0	0	0	5	0	12	18	0	0
Friday 15:00	0	0	33	0	0	0	6	0	10	14	0	0
Friday 16:00	0	0	37	0	0	0	7	0	7	10	0	0
Friday 17:00	0	0	40	0	0	0	13	0	7	6	0	0
Friday 18:00	0	0	36	0	0	0	18	0	6	3	0	0
Friday 19:00	0	0	32	0	0	0	17	0	8	0	0	0
Friday 20:00	0	0	28	0	11	0	16	0	10	0	0	0
Friday 21:00	0	0	24	0	22	0	21	2	9	0	0	0
Friday 22:00	0	0	69	0	27	0	26	0	8	0	0	0
Friday 23:00	0	0	64	0	32	0	23	10	5	0	0	0
Saturday 00:00	0	0	49	0	56	0	19	5	2	0	0	0
Saturday 01:00	0	11	25	0	79	0	10	0	1	0	0	0
Saturday 02:00	3	25	0	0	75	0	0	0	0	0	0	0
Saturday 03:00	0	39	2	0	70	0	0	0	0	0	0	0
Saturday 04:00	0	0	3	0	35	0	0	0	0	0	0	0
Saturday 05:00	0	0	2	0	0	0	0	0	0	0	0	0
Saturday 06:00	0	0	0	0	0	0	0	0	0	0	0	0

Passenger volumes observed at ranks

Hour beginning	Anchor Street	Bishops Stortford Bus Station	Bishops Stortford Railway Station	Bull Plain	Fore Street	Hertford East Station	Hertford North Station	North Street	Railway Street	Riverside Bishops Stortford Shopping Centre	Riverside Bishops Stortford Wetherspoons	Ware Station
Saturday 07:00	0	0	1	0	0	0	0	0	1	0	0	0
Saturday 08:00	0	0	1	0	0	0	0	0	2	0	0	0
Saturday 09:00	0	0	1	0	0	0	0	0	2	6	0	0
Saturday 10:00	0	0	5	0	0	0	1	0	3	11	0	2
Saturday 11:00	0	0	8	0	0	0	2	0	4	12	0	4
Saturday 12:00	0	0	10	0	0	0	4	0	4	12	0	2
Saturday 13:00	0	0	12	0	0	0	6	0	4	20	0	0
Saturday 14:00	0	0	10	0	0	0	5	0	7	16	0	0
Saturday 15:00	0	0	7	0	0	0	3	0	9	11	0	0
Saturday 16:00	0	0	16	0	0	0	4	0	12	12	0	0
Saturday 17:00	0	2	25	0	0	0	5	0	14	13	0	6
Saturday 18:00	0	1	34	0	5	0	11	0	21	7	0	12
Saturday 19:00	0	0	38	0	10	0	17	0	27	0	0	6
Saturday 20:00	0	0	42	0	12	0	14	0	18	0	0	0
Saturday 21:00	0	0	48	0	13	0	10	0	9	0	0	5
Saturday 22:00	0	0	53	0	40	2	17	3	10	0	0	0
Saturday 23:00	0	0	59	0	66	0	24	0	11	0	0	0
Sunday 00:00	0	0	47	0	94	0	13	0	7	0	0	0
Sunday 01:00	0	6	27	0	121	0	7	0	2	0	0	0
Sunday 02:00	0	13	18	0	127	0	0	0	0	0	0	0
Sunday 03:00	0	20	9	0	133	0	0	0	0	0	0	0
Sunday 04:00	0	0	0	0	67	0	0	0	0	0	0	0
Sunday 05:00	0	0	0	0	0	0	0	0	0	0	0	0
Sunday 06:00	0	0	0	0	0	0	0	0	0	0	0	0

Total Hackney Carriages departing ranks empty

Hour beginning	Anchor Street	Bishops Stortford Bus Station	Bishops Stortford Railway Station	Bull Plain	Fore Street	Hertford East Station	Hertford North Station	North Street	Railway Street	Riverside Bishops Stortford Shopping Centre	Riverside Bishops Stortford Wetherspoons	Ware Station
Thursday 07:00	0	0	0	0	0	0	1	0	1	0	0	5
Thursday 08:00	0	0	1	0	0	0	2	0	1	0	0	4
Thursday 09:00	0	0	1	0	0	0	3	0	1	2	0	2
Thursday 10:00	0	0	2	0	0	0	4	0	1	3	0	3
Thursday 11:00	0	0	2	0	0	2	3	0	1	4	0	3
Thursday 12:00	0	0	2	0	0	0	2	0	2	4	0	3
Thursday 13:00	0	0	2	0	0	0	3	0	2	4	0	3
Thursday 14:00	0	0	1	0	0	0	3	0	2	3	0	3
Thursday 15:00	0	0	0	0	0	0	2	0	1	3	0	2
Thursday 16:00	0	0	0	0	0	0	0	0	1	2	0	1
Thursday 17:00	0	0	0	0	0	0	0	0	2	2	0	0
Thursday 18:00	0	0	0	0	0	0	0	0	2	2	1	0
Thursday 19:00	0	0	0	0	0	0	2	0	2	2	1	0
Thursday 20:00	0	4	0	0	0	0	3	0	1	0	0	0
Thursday 21:00	0	0	1	0	0	0	3	0	3	0	0	0
Thursday 22:00	0	2	1	0	0	0	2	1	4	0	0	0
Thursday 23:00	0	0	2	0	2	0	2	0	2	0	0	0
Friday 00:00	0	0	3	0	4	0	2	0	0	0	0	0
Friday 01:00	0	0	0	0	4	0	1	0	0	0	0	0
Friday 02:00	0	0	0	0	3	0	1	0	0	0	0	0
Friday 03:00	0	0	0	0	2	0	0	0	0	0	0	0
Friday 04:00	0	0	0	0	0	0	0	0	0	0	0	0
Friday 05:00	0	0	0	0	0	0	0	0	0	0	0	0
Friday 06:00	0	0	0	0	0	0	0	0	0	0	0	1
Friday 07:00	0	0	3	0	0	0	0	0	1	0	0	2
Friday 08:00	0	0	6	0	0	0	0	0	1	1	0	3
Friday 09:00	0	0	5	0	0	0	1	0	2	2	0	3
Friday 10:00	0	0	3	0	0	0	1	0	3	2	0	4
Friday 11:00	0	0	2	0	0	0	2	0	3	2	0	5
Friday 12:00	0	0	1	0	0	1	2	0	3	2	0	6
Friday 13:00	0	0	1	0	0	0	1	0	4	1	0	0
Friday 14:00	0	0	2	0	0	0	0	0	5	2	0	0
Friday 15:00	0	0	2	0	0	0	3	0	4	2	0	0
Friday 16:00	0	0	2	0	0	0	5	0	2	3	0	1
Friday 17:00	0	0	2	0	0	0	5	0	3	4	4	1
Friday 18:00	0	0	2	0	0	0	4	0	3	2	2	0
Friday 19:00	0	3	3	0	4	0	3	0	3	0	0	0
Friday 20:00	1	0	3	0	4	0	2	0	3	0	1	0
Friday 21:00	0	0	3	0	4	0	2	1	4	0	0	0
Friday 22:00	0	1	3	0	2	0	1	0	5	0	0	0
Friday 23:00	0	1	0	0	0	0	2	2	6	0	0	0
Saturday 00:00	0	0	2	0	2	0	3	1	6	0	0	0
Saturday 01:00	0	0	1	0	3	0	2	0	3	0	0	0
Saturday 02:00	0	2	0	0	2	0	0	0	0	0	0	0
Saturday 03:00	0	4	1	0	0	0	0	0	0	0	0	0
Saturday 04:00	0	0	1	0	0	0	0	0	0	0	0	0
Saturday 05:00	0	0	1	0	0	0	0	0	0	0	0	0
Saturday 06:00	0	0	0	0	0	0	0	0	0	0	0	0



Total Hackney Carriages departing ranks empty

Hour beginning	Anchor Street	Bishops Stortford Bus Station	Bishops Stortford Railway Station	Bull Plain	Fore Street	Hertford East Station	Hertford North Station	North Street	Railway Street	Riverside Bishops Stortford Shopping Centre	Riverside Bishops Stortford Wetherspoons	Ware Station
Saturday 07:00	0	0	2	0	0	0	0	0	2	0	0	0
Saturday 08:00	0	0	2	0	0	0	0	0	3	0	0	2
Saturday 09:00	0	0	2	0	0	0	0	0	4	1	0	3
Saturday 10:00	0	0	2	0	0	0	0	0	4	2	0	4
Saturday 11:00	0	0	2	0	0	0	0	0	3	1	0	4
Saturday 12:00	0	0	2	0	0	0	1	0	3	0	0	2
Saturday 13:00	0	0	1	0	0	0	2	0	2	0	0	0
Saturday 14:00	0	0	2	0	0	0	3	0	3	2	0	0
Saturday 15:00	0	0	2	0	0	0	4	0	4	4	0	0
Saturday 16:00	0	0	3	0	0	0	4	0	4	5	0	0
Saturday 17:00	0	3	3	0	0	0	3	0	3	6	1	0
Saturday 18:00	0	2	4	0	2	0	2	3	3	3	0	0
Saturday 19:00	0	0	3	0	4	0	0	0	3	0	0	0
Saturday 20:00	0	4	1	0	4	0	1	0	3	0	0	0
Saturday 21:00	0	0	1	0	3	0	2	0	2	0	0	1
Saturday 22:00	1	0	1	0	3	1	2	0	5	0	0	0
Saturday 23:00	0	0	1	0	2	0	1	0	8	0	0	0
Sunday 00:00	0	0	3	0	2	0	1	0	6	0	0	0
Sunday 01:00	0	8	3	0	2	0	1	0	4	0	0	0
Sunday 02:00	0	6	2	0	1	0	0	0	0	0	0	0
Sunday 03:00	0	3	1	0	0	0	0	0	0	0	0	0
Sunday 04:00	0	0	0	0	0	0	0	0	0	0	0	0
Sunday 05:00	0	0	0	0	0	0	0	0	0	0	0	0
Sunday 06:00	0	0	0	0	0	0	0	0	0	0	0	0

Hackney Carriages departing with passengers

Hour beginning	Anchor Street	Bishops Stortford Bus Station	Bishops Stortford Railway Station	Bull Plain	Fore Street	Hertford East Station	Hertford North Station	North Street	Railway Street	Riverside Bishops Stortford Shopping Centre	Riverside Bishops Stortford Wetherspoons	Ware Station
Thursday 07:00	0	0	0	0	0	0	2	0	4	0	0	1
Thursday 08:00	0	0	0	0	0	0	3	0	5	0	0	2
Thursday 09:00	0	0	0	0	0	0	2	0	6	4	0	2
Thursday 10:00	0	0	2	0	0	0	0	0	6	7	0	2
Thursday 11:00	0	0	4	0	0	0	1	0	5	12	0	2
Thursday 12:00	0	0	4	0	0	0	1	0	7	16	0	1
Thursday 13:00	0	0	3	0	0	0	2	0	9	13	0	0
Thursday 14:00	0	0	10	0	0	0	2	0	10	10	0	2
Thursday 15:00	0	0	17	0	0	0	4	0	10	8	0	4
Thursday 16:00	0	0	22	0	0	0	5	0	9	7	0	5
Thursday 17:00	0	0	26	0	0	0	9	0	9	5	0	6
Thursday 18:00	0	0	28	0	0	0	13	0	8	3	1	4
Thursday 19:00	0	0	29	0	0	0	16	0	5	0	1	2
Thursday 20:00	0	0	34	0	0	0	19	0	2	0	0	0
Thursday 21:00	0	0	38	0	3	0	15	0	3	0	0	0
Thursday 22:00	0	0	43	0	6	0	10	2	3	0	0	0
Thursday 23:00	2	0	42	0	7	0	9	0	2	0	0	3
Friday 00:00	0	0	40	0	7	0	7	0	0	0	0	2
Friday 01:00	0	0	0	0	4	0	5	0	0	0	0	0
Friday 02:00	0	0	0	0	0	0	2	0	0	0	0	0
Friday 03:00	0	0	0	0	0	0	0	0	0	0	0	0
Friday 04:00	0	0	0	0	0	0	0	0	0	0	0	0
Friday 05:00	0	0	0	0	0	0	0	0	0	0	0	2
Friday 06:00	0	0	0	0	0	0	0	0	0	0	0	2
Friday 07:00	0	0	3	0	0	0	0	0	1	0	0	2
Friday 08:00	0	0	5	0	0	0	0	0	2	2	0	2
Friday 09:00	0	0	4	0	0	0	2	0	5	3	0	2
Friday 10:00	0	0	3	0	0	0	3	0	8	8	0	2
Friday 11:00	0	0	5	0	0	0	3	0	9	12	0	2
Friday 12:00	0	0	7	0	0	1	2	0	10	13	0	2
Friday 13:00	0	0	12	0	0	0	4	0	10	13	0	0
Friday 14:00	0	0	16	0	0	0	5	0	10	12	0	8
Friday 15:00	0	0	21	0	0	0	6	0	8	10	0	0
Friday 16:00	0	0	26	0	0	0	6	0	6	7	0	1
Friday 17:00	0	0	30	0	0	0	11	0	6	4	0	1
Friday 18:00	0	0	26	0	0	0	16	0	5	2	0	0
Friday 19:00	0	0	22	0	0	0	15	0	7	0	0	0
Friday 20:00	0	0	18	0	5	0	13	0	8	0	2	0
Friday 21:00	0	0	14	0	10	0	16	2	8	0	0	0
Friday 22:00	0	0	45	0	13	0	18	0	7	0	0	0
Friday 23:00	0	0	45	0	15	0	15	8	5	0	0	4
Saturday 00:00	0	0	32	0	29	0	12	4	2	0	0	2
Saturday 01:00	0	8	16	0	42	0	6	0	1	0	0	0
Saturday 02:00	2	14	0	0	38	0	0	0	0	0	0	0
Saturday 03:00	0	20	1	0	34	0	0	0	0	0	0	0
Saturday 04:00	0	0	2	0	17	0	0	0	0	0	0	0
Saturday 05:00	0	0	1	0	0	0	0	0	0	0	0	0
Saturday 06:00	0	0	0	0	0	0	0	0	0	0	0	0



Hackney Carriages departing with passengers

Hour beginning	Anchor Street	Bishops Stortford Bus Station	Bishops Stortford Railway Station	Bull Plain	Fore Street	Hertford East Station	Hertford North Station	North Street	Railway Street	Riverside Bishops Stortford Shopping Centre	Riverside Bishops Stortford Wetherspoons	Ware Station
Saturday 07:00	0	0	1	0	0	0	0	0	1	0	0	0
Saturday 08:00	0	0	1	0	0	0	0	0	2	0	0	0
Saturday 09:00	0	0	1	0	0	0	0	0	2	4	0	0
Saturday 10:00	0	0	3	0	0	0	1	0	3	7	0	1
Saturday 11:00	0	0	5	0	0	0	2	0	4	9	0	2
Saturday 12:00	0	0	7	0	0	0	4	0	4	10	0	1
Saturday 13:00	0	0	8	0	0	0	5	0	4	12	0	0
Saturday 14:00	0	0	6	0	0	0	4	0	6	10	0	0
Saturday 15:00	0	0	4	0	0	0	2	0	8	7	0	0
Saturday 16:00	0	0	9	0	0	0	3	0	8	7	0	0
Saturday 17:00	0	1	14	0	0	0	3	0	8	7	0	4
Saturday 18:00	0	1	19	0	2	0	6	0	13	4	0	7
Saturday 19:00	0	0	22	0	4	0	9	0	17	0	0	4
Saturday 20:00	0	0	25	0	6	0	8	0	13	0	0	0
Saturday 21:00	0	0	28	0	7	0	7	0	8	0	0	3
Saturday 22:00	0	0	32	0	21	2	12	2	9	0	0	0
Saturday 23:00	0	0	35	0	34	0	17	0	10	0	0	0
Sunday 00:00	0	0	28	0	47	0	8	0	6	0	0	0
Sunday 01:00	0	4	14	0	60	0	4	0	1	0	0	0
Sunday 02:00	0	7	9	0	56	0	0	0	0	0	0	0
Sunday 03:00	0	10	5	0	52	0	0	0	0	0	0	0
Sunday 04:00	0	0	0	0	26	0	0	0	0	0	0	0
Sunday 05:00	0	0	0	0	0	0	0	0	0	0	0	0
Sunday 06:00	0	0	0	0	0	0	0	0	0	0	0	0

Average Hackney Carriage vehicle wait time at rank

Hour beginning	Anchor Street	Bishops Stortford Bus Station	Bishops Stortford Railway Station	Bull Plain	Fore Street	Hertford East Station	Hertford North Station	North Street	Railway Street	Riverside Bishops Stortford Shopping Centre	Riverside Bishops Stortford Wetherspoons	Ware Station
Thursday 07:00	0	0	0	0	0	0	0	0	16	0	0	10
Thursday 08:00	0	0	0	0	0	0	9	0	15	0	0	14
Thursday 09:00	0	0	0	0	0	0	15	0	14	7	0	19
Thursday 10:00	0	0	11	0	0	0	21	0	19	13	0	18
Thursday 11:00	0	0	22	0	0	3	21	0	23	10	0	16
Thursday 12:00	0	0	22	0	0	0	22	0	18	6	0	18
Thursday 13:00	0	0	22	0	0	0	18	0	13	7	0	20
Thursday 14:00	0	0	16	0	0	0	13	0	10	8	0	13
Thursday 15:00	0	0	9	0	0	0	11	0	6	7	0	6
Thursday 16:00	0	0	7	0	0	0	8	0	8	6	0	4
Thursday 17:00	0	0	4	0	0	0	7	0	10	5	0	3
Thursday 18:00	0	0	6	0	0	0	5	0	11	5	3	2
Thursday 19:00	0	0	9	0	0	0	7	0	18	5	1	1
Thursday 20:00	0	4	7	0	0	0	8	0	24	0	0	0
Thursday 21:00	0	0	6	0	6	0	12	0	20	0	0	0
Thursday 22:00	0	18	5	0	12	0	16	5	16	0	0	0
Thursday 23:00	0	0	5	0	12	0	16	0	8	0	0	8
Friday 00:00	0	0	5	0	13	0	16	0	0	0	0	4
Friday 01:00	0	0	0	0	16	0	11	0	0	0	0	0
Friday 02:00	0	0	0	0	20	0	5	0	0	0	0	0
Friday 03:00	0	0	0	0	0	0	0	0	0	0	0	0
Friday 04:00	0	0	0	0	0	0	0	0	0	0	0	0
Friday 05:00	0	0	0	0	0	0	0	0	0	0	0	5
Friday 06:00	0	0	0	0	0	0	0	0	0	0	0	5
Friday 07:00	0	0	6	0	0	0	0	0	8	0	0	6
Friday 08:00	0	0	12	0	0	0	0	0	15	7	0	6
Friday 09:00	0	0	15	0	0	0	7	0	14	15	0	6
Friday 10:00	0	0	18	0	0	0	15	0	12	13	0	6
Friday 11:00	0	0	19	0	0	0	15	0	12	12	0	7
Friday 12:00	0	0	19	0	0	3	16	0	13	8	0	7
Friday 13:00	0	0	14	0	0	0	16	0	12	5	0	0
Friday 14:00	0	0	9	0	0	0	17	0	12	4	0	3
Friday 15:00	0	0	4	0	0	0	12	0	9	3	0	0
Friday 16:00	0	0	5	0	0	0	8	0	5	8	0	2
Friday 17:00	0	0	7	0	0	0	6	0	11	13	5	4
Friday 18:00	0	0	7	0	0	0	4	0	16	6	0	0
Friday 19:00	0	1	8	0	0	0	7	0	17	0	0	0
Friday 20:00	0	0	9	0	6	0	11	0	18	0	0	0
Friday 21:00	0	0	9	0	11	0	8	2	16	0	0	0
Friday 22:00	0	0	11	0	14	0	5	0	15	0	0	0
Friday 23:00	0	0	5	0	18	0	4	1	9	0	0	11
Saturday 00:00	0	0	8	0	13	0	3	1	2	0	0	5
Saturday 01:00	0	6	4	0	9	0	2	0	1	0	0	0
Saturday 02:00	4	4	0	0	12	0	0	0	0	0	0	0
Saturday 03:00	0	3	2	0	14	0	0	0	0	0	0	0
Saturday 04:00	0	0	4	0	7	0	0	0	0	0	0	0
Saturday 05:00	0	0	2	0	0	0	0	0	0	0	0	0
Saturday 06:00	0	0	0	0	0	0	0	0	0	0	0	0



Average Hackney Carriage vehicle wait time at rank

Hour beginning	Anchor Street	Bishops Stortford Bus Station	Bishops Stortford Railway Station	Bull Plain	Fore Street	Hertford East Station	Hertford North Station	North Street	Railway Street	Riverside Bishops Stortford Shopping Centre	Riverside Bishops Stortford Wetherspoons	Ware Station
Saturday 07:00	0	0	12	0	0	0	0	0	17	0	0	0
Saturday 08:00	0	0	15	0	0	0	0	0	19	0	0	0
Saturday 09:00	0	0	19	0	0	0	0	0	21	2	0	13
Saturday 10:00	0	0	15	0	0	0	3	0	19	5	0	7
Saturday 11:00	0	0	11	0	0	0	6	0	18	7	0	0
Saturday 12:00	0	0	9	0	0	0	8	0	18	9	0	0
Saturday 13:00	0	0	7	0	0	0	10	0	18	12	0	0
Saturday 14:00	0	0	12	0	0	0	7	0	14	10	0	0
Saturday 15:00	0	0	18	0	0	0	3	0	10	8	0	0
Saturday 16:00	0	0	14	0	0	0	8	0	12	9	0	0
Saturday 17:00	0	13	11	0	0	0	14	0	13	10	0	1
Saturday 18:00	0	6	7	0	4	0	15	3	9	5	0	3
Saturday 19:00	0	0	10	0	9	0	16	0	4	0	0	1
Saturday 20:00	0	4	12	0	12	0	14	0	10	0	0	0
Saturday 21:00	0	0	8	0	16	0	12	0	15	0	0	5
Saturday 22:00	0	0	4	0	13	0	7	2	9	0	0	0
Saturday 23:00	0	0	0	0	11	0	2	0	2	0	0	0
Sunday 00:00	0	0	0	0	9	0	0	0	1	0	0	0
Sunday 01:00	0	6	4	0	7	0	0	0	0	0	0	0
Sunday 02:00	0	7	3	0	7	0	0	0	0	0	0	0
Sunday 03:00	0	7	1	0	8	0	0	0	0	0	0	0
Sunday 04:00	0	0	0	0	4	0	0	0	0	0	0	0
Sunday 05:00	0	0	0	0	0	0	0	0	0	0	0	0
Sunday 06:00	0	0	0	0	0	0	0	0	0	0	0	0

Appendix 3 – Detailed passenger waiting observation results

Rank location	Date	Time passengers started to queue (HH:MM:SS)	Time passengers stopped queuing (HH:MM:SS)	Number of passengers	Did passengers leave in a taxi Y/N	Wait time	Wait time (decimal minutes)	Aggregate wait times (Passenger minutes)
Bishops Stortford Railway Station	21/03/2019	15:40:04	15:44:42	1	Y	00:04:38	4.63	4.63
Bishops Stortford Railway Station	21/03/2019	15:40:04	15:46:46	1	Y	00:06:42	6.70	6.70
Bishops Stortford Railway Station	21/03/2019	17:18:40	17:20:14	1	Y	00:01:34	1.57	1.57
Bishops Stortford Railway Station	21/03/2019	17:18:40	17:22:54	2	Y	00:04:14	4.23	8.47
Bishops Stortford Railway Station	21/03/2019	17:19:14	17:23:36	1	Y	00:04:22	4.37	4.37
Bishops Stortford Railway Station	21/03/2019	17:19:14	17:24:12	1	Y	00:04:58	4.97	4.97
Bishops Stortford Railway Station	21/03/2019	22:46:08	22:47:34	1	Y	00:01:26	1.43	1.43
Bishops Stortford Railway Station	21/03/2019	22:46:08	22:49:26	1	Y	00:03:18	3.30	3.30
Bishops Stortford Railway Station	21/03/2019	22:46:08	22:50:32	1	Y	00:04:24	4.40	4.40
Bishops Stortford Railway Station	21/03/2019	22:46:08	22:52:20	1	Y	00:06:12	6.20	6.20
Bishops Stortford Railway Station	21/03/2019	22:46:08	22:52:52	1	Y	00:06:44	6.73	6.73
Bishops Stortford Railway Station	21/03/2019	22:46:08	22:53:24	2	Y	00:07:16	7.27	14.53
Bishops Stortford Railway Station	21/03/2019	22:46:08	22:53:24	2	Y	00:07:16	7.27	14.53
Bishops Stortford Railway Station	21/03/2019	22:46:08	22:55:20	1	Y	00:09:12	9.20	9.20
Bishops Stortford Railway Station	21/03/2019	22:46:30	22:56:54	1	Y	00:10:24	10.40	10.40
Bishops Stortford Railway Station	21/03/2019	22:46:30	22:58:42	1	Y	00:12:12	12.20	12.20
Bishops Stortford Railway Station	21/03/2019	22:58:22	22:59:58	1	Y	00:01:36	1.60	1.60
Bishops Stortford Railway Station	22/03/2019	00:06:16	00:08:20	1	Y	00:02:04	2.07	2.07
Bishops Stortford Railway Station	22/03/2019	00:06:16	00:08:36	1	Y	00:02:20	2.33	2.33
Bishops Stortford Railway Station	22/03/2019	00:06:16	00:10:26	1	Y	00:04:10	4.17	4.17
Bishops Stortford Railway Station	22/03/2019	00:06:16	00:10:36	1	Y	00:04:20	4.33	4.33
Bishops Stortford Railway Station	22/03/2019	00:06:16	00:11:54	1	Y	00:05:38	5.63	5.63
Bishops Stortford Railway Station	22/03/2019	00:06:16	00:12:50	1	Y	00:06:34	6.57	6.57
Bishops Stortford Railway Station	22/03/2019	00:06:16	00:13:52	1	Y	00:07:36	7.60	7.60
Bishops Stortford Railway Station	22/03/2019	00:06:16	00:16:16	1	Y	00:10:00	10.00	10.00
Bishops Stortford Railway Station	22/03/2019	00:06:16	00:16:48	1	Y	00:10:32	10.53	10.53
Bishops Stortford Railway Station	22/03/2019	00:16:18	00:17:12	1	Y	00:00:54	0.90	0.90
Bishops Stortford Railway Station	22/03/2019	00:16:18	00:17:48	1	Y	00:01:30	1.50	1.50
Bishops Stortford Railway Station	22/03/2019	00:48:20	00:49:24	1	Y	00:01:04	1.07	1.07
Bishops Stortford Railway Station	22/03/2019	00:48:20	00:51:54	1	Y	00:03:34	3.57	3.57
Bishops Stortford Railway Station	22/03/2019	00:48:28	00:55:26	1	Y	00:06:58	6.97	6.97
Bishops Stortford Railway Station	22/03/2019	00:48:34	00:55:36	1	Y	00:07:02	7.03	7.03
Bishops Stortford Railway Station	22/03/2019	00:48:44	00:57:00	1	Y	00:08:16	8.27	8.27
Bishops Stortford Railway Station	22/03/2019	00:48:52	00:57:24	1	Y	00:08:32	8.53	8.53
Bishops Stortford Railway Station	22/03/2019	15:18:46	15:22:52	1	Y	00:04:06	4.10	4.10
Bishops Stortford Railway Station	22/03/2019	15:20:38	15:25:12	1	N	00:04:34	4.57	4.57
Bishops Stortford Railway Station	22/03/2019	15:42:14	15:47:50	1	Y	00:05:36	5.60	5.60
Bishops Stortford Railway Station	22/03/2019	15:45:58	15:49:30	2	Y	00:03:32	3.53	7.07
Bishops Stortford Railway Station	22/03/2019	15:46:22	15:53:58	1	Y	00:07:36	7.60	7.60
Bishops Stortford Railway Station	22/03/2019	15:53:36	15:57:04	1	Y	00:03:28	3.47	3.47
Bishops Stortford Railway Station	22/03/2019	15:57:16	15:59:12	2	Y	00:01:56	1.93	3.87
Bishops Stortford Railway Station	22/03/2019	17:47:58	17:51:06	1	Y	00:03:08	3.13	3.13
Bishops Stortford Railway Station	22/03/2019	21:00:00	21:04:24	2	Y	00:04:24	4.40	8.80
Bishops Stortford Railway Station	22/03/2019	22:18:12	22:19:10	2	Y	00:00:58	0.97	1.93
Bishops Stortford Railway Station	22/03/2019	22:18:12	22:20:38	1	Y	00:02:26	2.43	2.43
Bishops Stortford Railway Station	22/03/2019	22:18:12	22:21:08	2	Y	00:02:56	2.93	5.87
Bishops Stortford Railway Station	22/03/2019	22:18:12	22:21:28	1	Y	00:03:16	3.27	3.27
Bishops Stortford Railway Station	22/03/2019	22:18:12	22:22:10	1	Y	00:03:58	3.97	3.97
Bishops Stortford Railway Station	22/03/2019	22:18:12	22:22:52	4	Y	00:04:40	4.67	18.67
Bishops Stortford Railway Station	22/03/2019	22:18:12	22:23:24	1	Y	00:05:12	5.20	5.20
Bishops Stortford Railway Station	22/03/2019	22:18:12	22:24:58	2	Y	00:06:46	6.77	13.53
Bishops Stortford Railway Station	22/03/2019	22:18:12	22:25:58	1	Y	00:07:46	7.77	7.77
Bishops Stortford Railway Station	22/03/2019	22:18:12	22:26:28	2	Y	00:08:16	8.27	16.53
Bishops Stortford Railway Station	22/03/2019	22:23:04	22:26:42	2	Y	00:03:38	3.63	7.27
Bishops Stortford Railway Station	22/03/2019	22:23:04	22:27:34	1	Y	00:04:30	4.50	4.50
Bishops Stortford Railway Station	22/03/2019	22:25:04	22:30:40	2	Y	00:05:36	5.60	11.20
Bishops Stortford Railway Station	22/03/2019	22:30:14	22:33:30	1	Y	00:03:16	3.27	3.27
Bishops Stortford Railway Station	22/03/2019	22:46:04	22:47:56	1	Y	00:01:52	1.87	1.87
Bishops Stortford Railway Station	22/03/2019	22:46:04	22:48:58	1	Y	00:02:54	2.90	2.90

Rank location	Date	Time passengers started to queue (HH:MM:SS)	Time passengers stopped queuing (HH:MM:SS)	Number of passengers	Did passengers leave in a taxi Y/N	Wait time	Wait time (decimal minutes)	Aggregate wait times (Passenger minutes)
Bishops Stortford Railway Station	22/03/2019	22:46:42	22:49:38	1	Y	00:02:56	2.93	2.93
Bishops Stortford Railway Station	22/03/2019	22:47:18	22:53:56	4	Y	00:06:38	6.63	26.53
Bishops Stortford Railway Station	22/03/2019	22:49:28	22:54:16	3	Y	00:04:48	4.80	14.40
Bishops Stortford Railway Station	22/03/2019	22:50:10	22:54:26	2	Y	00:04:16	4.27	8.53
Bishops Stortford Railway Station	22/03/2019	22:50:10	22:55:20	1	Y	00:05:10	5.17	5.17
Bishops Stortford Railway Station	22/03/2019	22:50:10	22:56:26	1	Y	00:06:16	6.27	6.27
Bishops Stortford Railway Station	22/03/2019	22:50:24	22:56:36	2	Y	00:06:12	6.20	12.40
Bishops Stortford Railway Station	22/03/2019	22:50:48	22:56:54	1	Y	00:06:06	6.10	6.10
Bishops Stortford Railway Station	22/03/2019	22:54:56	22:57:22	1	Y	00:02:26	2.43	2.43
Bishops Stortford Railway Station	22/03/2019	22:54:56	22:57:34	2	Y	00:02:38	2.63	5.27
Bishops Stortford Railway Station	22/03/2019	23:35:02	23:37:02	2	Y	00:02:00	2.00	4.00
Bishops Stortford Railway Station	22/03/2019	23:35:02	23:37:50	2	Y	00:02:48	2.80	5.60
Bishops Stortford Railway Station	22/03/2019	23:35:02	23:38:14	1	Y	00:03:12	3.20	3.20
Bishops Stortford Railway Station	22/03/2019	23:35:02	23:39:06	1	Y	00:04:04	4.07	4.07
Bishops Stortford Railway Station	22/03/2019	23:35:02	23:39:52	2	Y	00:04:50	4.83	9.67
Bishops Stortford Railway Station	22/03/2019	23:35:02	23:40:30	2	Y	00:05:28	5.47	10.93
Bishops Stortford Railway Station	22/03/2019	23:35:02	23:41:44	1	Y	00:06:42	6.70	6.70
Bishops Stortford Railway Station	22/03/2019	23:35:02	23:42:00	1	Y	00:06:58	6.97	6.97
Bishops Stortford Railway Station	22/03/2019	23:35:02	23:42:44	1	Y	00:07:42	7.70	7.70
Bishops Stortford Railway Station	22/03/2019	23:35:14	23:42:52	1	Y	00:07:38	7.63	7.63
Bishops Stortford Railway Station	22/03/2019	23:35:36	23:43:00	1	Y	00:07:24	7.40	7.40
Bishops Stortford Railway Station	22/03/2019	23:35:36	23:43:22	2	Y	00:07:46	7.77	15.53
Bishops Stortford Railway Station	22/03/2019	23:35:44	23:44:00	1	Y	00:08:16	8.27	8.27
Bishops Stortford Railway Station	22/03/2019	23:37:44	23:45:52	1	Y	00:08:08	8.13	8.13
Bishops Stortford Railway Station	23/03/2019	00:07:02	00:08:40	1	Y	00:01:38	1.63	1.63
Bishops Stortford Railway Station	23/03/2019	00:07:02	00:09:46	3	Y	00:02:44	2.73	8.20
Bishops Stortford Railway Station	23/03/2019	00:07:02	00:09:54	1	Y	00:02:52	2.87	2.87
Bishops Stortford Railway Station	23/03/2019	00:07:02	00:10:14	1	Y	00:03:12	3.20	3.20
Bishops Stortford Railway Station	23/03/2019	00:13:30	00:14:02	1	Y	00:00:32	0.53	0.53
Bishops Stortford Railway Station	23/03/2019	00:45:42	00:48:52	1	Y	00:03:10	3.17	3.17
Bishops Stortford Railway Station	23/03/2019	00:45:42	00:49:30	1	Y	00:03:48	3.80	3.80
Bishops Stortford Railway Station	23/03/2019	00:45:42	00:50:12	1	Y	00:04:30	4.50	4.50
Bishops Stortford Railway Station	23/03/2019	00:45:42	00:50:38	2	Y	00:04:56	4.93	9.87
Bishops Stortford Railway Station	23/03/2019	00:45:42	00:51:02	1	Y	00:05:20	5.33	5.33
Bishops Stortford Railway Station	23/03/2019	23:01:39	23:03:41	3	Y	00:02:02	2.03	6.10
Bishops Stortford Railway Station	23/03/2019	23:01:39	23:04:33	2	Y	00:02:54	2.90	5.80
Bishops Stortford Railway Station	23/03/2019	23:01:39	23:05:59	3	Y	00:04:20	4.33	13.00
Bishops Stortford Railway Station	23/03/2019	23:02:03	23:07:15	2	Y	00:05:12	5.20	10.40
Bishops Stortford Railway Station	23/03/2019	23:04:21	23:09:39	2	Y	00:05:18	5.30	10.60
Bishops Stortford Railway Station	23/03/2019	23:09:03	23:10:45	2	Y	00:01:42	1.70	3.40
Bishops Stortford Railway Station	23/03/2019	23:20:15	23:21:11	1	Y	00:00:56	0.93	0.93
Bishops Stortford Railway Station	23/03/2019	23:23:43	23:26:01	2	Y	00:02:18	2.30	4.60
Bishops Stortford Railway Station	23/03/2019	23:23:43	23:28:09	2	Y	00:04:26	4.43	8.87
Bishops Stortford Railway Station	23/03/2019	23:31:17	23:32:49	1	Y	00:01:32	1.53	1.53
Bishops Stortford Railway Station	23/03/2019	23:31:29	23:34:09	1	Y	00:02:40	2.67	2.67
Bishops Stortford Railway Station	23/03/2019	23:38:33	23:42:31	1	Y	00:03:58	3.97	3.97
Bishops Stortford Railway Station	23/03/2019	23:40:13	23:42:21	2	Y	00:02:08	2.13	4.27
Bishops Stortford Railway Station	23/03/2019	23:50:07	23:52:49	2	Y	00:02:42	2.70	5.40
Bishops Stortford Railway Station	23/03/2019	23:52:03	23:57:03	2	Y	00:05:00	5.00	10.00
Bishops Stortford Railway Station	24/03/2019	00:07:19	00:08:21	1	Y	00:01:02	1.03	1.03
Bishops Stortford Railway Station	24/03/2019	00:07:19	00:13:45	2	Y	00:06:26	6.43	12.87
Bishops Stortford Railway Station	24/03/2019	00:07:37	00:18:51	2	Y	00:11:14	11.23	22.47
Bishops Stortford Railway Station	24/03/2019	00:16:03	00:20:45	2	Y	00:04:42	4.70	9.40
Bishops Stortford Railway Station	24/03/2019	00:18:23	00:31:41	1	Y	00:13:18	13.30	13.30
Bishops Stortford Railway Station	24/03/2019	00:18:23	00:31:53	1	Y	00:13:30	13.50	13.50
Bishops Stortford Railway Station	24/03/2019	00:18:23	00:32:17	2	Y	00:13:54	13.90	27.80
Bishops Stortford Railway Station	24/03/2019	00:18:49	00:32:53	2	Y	00:14:04	14.07	28.13
Bishops Stortford Railway Station	24/03/2019	00:18:49	00:33:33	3	Y	00:14:44	14.73	44.20
Bishops Stortford Railway Station	24/03/2019	00:18:49	00:36:05	1	Y	00:17:16	17.27	17.27

Rank location	Date	Time passengers started to queue (HH:MM:SS)	Time passengers stopped queuing (HH:MM:SS)	Number of passengers	Did passengers leave in a taxi Y/N	Wait time	Wait time (decimal minutes)	Aggregate wait times (Passenger minutes)
Bishops Stortford Railway Station	24/03/2019	00:19:39	00:38:35	2	Y	00:18:56	18.93	37.87
Bishops Stortford Railway Station	24/03/2019	00:20:27	00:39:09	2	Y	00:18:42	18.70	37.40
Bishops Stortford Railway Station	24/03/2019	00:23:17	00:39:21	1	Y	00:16:04	16.07	16.07
Bishops Stortford Railway Station	24/03/2019	00:23:17	00:40:39	1	Y	00:17:22	17.37	17.37
Bishops Stortford Railway Station	24/03/2019	00:35:29	00:41:03	2	Y	00:05:34	5.57	11.13
Bishops Stortford Railway Station	24/03/2019	00:39:13	00:41:23	1	Y	00:02:10	2.17	2.17
Bishops Stortford Railway Station	24/03/2019	00:55:25	00:57:17	2	Y	00:01:52	1.87	3.73
Bishops Stortford Railway Station	24/03/2019	00:55:25	01:00:57	2	Y	00:05:32	5.53	11.07
Bishops Stortford Railway Station	24/03/2019	00:55:25	01:01:09	2	Y	00:05:44	5.73	11.47
Bishops Stortford Railway Station	24/03/2019	00:55:25	01:04:45	2	Y	00:09:20	9.33	18.67
Bishops Stortford Railway Station	24/03/2019	00:55:25	01:04:55	1	Y	00:09:30	9.50	9.50
Bishops Stortford Railway Station	24/03/2019	00:55:25	01:05:57	3	Y	00:10:32	10.53	31.60
Bishops Stortford Railway Station	24/03/2019	00:55:25	01:07:15	2	Y	00:11:50	11.83	23.67
Bishops Stortford Railway Station	24/03/2019	01:00:35	01:07:25	2	Y	00:06:50	6.83	13.67
Bishops Stortford Railway Station	24/03/2019	01:00:35	01:08:01	3	Y	00:07:26	7.43	22.30
Hertford North Station	21/03/2019	16:03:05	16:04:51	1	Y	00:01:46	1.77	1.77
Hertford North Station	21/03/2019	18:55:39	18:58:59	1	Y	00:03:20	3.33	3.33
Hertford North Station	21/03/2019	18:55:39	19:02:41	1	Y	00:07:02	7.03	7.03
Hertford North Station	21/03/2019	18:55:39	19:03:39	1	Y	00:08:00	8.00	8.00
Hertford North Station	22/03/2019	12:53:13	12:56:43	2	Y	00:03:30	3.50	7.00
Hertford North Station	22/03/2019	22:33:28	22:35:32	1	Y	00:02:04	2.07	2.07
Hertford North Station	23/03/2019	00:36:23	00:42:16	1	Y	00:05:53	5.88	5.88
Hertford North Station	23/03/2019	21:06:38	21:11:27	1	Y	00:04:49	4.82	4.82
Hertford North Station	23/03/2019	21:07:06	21:13:58	2	Y	00:06:52	6.87	13.73
Hertford North Station	23/03/2019	23:07:20	23:08:16	1	Y	00:00:56	0.93	0.93
Hertford North Station	23/03/2019	23:07:20	23:12:50	1	Y	00:05:30	5.50	5.50
Hertford North Station	23/03/2019	23:07:20	23:14:39	2	Y	00:07:19	7.32	14.63
Hertford North Station	23/03/2019	23:09:00	23:15:14	1	Y	00:06:14	6.23	6.23
Hertford North Station	23/03/2019	23:43:13	23:44:18	1	Y	00:01:05	1.08	1.08
Hertford North Station	24/03/2019	00:04:26	00:06:46	2	Y	00:02:20	2.33	4.67
Hertford North Station	24/03/2019	00:43:40	00:52:16	2	Y	00:08:36	8.60	17.20
Railway Street	21/03/2019	15:40:23	15:42:09	1	Y	00:01:46	1.77	1.77
Railway Street	21/03/2019	15:43:25	15:48:45	1	Y	00:05:20	5.33	5.33
Railway Street	21/03/2019	18:41:14	18:46:21	1	Y	00:05:07	5.12	5.12
Railway Street	21/03/2019	18:41:14	18:54:17	1	Y	00:13:03	13.05	13.05
Riverside Bishops Stortford Shopping Centre	21/03/2019	14:35:40	14:38:40	2	Y	00:03:00	3.00	6.00
Riverside Bishops Stortford Shopping Centre	21/03/2019	14:39:02	14:46:52	2	Y	00:07:50	7.83	15.67
Riverside Bishops Stortford Shopping Centre	21/03/2019	14:39:30	14:47:48	3	Y	00:08:18	8.30	24.90
Riverside Bishops Stortford Shopping Centre	21/03/2019	17:10:16	17:15:02	1	Y	00:04:46	4.77	4.77
Riverside Bishops Stortford Shopping Centre	22/03/2019	15:01:21	15:05:29	1	Y	00:04:08	4.13	4.13
Riverside Bishops Stortford Shopping Centre	22/03/2019	15:01:27	15:14:25	1	Y	00:12:58	12.97	12.97
Riverside Bishops Stortford Shopping Centre	22/03/2019	15:03:45	15:17:45	1	Y	00:14:00	14.00	14.00
Riverside Bishops Stortford Shopping Centre	22/03/2019	15:11:23	15:19:31	1	Y	00:08:08	8.13	8.13
Riverside Bishops Stortford Shopping Centre	22/03/2019	15:29:39	15:32:47	2	Y	00:03:08	3.13	6.27
Riverside Bishops Stortford Shopping Centre	23/03/2019	10:05:11	10:09:42	1	Y	00:04:31	4.52	4.52
Riverside Bishops Stortford Shopping Centre	23/03/2019	10:05:11	10:14:26	2	Y	00:09:15	9.25	18.50
Riverside Bishops Stortford Shopping Centre	23/03/2019	10:17:28	10:20:26	2	Y	00:02:58	2.97	5.93
Riverside Bishops Stortford Shopping Centre	23/03/2019	10:27:04	10:30:40	1	Y	00:03:36	3.60	3.60
Riverside Bishops Stortford Shopping Centre	23/03/2019	12:06:26	12:10:44	1	Y	00:04:18	4.30	4.30
Riverside Bishops Stortford Shopping Centre	23/03/2019	12:06:46	12:15:06	1	Y	00:08:20	8.33	8.33
Riverside Bishops Stortford Shopping Centre	23/03/2019	12:08:32	12:15:48	2	Y	00:07:16	7.27	14.53
Riverside Bishops Stortford Shopping Centre	23/03/2019	12:15:22	12:21:30	1	Y	00:06:08	6.13	6.13
Riverside Bishops Stortford Shopping Centre	23/03/2019	12:19:10	12:24:48	1	Y	00:05:38	5.63	5.63
Riverside Bishops Stortford Shopping Centre	23/03/2019	12:26:18	12:29:34	1	Y	00:03:16	3.27	3.27
Riverside Bishops Stortford Shopping Centre	23/03/2019	13:19:28	13:24:16	2	Y	00:04:48	4.80	9.60
Riverside Bishops Stortford Shopping Centre	23/03/2019	13:36:22	13:46:36	2	Y	00:10:14	10.23	20.47
Riverside Bishops Stortford Shopping Centre	23/03/2019	13:45:08	13:47:50	2	Y	00:02:42	2.70	5.40
Ware Station	21/03/2019	17:29:55	17:35:23	1	Y	00:05:28	5.47	5.47
Ware Station	21/03/2019	17:28:55	17:37:17	1	Y	00:08:22	8.37	8.37
Ware Station	22/03/2019	14:47:41	14:55:13	1	Y	00:07:32	7.53	7.53

EAST HERTS COUNCIL

LICENSING COMMITTEE – 21 AUGUST 2019

REPORT BY HEAD OF HOUSING AND HEALTH

CONSIDERATION OF CONSULTATION RESPONSE TO THE DRAFT SUITABILITY POLICY IN RELATION TO HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- In August 2016 East Herts Council implemented a convictions policy to be applied to applicants and existing licence holders in the hackney carriage and private hire trade.
- This policy has now been reviewed and amended in light of lessons learned, case law, best practice and updated guidance.
- Members endorsed the wording of the revised Draft 'Suitability policy' for an 8 week public consultation which has now closed.

<u>RECOMMENDATION FOR LICENSING COMMITTEE:</u>	
That	
(A)	The final wording of the 'Suitability Policy', as amended, be endorsed; and
(B)	Members recommend adoption of the revised policy by Full Council on 23rd October 2019, to take effect from 1st November 2019.

1.0 Background

1.1 East Herts, as an authority that licenses hackney carriage and private hire drivers, vehicle proprietors and operators, can set

its own criteria to ensure that applicants are 'fit and proper' to hold a licence.

- 1.2 Since March 2002, Hackney Carriage and Private Hire drivers have been included within the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. The consequence of this is that all convictions, irrespective of age, sentence imposed or offence committed, remain live for an applicant for a Hackney Carriage or Private Hire drivers licence and will be recorded on an enhanced criminal record check.
- 1.3 East Herts introduced the current convictions policy in August 2016 and decisions regarding revocations have been made referencing the policy. A number of these decisions have been challenged in court by way of appeal at both Magistrates and Crown court, and the authority has successfully defended each of these appeals.
- 1.4 Since that time many authorities dealing with the issuing of hackney carriage and private hire licences have implemented similar policies.
- 1.5 As part of trying to promote County wide standards in taxi licensing a working party was set up to create a joint Suitability Policy based on East Herts current policy. Initially East Herts, Stevenage, Watford, Broxbourne and Three Rivers were represented in this group. All five local authorities have had the opportunity to feed ideas into the proposed draft document being put before Members today.

2.0 Report

- 2.1 The during the consultation period for the revised draft policy only 3 responses were received. **Essential Reference Paper B** contains the 3 responses and the authority's replies.
- 2.2 Only **Response 1** proposed any amendments to the policy. This response was received from the holders of an operator's

licence and on behalf of 4 individual holders of Dual Drivers licences.

2.3 As a result of **Response 1** the following amendments have been made to the original draft revised policy for Members consideration:

1. The original contents of paragraphs 3.13 and 3.14 which related to drug and alcohol dependency have been moved to section 10 of the policy (Non-conviction information). The phrase “any suggestion” and the word “suspicion” have been removed as they are unnecessary in the reworded points.
2. The wording in the first box of the table at 4.3 has been amended for clarity. The offence code prefixes (CU, MS, MW, etc.) for what is considered a “Minor traffic offence” has been added to 4.4. A footnote has been added to aid people reading the policy to find which offences come under each of the categories detailed if they wish.
3. The wording in the table at 5.2 relating to “Outstanding charge or summons” has been amended to clarify that the seriousness of any outstanding charge or summons will be decided with reference to the Suitability policy.
4. The wording of section 8 (Discrimination offences) and section 9 (Exploitation offences) has been tabulated to reflect the format of earlier sections of the policy and clarity.

2.4 As part of this response other amendments were suggested but these have not been made. The reasoning for these decisions can be found in the response to the consultee which is included in **Essential Reference Paper ‘B’**.

2.5 **Response 2** was received from the holder of a Dual Drivers licence and offered no comments or suggestions regarding the draft policy. A number of other issues were raised which received a full response from the authority. The respondent was reminded any comments they wished to make about the

draft policy would be welcomed whether they were positive or negative but no further correspondence was received.

- 2.6 No amendments to the draft policy were made as a result of **Response 2.**
- 2.7 Response 3 was received from a member of the public and simply stated that they felt that the policy is fair and provides appropriate safeguards for users of the service.
- 2.8 The consultee was thanked for their response. No amendments to the draft policy were made as a result of **Response 3.**
- 2.9 The suggested final wording of the Suitability Policy, as amended, can be found at **Essential Reference Paper 'C'**.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

Licensing Committee report and minutes from the meeting on 19 March 2019

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=120&MId=3584&Ver=4&j=3>

Contact Member: Councillor Peter Boylan – Executive Member for Neighbourhoods.

Contact Officer: Jonathan Geall – Head of Housing and Health, Tel: 01992 531594.

Report Author: Oliver Rawlings – Service Manager (Licensing and Enforcement, Tel: 01992 531629.

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (<i>delete as appropriate</i>):	<p>Priority 1 – Improve the health and wellbeing of our communities</p> <p>Priority 2 – Enhance the quality of people's lives; and</p> <p>Priority 3 – Enable a flourishing local economy</p>
Consultation:	<p>An 8 week consultation was undertaken.</p> <p>Any revision of the Policies in relation Hackney Carriage and Private Hire licensing that the Authority seeks to rely upon must be subject to public consultation. All responses to be considered by Licensing Committee before endorsing a final document for approval by Council.</p>
Legal:	<p>Decisions based on the Suitability Policy are open to challenge through an appeal to magistrates court. Once in place the policy could be challenged via Judicial Review.</p>
Financial:	<p>If the policy was challenged then there would be cost implications in defending that challenge.</p>
Human Resource:	<p>No issues identified by report author or contact officer</p>
Risk Management:	<p>Without a comprehensive Suitability Policy in place there is a chance that a person who is not 'fit and proper' may obtain a licence.</p> <p>Were this to happen then the Authority could be open to criticism similar to that aimed at Rotherham in the Casey report.</p>
Health and wellbeing – issues and impacts:	<p>By ensuring that those people licensed by East Herts are 'fit and proper' to hold and continue to hold a licence we can improve the health and wellbeing of individuals in East Herts.</p> <p>It is particularly relevant for those most vulnerable sections of the community who place their trust in the licensed taxi trade, and by default, East Herts Council.</p>

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RESPONSE 1

Received from the holder of a Private Hire Operator's licence and 4 individual Dual Drivers licence holders, 6th June 2019:

Good afternoon. This is the Corporate Response of Associated Taxis/Kwick Cars/Sawbridgeworth Cars (collectively "Associated Taxis") and the following individual Badge Holders:-

NAME REDACTED

NAME REDACTED

NAME REDACTED

NAME REDACTED

Individual badge holders operating on our circuit are self employed and are entitled to and may express different views.

We support any sensible, reasoned and practical proposals that seek to enhance industry standards and improve safety for all passengers and stakeholders.

We support any policy that both sets out clear guidelines whilst also allowing designated licensing officers sensible and safe discretion when applying that policy.

We support the generality of the Policy as documented with the following observations:-

S2.4. we think that the reference to FPN requires tighter definition as we don't believe that this is intended to capture minor "offences" that are generally disposed off by FPNs (eg parking overstays).

S3.13 and S3.14. we think that the references to "any suggestion" and "suspicion" is too loose in interpretation and needs to be properly referenced – perhaps this should be drawn in to S10?

S4.3. Minor Traffic Offences. The inclusion of the wording “not normally” envisages that there might be circumstances when Minor Traffic offences will lead to an application being refused or revoked – what are they?

S4.5. Major Traffic Offences. The way this is constructed reads that all/every Offence not listed above (ie not listed in S4.3 Minor Traffic Offences) is deemed to be a Major Traffic Offence. This would/should require that S4.4 is an exhaustive list of Minor Traffic Offences. Is this the case or if not is this the intention?

S5.0. Outstanding Charge or Summons. We agree that this should be the case for new applicants but not necessarily for existing holders but we do acknowledge the principal of “Safety First”. There is no cross referencing to the Convictions Policy, perhaps some thought should be given to this?

S8.1. The way this is written implies that a first conviction is not a bar to application. Is this correct?

S8 and S9 would be better presented in the same clear format as the preceding Offence Categories.

14.0. Will all Appeals now be to Magistrates as First Instance Appeal rather than The Licensing Committee?

We are quite happy to discuss to to meet to discuss any of the above.

Authority's response:

Dear NAME REDACTED

Thank you for your considered response to the draft Suitability Policy. Your support for what we are trying to do is appreciated.

Having had time to consider your suggestions the authority's response is below.

S2.4. we think that the reference to FPN requires tighter definition as we don't believe that this is intended to capture minor "offences" that are generally disposed off by FPNs (eg parking overstays).

The definition has been left deliberately wide so as to encompass all offences which can be disposed via FPN. Although some matters can be considered minor it is believed that this is a matter for the authority to decide in relation to persons being licensed by East Herts to work in the Taxi/Private Hire trade. The authority is trying to use all sources of information to assist in decisions relating to suitability and whilst FPN's may not be a reason to take action against a licence holder it may form part of a bigger picture which indicates a pattern of behaviour or character trait that may be cause for concern. A tighter definition would also require a formal policy change to add any new matters that may be dealt with via FPN in the future.

S3.13 and S3.14. we think that the references to "any suggestion" and "suspicion" is too loose in interpretation and needs to be properly referenced – perhaps this should be drawn in to S10?

We agree that these matters sit better within section 10 which deals with non-conviction information. We have made what we believe are the appropriate amendments and the phrases "any suggestion" and "suspicion" have been removed.

S4.3. Minor Traffic Offences. The inclusion of the wording "not normally" envisages that there might be circumstances when Minor Traffic offences will lead to an application being refused or revoked – what are they?

Minor traffic offences can be taken into consideration. If there is a pattern of offending which leads to the accumulation of DVLA points or minor traffic offences add to other information of concern in relation to an individual, then this could lead to refusal or revocation. This statement is worded in this way so that it does not fetter the

discretion of the decision maker should they believe that individual circumstances warrant a refusal or revocation. To aid clarity the top box of the table at S4.3 has been amended to read "Individual offences will be considered but will not normally result in an application being refused or an existing licence being revoked" to ensure it is clear that more than one minor traffic offence may be a matter to be considered in relation to suitability.

S4.5. Major Traffic Offences. The way this is constructed reads that all/every Offence not listed above (ie not listed in S4.3 Minor Traffic Offences) is deemed to be a Major Traffic Offence. This would/should require that S4.4 is an exhaustive list of Minor Traffic Offences. Is this the case or if not is this the intention?

You are correct that every driving offence not covered within the categories listed in the categories contained within S4.4 would be considered Major Traffic Offences. S4.4 contains an exhaustive list of the categories of offence but does not contain a list of the offences which fall under each category. This is to allow for the amendment of the offences in each category without the requirement for the policy to be amended. To assist in clarity the prefix for each category of minor traffic offence has been added with details of the gov.uk website where the individual offences can be found.

S5.0. Outstanding Charge or Summons. We agree that this should be the case for new applicants but not necessarily for existing holders but we do acknowledge the principal of "Safety First". There is no cross referencing to the Convictions Policy, perhaps some thought should be given to this?

We have amended the wording in the appropriate box to read "Fitness and propriety of existing licence holder will be considered with the seriousness of matter viewed in reference to the categories contained within this policy".

S8.1. The way this is written implies that a first conviction is not a bar to application. Is this correct? & S8 and S9 would be better presented in the same clear format as the preceding Offence Categories.

The law does not allow an authority to bar an application for any reason so regardless of the type or number of convictions an individual has right to apply for a licence. We appreciate that what you are saying is that this point could be clearer as is echoed by your next suggestion.

The formatting has been changed to reflect the tabulated format used in the earlier parts of the policy and the wording has been clarified.

8.0 Discrimination offences

8.1

1 conviction for a discrimination offence in the last 7 years	Applications will be refused
1 conviction for a discrimination offence which is more than 7 years old	Application will be refused unless: <ul style="list-style-type: none"> • The applicant has no other conviction for a similar offence; AND • The applicant can demonstrate a thorough understanding of the requirements of the Equality Act 2010 (or any Act replacing or amending this Act) to the satisfaction of the issuing authority.
More than 1 conviction a discrimination offence	Applications will be refused
Existing licensed operator or driver convicted of any of the following: <ul style="list-style-type: none"> • discriminating, whether as the result of a criminal investigation or by way of a successful action in the County Court for a claim of discrimination. • refusing an assistance dog. • over-charging a passenger on the basis of their disability. • allowing a disabled passenger to travel in an unsafe manner. 	An existing licence will be revoked

8.2 Where the applicant for an operator's licence is a company or partnership a conviction for discrimination against any partner, director or secretary of that body will be considered in the same way as it would be for an individual and the licence will be revoked.

9.0 Exploitation offences

9.1

<p>Any conviction involving, related to, or that has any connection with:</p> <ul style="list-style-type: none">• Abuse;• Exploitation;• use or treatment of another individual irrespective of whether the victim or victims were adults or children.	<p>Applications will be refused</p> <p>An existing licence will be revoked</p>
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9.2 The above categories include matters such as slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse. This is not an exhaustive list.

14.0. Will all Appeals now be to Magistrates as First Instance Appeal rather than The Licensing Committee?

Appeals against decisions made in relation to taxi matters have always been and remain to Magistrates Court in the first instance and then to Crown Court.

I hope that this addresses all your points and your detailed response and the subsequent amendments to the draft policy will be put before the Licensing Committee for their consideration on 21st August 2019.

Regards

Oliver Rawlings

Service Manager – Licensing and Enforcement

RESPONSE 2

Received from the holder of the holder of a Dual Driver's Licence, 1st July 2019:

Thank you for your email. And reminding me that the council's sole role is to protect the public. Can i remind you that the drivers are the 'public' too and we need protecting.

Whilst you expect evermore improvement in us and our vehicles, some of the public you care about are getting 'scum-ier' and 'scum-ier'.

I wish there were clear rules for drivers to follow when dealing with abuse, violence and non payment.

Regards NAME REDACTED

Authority's response:

Dear NAME REDACTED

Thank you for your response to the Suitability Policy consultation. There are rules regarding the matters that you details and they are as follows:

1. Abuse and violence - this should be reported to the Police immediately either via 101 or 999 as they are the correct people to deal with such matters. These matters should then also be notified to the licensing authority for our records, currently very little is reported by the trade so it can appear that it is not actually happening. Knowing that it has been reported to the police will allow us to liaise with the police and hopefully help towards a swift resolution.
2. Non-payment – again this should be reported to the police immediately as it is a crime. Often police officers tell drivers that it is a civil matter but this is a common misconception and it is not. The police should action the matter and give the driver a crime reference number. Again these details should be passed to the licensing authority so that we know and are able to assist where possible. We have recently written to an individual inviting them in for an interview under caution for failing to pay the soiling charge having been sick in one of our

taxis. Ultimately this may not result in payment being made but we are attempting to assist the driver.

If you would like to discuss any of the above further then please get in touch. Can I ask if you have read the draft policy as you have not made any comments regarding its content, which would be welcomed whether positive or negative.

Regards

Oliver Rawlings

Service Manager – Licensing and Enforcement

RESPONSE 3

Received from an East Herts Resident, 24th July 2019:

I feel the policy is fair and provides appropriate safeguards for users of the service.

Authority's response:

Dear NAME REDACTED

Thank you very much for taking the time to comment on the Draft Suitability policy which we recently put out for consultation. The consultation has now closed and your comment will be included in a report put before the Licensing Sub-Committee on the 21st August 2019. Your personal details will be redacted from any documents that are in the public domain.

Regards

Oliver Rawlings

Service Manager – Licensing and Enforcement



DRAFT
Taxi Licensing
Suitability Policy

1.0 Introduction

- 1.1 This policy provides guidance to all parties on the criteria that will be taken into account when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a Hackney Carriage and/or Private Hire Driver Licence, an Operator Licence or be the proprietor of a licensed vehicle. Whilst criminal convictions play a significant part in the Licensing Authority's determination on whether an individual is fit and proper or not, the Council will also take into account other factors such as demeanour, general character, non-criminal behaviour, driving abilities, and police information and the like.
- 1.2 When the Council makes any decisions or takes any actions in line with this policy, the safety of the public will be its paramount concern.

This policy provides guidance to any person with an interest in taxi and private hire licensing. In particular, but not exclusively:

- applicants for a driver's licence
- existing licensed drivers
- licensing officers
- the Council's properly delegated decision makers
- magistrates and judges hearing appeals against local authority decisions.

In considering this guidance the Council will be mindful that each case must be considered on its individual merits and, where the circumstances demand, the decision makers may depart from the guidelines.

- 1.3 It is the responsibility of East Herts Council (referred to as the Council) to issue Hackney Carriage and Private Hire licences under the Local Government (Miscellaneous Provisions) Act 1976. In exercising this duty the Council will consider its duty to ensure the safety of the public as its primary consideration. Licences will not be issued unless the person is considered to be 'fit and proper'.
- 1.4 In seeking to safeguard the safety of the public the Council will be concerned to ensure:
- that a person is a fit and proper person in accordance with Sections 51, 55 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 (Part II)
 - that the person does not pose a threat to the public
 - that the public are safeguarded from dishonest persons
 - the safety of children, young persons and vulnerable adults.
- 1.5 In drafting this policy and considering responses to the consultation consideration has been given to the Human Rights Act 1998, particularly in relation to:

- Article 6 (right to a fair trial);
- Article 8 (the right to respect for private and family life); and
- Protocol 1, Article 1 (protection of property)

1.6 All decisions taken under this policy will be taken in accordance with the Human Rights Act.

1.7 Similarly the impact of this policy on the local community of East Herts, both positive and negative, has been considered.

Decision-making principles

1.8 The term “Fit and Proper” for the purposes of taxi and private hire licensing is not legally defined but it has also been described as “safe and suitable” in a number of court cases.

1.9 In determining whether a person is fit and proper to hold a **driver’s licence**, those tasked with determining licences / applications are effectively asking the following question of themselves:

“Would you allow your son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom you care, to get into a vehicle with this person alone?”

1.10 In determining whether a person is fit and proper to hold an **operator’s licence**, those tasked with determining licences / applications are effectively asking the following question of themselves:

“Would I be comfortable providing sensitive information such as holiday plans, movements of my family or other information to this person, and feel safe in the knowledge that such information will not be used or passed on for criminal or unacceptable purposes?”

There are no statutory criteria for granting a vehicle proprietor’s licence so the authority has absolute discretion over whether or not to grant. In determining whether a person should be granted a **vehicle licence**, those tasked with determining licences / applications are effectively asking the following question of themselves:

“Would I be comfortable allowing this person to have control of a licensed vehicle that can travel anywhere, at any time of the day or night without arousing suspicion, and be satisfied that he/she would not allow it to be used for criminal or other unacceptable purposes, and be confident that he/she would maintain it to an acceptable standard throughout the period of the licence?”

1.11 If the answer to the pertinent question is an unqualified ‘yes’, then the person can be considered to be fit and proper. If there are any doubts in the minds of

those who make the decision, then further consideration should be given as to whether a licence should be granted to that person.

- 1.12 In order to assess the suitability of an Applicant (and to inform decision makers when answering the questions above), the Council will undertake whatever checks and apply whatever processes it considers necessary to ensure that licences are not issued to, or used by, unsuitable people. In assessing the suitability of an Applicant or licence holder, the Council will take into consideration the following factors:
- Criminality
 - Period of holding a driver's licence
 - Number of endorsed driving licence penalty points
 - Right to work in the UK
 - Medical fitness
 - Standard of driving / driving ability
 - The conduct of the individual in making the application (which could include whether they have acted with integrity during the application process, made a misleading statement or omission)
 - The previous licensing history of existing / former licence holders

The Council conducts enhanced disclosures from the Disclosure and Barring Service (DBS) on all applicants for a new driver's licence and every three years following the grant of a driver's licence. Applicants applying for the grant or a renewal of a driver's licence will be required to obtain an enhanced disclosure at their expense.

- 1.13 Hertfordshire Constabulary will be consulted on all new and renewal applications. Applicants and existing licence holders should be aware that any information that the Police provide regarding their fitness and propriety to hold a licence will be considered.
- 1.14 East Herts Council is a member of the National Anti-Fraud Network (NAFN) and as such has access to the National Register of Taxi and Private Hire Licence Revocations and Refusals (NR3). This is an important step in tackling the issue of individuals making applications to different licensing authorities following a refusal or revocation elsewhere. The register will be used in the following way:
- When a new application is received the register will be checked to see if that individual has had a licence revoked or refused by another authority; and
 - When an application to this authority is refused the applicants details will be added to the register; and
 - When a licence which has been issued by this authority is revoked the individuals details will be added to the register.
- 1.15 In addition the Council will also consider further information sources such as the Police (including abduction notices), Children and Adult Safeguarding

Boards (or other bodies with a similar function), other licensing authorities and statutory agencies where appropriate.

- 1.16 An individual wishing to be licensed would normally be required to remain conviction free for an appropriate period of time as detailed in this policy. In the case of a new application for a licence it is the applicant's responsibility to demonstrate how they are fit and proper to hold a licence. Simply remaining free from complaint and/or conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.
- 1.17 The standards and criteria set out in paragraphs 3 to 12 below are those that would normally be applied to applications and licences. The Council may depart from these criteria; however it must only do so in wholly exceptional circumstances¹. The otherwise good character and driving record of the Applicant or licence holder will not ordinarily be considered as exceptional circumstances.
- 1.18 The Council reserves the right to overturn a decision that has previously been made, or refuse a renewal of a licence, where clear errors are discovered or new information has come to light.

2.0 Powers

- 2.1 Section 61 and Section 62 of the Local Government (Miscellaneous Provisions) Act 1976 allow the Council to suspend, revoke or refuse to renew a licence if the application/licence holder has been convicted of an offence involving dishonesty, indecency, violence; failure to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.
- 2.2 The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, allows the Council to take into account all convictions recorded against an applicant or the holder of a Private Hire Vehicle or Hackney Carriage driver's licence, whether spent or not. Therefore the Council will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending. Individuals need to be aware that, in accordance with this Act, all convictions, cautions, warnings and reprimands must be declared.
- 2.3 Under the provisions of Sections 51, 55 and 59, Local Government (Miscellaneous Provisions) Act 1976, the Council is required to ensure that an

¹ 'Wholly exceptional circumstances will be decided by discussion between the officer dealing with the matter, the Head of Service and the Chair of the Licensing Committee.

applicant for the grant or renewal of a Hackney Carriage and/or a Private Hire Vehicle driver's licence and/or Private Hire Vehicle Operator's licence is a "fit and proper" person to hold such a licence. However, if there is any reason to question an individual's fitness and propriety to hold a licence (such as convictions, warnings, charges awaiting trial, police intelligence, complaints or any other matter considered relevant) the Council will look into:

- How relevant the information is to the licence
- How serious the matter(s) were
- When the matter(s) occurred
- The date of the conviction, warning, caution etc.
- The number of matters/offences i.e. lots of minor offences
- Circumstances of the individual concerned
- Any sentence or sanction imposed by a court
- Any comments made by the court or other information laid before the court
- The individual's age at the time of offence / incident
- Whether they form part of a pattern of conduct/offending
- Any other character check considered reasonable (e.g. personal references)
- Any other factors that might be relevant, for example:
 - Whether the Applicant has intentionally misled the Council or lied as part of the application process
 - Information provided by other agencies / Council departments
 - The previous conduct of an existing or former licence holder

2.4 Existing holders or those with open applications are required to notify the Council in writing of certain matters in the following time periods:

- driving licence endorsement within 5 working days;
- fixed penalty notice, warning, reprimand, police caution, criminal conviction or other criminal proceedings (including acquittal as part of a criminal case) within 5 working days;
- arrest for any matter (whether subsequently charged or not) within 3 working days

Failing to notify the Council within the appropriate timescale will raise serious questions for the Council as to the honesty of the individual and will be taken into account in relation to the fitness and propriety of that person.

2.5 Individuals can discuss further what effect any relevant information may have on their application or licence by contacting the Licensing Team for advice. It is in the individual's best interest to bring any relevant detail to the attention of the authority at an early stage.

If you are not sure whether or not to bring a matter to the Authority's attention then the simple answer is that you should. If the matter is not considered relevant then you will have peace of mind and if it is considered relevant it can be dealt with. The costs involved in applying for a licence may be wasted if details come to light later which mean the application should be refused.

Similarly failure to notify the authority of a relevant matter whilst licensed will bring your fitness and propriety into question.

- 2.6 It is an offence for any person knowingly or recklessly to make a false statement or to omit any material matter when giving information required as part of the application for a licence or required by holding a licence. Where an individual has made a false statement or a false declaration or omission on their application for the grant or renewal of a licence, the licence will normally be refused. Where a licence is already in place that licence can be suspended or revoked. Subsequent applications for licences will be refused for a period of five years from the date that the lie or omission came to light.
- 2.7 The Council is entitled to use other records and information that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the Council or other licensing authorities, and information disclosed by the police. Examples of information sources that may be used include but are not limited to social care information, benefits payments, and the like.
- 2.8 The lists of offences within this Policy are not exhaustive. The Council can consider any offences not detailed in this Policy when examining the fitness and propriety of an individual.
- 2.9 **Options at time of new applications or renewals:** When determining the fitness and propriety of an applicant for a licence the Council has the following options:
- approve the application
 - approve the application with a shorter expiry date
 - refuse the application.
- 2.10 **Options when considering an existing licence:** When considering the fitness and propriety of an existing licence holder the Council has the following options:
- take no action
 - issue a warning which may include the use of Licensing Record Points in line with the Council's Licensing Points Scheme
 - suspend the licence subject to a 21 day appeal period
 - suspend the licence with immediate effect
 - revoke the licence subject to a 21 day appeal period
 - revoke the licence with immediate effect.
- 2.11 A suspension or revocation of the licence of a driver normally takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver. If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver includes a statement that this is so and an explanation of why, the suspension or revocation takes effect when the notice

is given to the driver. [s61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.]

2.12 The Council recognises the different roles of drivers, vehicle proprietors and operators and its responsibility to ensure that they are 'fit and proper' to hold such licences. For driver's licences all of the following sections apply but sections 11 and 12 do not apply to private hire operator's licences or vehicle proprietor's licences.

3.0 Convictions

3.1 Licensed drivers, and potentially private hire operators, have close regular contact with the public. A firm line is to be taken with those who have any convictions.

3.2 Offences including threat to or loss of life and/or violence

Murder	<p>Applications will be refused</p> <p>An existing licence will be revoked</p>
Manslaughter	
Manslaughter or culpable homicide while driving	
Grievous bodily harm	
Violent disorder	
Riot	
Malicious wounding or grievous bodily harm which is racially aggravated	
Aggravated burglary	
Terrorism offences	
Any related offences (including aiding, abetting, attempting or conspiring to commit offences) that are similar in gravity to those above or which replace those above	
Arson	<p>Applications will only be considered if a period of at least 10 years has passed since conviction, the end of any prison sentence or period 'on licence' (whichever is longest)</p> <p>An existing licence will be revoked</p>
Actual bodily harm	
Robbery	
Possession of firearm	
Assault Police	
Resisting arrest	
Any racially aggravated offence against a person or property	
Affray	
Any offence that may be categorised as domestic violence	

Any other Public Order Act offence (harassment, alarm or distress, intentional harassment or fear of provocation of violence	
Any related offences (including aiding, abetting, attempting or conspiring to commit offences) that are similar in gravity to those above or which replace those above	

3.4 Possession of a weapon

Conviction for possession of an offensive weapon or other weapon related offence	Applications will only be considered if a period of at least 7 years has passed since conviction, the end of any prison sentence or period 'on licence' (whichever is longest) An existing licence will be revoked
A history of two or more separate convictions for offences of a violent nature or weapon related offences	Applications will be refused An existing licence will be revoked

3.5 Other offences

Obstruction	Applications will only be considered if a period of at least 5 years has passed since conviction, the end of any prison sentence or period 'on licence' (whichever is longest) An existing licence will be revoked
Criminal damage	
Common assault	
Any related offences (including aiding, abetting, attempting or conspiring to commit offences) that are similar in gravity to those above or which replace those above	

- 3.6 As licensed drivers often carry unaccompanied and/or vulnerable passengers, the Council will take a strong line in relation to applicants or existing licence holders with convictions for sexual offences. Similarly licensed private hire operators will have access to information regarding the location and movements of these groups of people. All sexual and indecency offences will be considered as serious.

3.7 Sexual and indecency offences

Rape	<p>Applications will be refused</p> <p>An existing licence will be revoked</p>
Assault by penetration	
Offences involving children or vulnerable adults	
Trafficking, sexual abuse against children and/or vulnerable adults and preparatory offences (as defined within the Sexual Offences Act 2003)	
Making or distributing obscene material	
Possession of indecent photographs depicting child pornography	
Sexual assault	
Indecent assault	
Exploitation of prostitution	
Soliciting (kerb crawling)	
Making obscene/indecent telephone calls	
Indecent exposure	
Any related offences (including aiding, abetting, attempting or conspiring to commit offences) that are similar in gravity to those above or which replace those above	
Applicant is currently on the Sex Offenders Register or any other similar register	

3.8 In addition to the above the Council will not allow an individual to remain licensed or grant a licence to any individual who is currently on the Sex Offenders Register or any other similar register.

3.9 A licensed driver is expected to be trustworthy. In the course of their working duties drivers will deal with cash transactions and valuable property may be left in their vehicles. Drivers may well deal with customers who are vulnerable or intoxicated and potentially easily confused. Both drivers and operators may be privy to information regarding empty homes as taxis are often used as transport to airports etc. For these reasons, a serious view is taken of any conviction involving dishonesty.

3.10 Dishonesty offences

Theft	<p>Applications will only be considered if a period of at least 7 years has passed since conviction, the end of any prison sentence or period 'on licence' (whichever is longest)</p> <p style="text-align: center;">An existing licence will be revoked</p>
Burglary	
Fraud	
Benefit fraud	
Handling or receiving stolen goods	
Forgery	
Conspiracy to defraud	
Obtaining money or property by deception	
Other deception	
Taking a vehicle without consent	
Fare overcharging	
Any related offences (including aiding, abetting, attempting or conspiring to commit offences) that are similar in gravity to those above or which replace those above	

- 3.11 A serious view is taken of any drug-related offence. Taking drugs and driving poses an obvious risk to public safety, whilst individuals who have convictions for the supply of drugs will also be treated with considerable concern. The nature and quantity of the drugs, whether for personal use or supply are issues which will be considered carefully.
- 3.12 It is recognised nationally that taxis can travel to any location at any time without raising suspicion so they are the ideal mode of transport for moving illegal items. An individual applying for an operator's licence with any conviction relating to the supply of illegal substances will be refused.
- 3.13 As licence holders are professional vocational drivers, a serious view is taken of convictions for driving, or being in charge of a vehicle while exceeding the legal limit or under the influence of drink or drugs.
- 3.14 If an individual has previously been an addict then they will be required to show evidence of 5 years free from alcohol or drug taking after detoxification treatment.

3.15 Drug related offences

Conviction for an offence relating to the supply of illegal/controlled drugs	Applications will be refused An existing licence will be revoked
Conviction for possession of illegal/controlled drugs	Applications will only be considered if a period of at least 10 years has passed since conviction, the end of any prison sentence or period 'on licence' (whichever is longest) An existing licence will be revoked

4.0 Driving and traffic offences

4.1 A very serious view is to be taken of any individual who has been convicted of a driving offence that resulted in the loss of life.

4.2 Driving offences including loss of life

Causing death by dangerous driving	Applications will be refused An existing licence will be revoked
Causing death by careless driving whilst under the influence of drink or drugs	
Causing death by dangerous driving	
Causing death by driving: unlicensed, disqualified or uninsured driver	
Any related offences (including aiding, abetting, attempting or conspiring to commit offences) that are similar in gravity to those above or which replace those above	

4.3 Other traffic offences

Minor traffic offences	Individual offences will be considered but will not normally result in an application being refused or an existing licence being revoked.
Major traffic offences (one)	At least 1 year free of any other driving conviction (either major or minor) An existing driver licence revoked.
Major traffic offences (two or more)	At least 2 years free of any other driving conviction (either major or minor) An existing driver licence revoked.
Disqualification	At least 5 years free of any other driving conviction (either major or minor) starting from the date the drivers licence is restored An existing driver licence revoked.
Disqualification (two or more)	Application refused An existing driver licence revoked.
New applicant with 7 or more points on their DVLA licence	Application refused
Existing licensed driver who accumulates 9 or more points on their DVLA licence	6 weeks to pass the Council approved driving test or licence suspended until successfully completed. (Test to be taken at individuals own expense)
12 or more points on the DVLA licence	Application refused. An existing driver licence revoked.

4.4 Minor traffic offences come under the following categories: Construction and use offences (prefixed CU), Miscellaneous offences (prefixed MS), Motorway offences (prefixed MW), Pedestrian crossings (prefixed PC), Speed limits (prefixed SP) and Traffic direction and signs². These offences can also be subject to consideration as part of the Licensing Records Points Scheme.

4.5 Major traffic offences, which are all offences not covered in the paragraph above, will give rise to serious doubts about the individual's suitability to be a driving professional. An individual with any such convictions will be required to show a period of at least one year free of any other driving conviction. For individuals with more than one offence this period will be increased to two years.

² The offences that fall under each of these categories can be found at www.gov.uk.

5.0 Outstanding charge or summons

5.1 If the individual is the subject of an outstanding charge or summons their application should be suspended until the matter is resolved.

5.2 Outstanding Charges or Summonses

Outstanding charge or summons	<p>Application put on hold until the matter is resolved.</p> <p>Fitness and propriety of existing licence holder will be considered with the seriousness of matter viewed in reference to the categories contained within this policy.</p>
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6.0 Licensing offences

6.1 Certain offences under taxi legislation will prevent a licence being granted or renewed.

6.2 Licensing offences

Illegal Plying for hire	Applications will only be considered if a period of at least 3 years has passed since conviction
Overcharging	
Refusing to carry a person with a disability or assistance dog	An existing licence will be revoked

7.0 Insurance offences

7.1 A serious view will be taken of convictions for any insurance offence but in particular of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted provided the Applicant has been free of conviction for 5 years. However, strict warning should be given as to future behaviour. More than one conviction for these offences will prevent a licence being granted or renewed.

7.2 Insurance offences

Any insurance offence	<p>Applications will only be considered if a period of at least 5 years has passed since conviction, the end of any prison sentence or period 'on licence' (whichever is longest)</p> <p>An existing licence will be revoked</p>
More than 1 insurance offence	<p>Applications will be refused</p> <p>An existing licence will be revoked</p>

7.3 An operator found guilty of aiding and abetting, or otherwise assisting the driving of passengers whilst without insurance will have his Operator's Licence revoked immediately and will not be permitted to hold a licence for a period of at least three years.

8.0 Discrimination offences

8.1

1 conviction for a discrimination offence in the last 7 years	Applications will be refused
1 conviction for a discrimination offence which is more than 7 years old	Application will be refused unless: <ul style="list-style-type: none"> • The applicant has no other conviction for a similar offence; AND • The applicant can demonstrate a thorough understanding of the requirements of the Equality Act 2010 (or any Act replacing or amending this Act) to the satisfaction of the issuing authority.
More than 1 conviction a discrimination offence	Applications will be refused
Existing licensed operator or driver convicted of any of the following: <ul style="list-style-type: none"> • discriminating, whether as the result of a criminal investigation or by way of a successful action in the County Court for a claim of discrimination. • refusing an assistance dog. • over-charging a passenger on the basis of their disability. • allowing a disabled passenger to travel in an unsafe manner. 	An existing licence will be revoked

8.2 Where the applicant for an operator's licence is a company or partnership a conviction for discrimination against any partner, director or secretary of that body will be considered in the same way as it would be for an individual and the licence will be revoked.

9.0 Exploitation offences

9.1

<p>Any conviction involving, related to, or that has any connection with:</p> <ul style="list-style-type: none">• abuse;• exploitation;• use or treatment of another individual irrespective of whether the victim or victims were adults or children.	<p>Applications will be refused</p> <p>An existing licence will be revoked</p>
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9.2 The above categories include matters such as slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse. This is not an exhaustive list.

10.1 Non-conviction information

10.1 At any point during a licence application or once a licence is held, the Council will take into account information that becomes known about situations and circumstances that have not led to a conviction. This will include but is not limited to:

- If an individual is alcohol or drug dependent, a satisfactory special medical report (as specified by the Council at that time) must be provided
- If there is persistent drugs use, misuse or dependency a specialist medical examination (in accordance with DVLA Group 2 medical standards) may be required. Such a report will be at the individual's own expense.
- an arrest
- being held on bail
- being charged but not convicted
- acquittals
- circumstances in which convictions were quashed due to misdirection to the jury
- circumstances where the decision was taken not to prosecute, and
- complaints.

10.2 In determining the most appropriate action to take, the Council will take into account, though not limit itself to:

- the source of the information
- the nature of non-conviction information
- the credibility of the witness / complainant
- the range of information / number of complaints available

- the credibility of the licence holder.

With regard to the options available, the Council will have regard to paragraphs 2.9 and 2.10 of this policy.

11.0 Individuals with periods of residency outside the UK

- 11.1 If at any time an Applicant or existing licence holder has spent six continuous months or more overseas the Council will expect to see evidence of a criminal record check from the country/countries visited covering the whole period spent overseas.
- 11.2 Because of the potential lifetime relevance for some of the most serious offences mentioned in this policy, the Council will need to ensure that sufficient background checks are conducted for those individuals who have lived overseas. For EU nationals suitable checks should be available, for those countries for which checks are not available, one option is to require a certificate of good conduct authenticated by the relevant embassy. Where an individual cannot demonstrate that they were conviction-free during periods abroad they will be unable to meet the 'fit and proper' criteria. The onus is on the applicant to provide proof of their fitness and propriety and where they cannot applications will be refused.

12.0 Conditional discharge

- 12.1 Applicants are required to notify the Council of any conditional discharge or absolute discharge and these will be considered on a case-by-case basis. As the court can use these options in a variety of cases it is not possible to give comprehensive guidelines regarding the likely outcome of their consideration by the Council.
- 12.2 If an offence is committed during the period of a conditional discharge the courts may re-sentence an offender for the offence for which the conditional discharge was given. At this point the Council may consider that offence under this policy.

13.0 Cumulative impact of offending history

- 13.1 The Council recognises there may be cases where an Applicant or an existing licence holder may have a number of convictions and/or non-conviction matters, none of which, if considered in isolation, would preclude the holding of a licence. A number of convictions and/or non-conviction matters, however, will give cause for concern, thus, in such circumstances the Council will take into account the cumulative nature of these separate convictions and/or non-conviction matters when determining the suitability of that person to hold a licence.

14.0 Appeals

- 14.1 Any Applicant refused a driver's licence or an existing licence holder who has their licence suspended or revoked has a right to appeal to the Magistrate's Court within 21 days of the notice of refusal [Local Government (Miscellaneous Provisions) Act 1976, s 77 (1)].

EAST HERTS COUNCIL

LICENSING COMMITTEE – 21 AUGUST 2019

REPORT BY HEAD OF HOUSING AND HEALTH

REPORT ON LICENSING ACTIVITY 2018-19

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

To update members on activity in the licensing department:

- processing licences;
- enforcement activity; and
- other implementation of the Service Plan.

<u>RECOMMENDATION FOR LICENSING COMMITTEE:</u>	
(A)	That the report be received.

1.0 Background

1.1 The Council's Licensing and Enforcement Team covers the licensing of taxi drivers and operators, licensed premises and temporary events notices, along with more infrequent applications relating to, among other things, scrap metal dealing and gambling.

1.2 This report presents data by full quarters on processing and enforcement, delegated decisions and Licensing Sub Committee involvement, on licences, notices, and permits, and applications including:

- Alcohol, entertainment, and late night refreshment licences under the Licensing Act 2003,
- Gaming under the Gambling Act 2005,

- Taxi drivers, vehicle proprietors and operators.

1.3 The report also contains details of projects being undertaken and service development.

2.0 Report

2.1 See **Essential Reference Paper 'B'** for performance data for 1st April 2018 to 31st March 2019. This contains the numbers of applications or notices received, and totals of current licences.

2.2 During the financial year 2018-19 the enforcement team have undertaken 255 actions which are divided between visits, inspections and investigations. These have been analysed further and are recorded as:

Type	2018/19 totals
Taxi inspections and investigations	17
Taxi complaints	43
Taxi camera investigations	0
Licensing Act 2003 complaints	28
Licensing Act 2003 premises visits	13
Checks of statutory notices	64
Gambling visits/complaints	16
Invoice visits/chase ups	74
Charity collection complaints	0
Total actions	255

All complaints have been fully investigated and have resulted in the appropriate action being taken in line with policy.

2.3 In respect of premises licensed under the Licensing Act 2003, the alleged 6 breaches of the licences have been addressed in

accordance with our Licensing Enforcement Policy. A number of complaints are in relation to the same premises and from the same complainants.

- 2.4 At the time of reporting there are 6 outstanding invoices for annual fees under either the Gambling Act 2005 or the Licensing Act 2003. There have been 6 premises suspended under the Licensing Act and no premises licence revoked due to non-payment of fees.
- 2.5 The enforcement team’s work involves insuring that all documentation for taxi drivers and vehicles is up-to-date and therefore ensuring licences are valid. During the financial year 2018-19 87 documents have not been produced before the expiry date on record.
- 2.6 Under the licensing points system a total of 30 points have been issued to 11 licence holders. The majority of these points were issued as a result of drivers breaching traffic regulation orders (TRO’s), for example parking on double yellow lines with the rest mainly relating to failure to produce documents on time.
- 2.7 The figures for the quarterly performance indicators for licensing in 2018/2019 are detailed in the table below.

Performance indicator – cumulative (reported quarterly) within the year unless otherwise stated	2018/19	Target
Percentage of valid personal licences processed within 2 weeks	100%	85%
Percentage of valid temporary event notices processed within 72 hours	87%	90%

Percentage of applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date)	87%	99%
Percentage of driver's licences issued within 30 working days of validation	97%	95%

2.8 Work is ongoing in relation performance indicators throughout the authority. Currently a number of the PI's are skewed if an application receives a representation or there is a matter outside of current policy that needs to be considered.

2.9 Further details regarding decision making, project and policy work and licensing matters dealt with by Environmental Health can be found at **Essential Reference Paper 'C'**.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

Essential Reference Paper B – Data

Essential Reference Paper C – Activity summary

Contact Member: Councillor Peter Boylan – Executive Member for Neighbourhoods. peter.boylan@eastherts.gov.uk

Contact Officer: Jonathan Geall – Head of Housing and Health, Tel: 01992 531594. jonathan.geall@eastherts.gov.uk

Report Author: Oliver Rawlings – Service Manager (Licensing and Enforcement), Tel: 01992 531629. oliver.rawlings@eastherts.gov.uk

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	Priority 2 - Enhance the quality of people's lives
Consultation:	For information only, and no partner or external consultation has taken place.
Legal:	No issues identified by report author or contact officer
Financial:	No issues identified by report author or contact officer
Human Resource:	No issues identified by report author or contact officer
Risk Management:	No issues identified by report author or contact officer
Health and wellbeing – issues and impacts:	No issues identified by report author or contact officer
Equality, diversity and human rights considerations, and whether Equality Impact Assessment required:	No issues identified by report author or contact officer
Environmental Sustainability	No issues identified by report author or contact officer

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ESSENTIAL REFERENCE PAPER 'B'

Data - 1st April 2018 to 31st March 2019

Licensing Act 2003

Premises Licence Applications	18/19 cumulative total
New	32
Variation	18
Minor Variation	14
Transfer of premises licence	21
Change of designated premises supervisor	109
Interim Authority notice	0
Review	2
Cancelled/surrendered	0
Suspended	6

Club Premises Certificates Applications	18/19 cumulative total
New	0
Variation	0
Minor Variation	0
Transfer of premises licence	0
Interim Authority notice	0
Review	0
Cancelled/surrendered	0
Suspended	0

Personal Alcohol Licences Applications	18/19 cumulative total
New	100
Amendments (change of address etc)	42

Temporary Event Notices Received	18/19 cumulative total
TENs received	882
Objections (Police or Environmental Health)	2
Refused	0

GAMBLING ACT 2005

New Applications	18/19 cumulative total
Club Machine Permits	0
Small Society Lotteries	28
Betting Premises Licence (Betting shops)	3
Licensed Premises Gaming Machine Permit	2
Notification of Gaming Machines	3

CHARITY COLLECTIONS

	18/19 cumulative total
House To House – New	19
Street Collections – New	72

This figure does not include direct debit collections or those charities with a National dispensation to collect who simply notify us of their intention to collect in East Herts.

TAXIS

	18/19 cumulative total
New Dual Drivers	34
Renewed Dual Drivers	62

	18/19 cumulative total
New Private Hire Drivers	34
Renewed Private Hire Drivers	4

	18/19 cumulative total
New Private Hire Operators	6
Renewed Private Hire Operators	0

	18/19 cumulative total
New Hackney Carriage Vehicles	25
Renewed Hackney Carriage Vehicles	236

	18/19 cumulative total
New Private Hire Vehicles	25
Renewed Private Hire Vehicles	51

	18/19 cumulative total
Courtesy vehicles	33

TOTALS NUMBERS OF LICENCES

	30/09/2017	31/12/2017	06/06/2019	Variance from 2017 to 2019
Premises Licence	484	485	497	+12
Club Premises Certificates	37	36	36	0
Personal Alcohol Licences	1830	1851	1983	+132
Betting Premises Licence	15	15	14	-1
Dual Drivers	311	315	305	-10
Hackney Carriage Vehicles	259	265	251	-14
Private Hire Drivers	61	68	70	+2
Private Hire Vehicles	57	62	66	+4
Private Hire Operators	38	39	43	+4

Figures regarding licensed vehicle numbers are routinely recorded so figures are available from 2013.

Date	Number of HC vehicles	Number of PH vehicles
June 2013	250	46
June 2014	254	44
June 2015	257	57
June 2016	257	56
June 2017	266	58
December 2017	265	62
June 2019	251	66

LICENSING RECORD POINTS ISSUED

	18/19
Points issued	30
Number of drivers issued points	11
Percentage of licence holders issued points*	3%

*Based on 375 drivers

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Licensing Activity report: 1st April 2019 to 31st March 2019

1. Context

The council's Licensing and Enforcement Team covers the licensing of taxi drivers and operators, licensed premises and temporary events notices, along with more infrequent applications relating to, among other things, scrap metal handling and gambling. This report summarises activity in this area for quarter 3 of 2017/18.

Licensing of food premises and other commercial businesses subject to regulatory activity is carried out by the Environmental Health team. Detailed quarterly statistics will not be available on this activity until after the end of December

Licensing matters managed by the Licensing & Enforcement Team

2. Taxis

The activity over the period in question has been as follows:

New applications	68
New applicants who have attended training	68
Resits of knowledge test	19
Existing drivers who have attended update training	54
Decisions taken by Head of Housing and Health under delegation in consultation with the Chairman on the Licensing Committee	10
Appeals against licensing points – decision by Head of Housing and Health	4
Upheld	n/a
Dismissed	4
Appeals of decision – decision by court	1 (this was in relation to a premises licence review and a consent order agreed so appeal did not reach the courts)
Upheld <i>council not successful in defending its decision</i>	0

Dismissed	0
<i>council successful in defending its decision</i>	
Prosecution sought	0
Successful	0
Unsuccessful	0
Judicial reviews	0

There is a strong desire among both Members and officers to build on the council's work to promote high quality taxi licensing. To this end:

- the Service Manager – Licensing and Enforcement is continuing to work under contract for Uttlesford District Council. As a result UDC have implemented: a new suitability policy, new driver, vehicle and operator conditions, new emissions policy for licensed vehicles, a requirement for drivers to pass a driving proficiency test and to have held a drivers licence for 3 years, driver training at first application and at renewal.
- The current contract with UDC ends in September 2019.

3. Premises

During the last financial year 5 applications were decided by Licensing Sub-Committees. These related to a music festival, an off licence variation, a new licence application for a bowling centre and one variation application relating to a bar. In addition Members decided a review application of a premise in Hertford which had been triggered by local residents. The decision of the Licensing Sub-Committee was subsequently appealed to court but was settled via a consent order negotiated by the Council's legal team.

In addition to those matters that were brought before a Licensing Sub-Committee 11 others received representations. Officers of the Licensing Authority mediated between the respective parties and satisfactory solutions were found resulting in representations being

withdrawn and applications being granted without the need for a Licensing Sub-Committee to be held.

At times the Licensing Authority's ability to mediate has been hampered to some extent by responsible authorities making representations towards the end of the consultation period. This typically means that solutions cannot be negotiated with the applicant during the consultation period and thus disputed applications need to be heard by a Licensing Sub-Committee when this could possibly have been avoided. As allowed for under the legislation, negotiations can and do continue up until the start of the Licensing Sub-Committee meeting with, on occasion, a solution being agreed shortly before the meeting that leads to the responsible authority withdrawing their representation. This means the application is undisputed and the Licensing Sub-Committees either (a) needs to be cancelled, if the representations are withdrawn more than 24 hours ahead of the meeting or (b) the meeting goes ahead to, in effect, simply ratify the undisputed application in cases where the representations are withdrawn within less than 24 hours of the meeting.

It is hoped that the Night Time Economy Position statement will encourage all parties, including the responsible authorities, to engage at the earliest possible stage so that agreement is reached, where possible, within the consultation period.

4. Temporary Event Notices

Despite the authority receiving 882 TEN's none of these were referred to a Licensing Sub-Committee for decision. As Members are aware only the Police and Environmental Health can object to TEN's. Often informal agreement is reached with premises users, TEN's are modified or even withdrawn meaning that a hearing is not required. On a number of occasions objection notices have been received but again negotiation between the parties has mean that a hearing can be dispensed with.

5. Future work and Policy development

Public Health in Licensing

The interplay between public health outcomes and licensing decisions, particularly in regard to alcohol sales, is an interesting area that the licensing profession has grappled with for some time on a national basis.

The Licensing Act 2003 does not include public health outcomes as a material consideration when deciding on an application, apart from in instances where an evidence-based case can be made to pin a detrimental public health outcome very specifically to the premises in question and/or that premise's application.

The Service Manager of Licensing & Enforcement was asked by the London School of Hygiene and Tropical Medicine for an interview as part of ExILEnS study which is Exploring the Impact of Alcohol Licensing In England and Wales. This followed on from earlier discussions held regarding the inception of the study. The study will run until March 2020 and is looking at one primary question:

Does intensive Public health engagement in alcohol licensing reduce alcohol harms, in local authorities where such activity exists, compared with authorities with low levels of activity, or none at all?

More information about the study can be found at:

<http://exilens.stir.ac.uk/>

Officers will report the outcomes to Members once the study findings are published.

Statement of Licensing Policy (Licensing Act 2003)

Steps have been taken to ensure that the authority is equipped with the policy and procedures to manage the changing night time economies in our towns. The first step was to introduce the Night Time Economy Position statement to lay out the authorities expectations of applicants and aid those that wish to comment on

licence applications or are affected by late night licensable activities. The Licensing Team has undertaken to review the authorities Statement of Licensing policy in 2019 to keep this piece of work moving forward, despite the statutory review period meaning a review is not required until 2021.

Taxi Licensing

The authority is currently consulting on a revision of the Convictions Policy first introduced in 2016. The new Suitability Policy, as it now goes far beyond just considering convictions, will be applied to those in the Hackney Carriage and Private Hire trade. The original revision was approved by Licensing Committee for consultation and all responses will be brought back to the committee for consideration. We have worked closely with a number of neighbouring authorities whilst drafting this document and it is hoped that others will adopt the same document promoting consistency across the County. The consultation opened on 1st June 2019 and runs for 8 weeks closing at midnight on 27th July 2019. Details of the draft policy can be found here: <https://www.eastherts.gov.uk/suitabilitypolicy>

We have commissioned an unmet demand survey in relation to the provision of Hackney Carriages within the District. The report is in the final stages of being drafted and will include information such as whether there is any unmet demand for taxis in the District. The report from the survey will be brought before members at a later date for consideration and as a result there may be matters that need to be addressed.

Following on from the introduction of the vehicle age and emissions policy other areas of taxi licensing will be reviewed including:

- New driver, vehicle and operator conditions; and
- Reviewing the Licensing Record Points scheme.

Licensing matters managed by the Environmental Health Team

7. Overview of licences

This section provides an overview of the number of active licences and those in the process of being reviewed/considered in the financial year 2018-19.

Licensable activity	Active licences	Applications being considered / licences being reviewed
Animal boarding	10	1
Animal boarding (at home)	10	0
Animal boarding (day care)	1	0
Camping	0	0
Caravan sites	0	0
Dangerous wild animals	0	0
Houses in multiple occupation (HMOs)	17	18
Pet shops	3	0
Riding establishments	4	0
Skin piercing (personal)	37	2
Skin piercing (premises)	15	2
Street trading consent (mobile)	4	0
Street trading consent (occasional)	0	0
Street trading consent (static)	3	1
Zoos	1	0