



General Licensing and Registration Committee

Date Monday 6 December 2010
Time 2.00 pm
Venue Committee Room 2 - County Hall, Durham

Business

Part A

1. Declarations of Interest, if any
2. The Regulation of Taxis in County Durham (Public Consultation on Zoning, the Control of Hackney Carriage Numbers and Colour Policy) (Pages 1 - 86)
3. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration
4. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham
26 November 2010

To: **The Members of the General Licensing and Registration Committee**

Councillors C Carr, B Arthur, J Bailey, D Barnett, J Blakey, D Bowman, D Boyes, D Brown, D Farry, P Gittins, J Gray, G Huntington, R Liddle, D A Marshall, L Marshall, P May, M Plews, J Shiell, D Stoker, O Temple, L Thomson, R Todd and A Wright

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**Special General Licensing and
Registration Committee**

Date: 6 December 2010

**Subject: The Regulation of Taxis
in County Durham (Public
Consultation on Zoning, the
Control of Hackney Carriage
Numbers and Colour Policy)**



Report of Terry Collins, Corporate Director of Neighbourhood Services

Purpose of the Report

1. To inform Members of the outcome of the consultation exercise with stakeholders relating to the regulation of hackney carriages and private hire vehicles licensed by Durham County Council.
2. To seek recommendations to Council with regard to any revisions to the current DCC licensing of hackney carriage and private hire vehicle policy with particular reference to the following issues:-
 - zoning
 - the regulation of hackney carriage numbers
 - colour policy

Background

3. In the context of this report, 'taxi' includes both hackney carriage and private hire vehicles.
4. Prior to the 1st April 2009, the taxi licensing function was undertaken by the former District Councils in County Durham. Each of the Districts had their own taxi related policies and requirements concerning matters such as vehicle, driver and operator licence conditions, fees and charges and taxi fares etc.
5. To provide the general overriding principles against which the licence conditions were set, Durham County Council (as the newly designated Licensing Authority) produced and adopted a single taxi licensing policy, which included various relevant licensing conditions. This policy, in its current revised form, provides guidance for members when making taxi related decisions, informs the trade of the operating standards with which they are expected to comply and informs the public of the service that they can expect from the taxi trade.

6. As from 1 April 2009, hackney carriage vehicles have continued to be licensed and can only operate as hackney carriage vehicles within the zone in which their license was granted. These zones correspond to the areas of the County previously identified by the former District Councils boundaries.
7. Two of the zones, namely the former Durham City Council area and Chester-le-Street District Council area, had by regulation under the Transport Act 1984, limited the number of hackney carriage vehicle licenses that were made available to the taxi trade. Current limits in these zones are 74 hackney carriage licenses in Durham City and 92 in the case of Chester-le-Street. These limitations had been imposed following detailed surveys that established at the time of the surveys, there was no unmet demand for hackney carriages within the respective areas.
8. The limitation on the availability of hackney carriage vehicle licences is directly associated with the existence of the zones in which the restrictions apply. Removal of a zone would therefore have the immediate effect of removing any associated limitations on taxi licence numbers. In this context, the removal of the limitations of taxi numbers is known as deregulation.
9. Since vesting day, maintenance of the existing arrangements in respect of zoning and the regulation of hackney carriage numbers was influenced by a number of important factors. It would not have been lawful to remove the zones immediately on transition from the former administrative authorities to the new Council. It was also accepted by the Authority that the situation relating to zoning was both complex and emotive in nature and that the removal of zones would impact on members of the taxi trade, the travelling public and the local authority.
10. In addition to the issue of zones and regulation of hackney carriage numbers, two of the former District Councils had also previously adopted a colour policy which affected the hackney carriages and private hire vehicles licensed and operating within their areas. Both the former Chester le Street and Wear Valley District Councils had adopted a white colour policy which meant that in these areas only, licensed private hire vehicles could not be white.
11. Cabinet had previously considered reports on the regulation of hackney carriage and private hire vehicles in November 2008 and March 2009 and at that time resolved to remove the colour requirement from the Durham County Council Hackney Carriage and Private Hire Policy. Any future decisions relating to zoning arrangements including regulation of licences and the introduction of a county wide colour policy would be taken subject to the outcome of further consultation.
12. Since the adoption of the Durham County Council Hackney Carriage and Private Hire Licensing policy, the Council has embarked on a major public consultation process concerning the future control and regulation of the hackney carriage and private hire trade (zoning, limitation of taxi numbers and colour policy).
13. There are five main options available for dealing with the issue of zoning for consideration by the Council. Although zoning and regulation are separate issues, because existing regulation arrangements are relevant to two out of the

seven zones, the options presented also include for 'hackney carriage regulation' in addition to the issue of zoning. The options A to E listed below do not however, incorporate aspects of licensed vehicle colour policy which, is regarded as a separate, 'stand alone' issue in its own right.

- A. Removal of the 7 zones with the simultaneous removal of all limits on hackney carriage numbers throughout the County of Durham.
- B. Retain the status quo, with seven zones, two of which are regulated (limitation of hackney carriage vehicle numbers in Chester le Street and Durham City zones).
- C. Maintain the zones with removal of all existing limitations on numbers of hackney carriages.
- D. Maintain the zones and undertake further demand surveys in all zones with a view to carrying out further regulation.
- E. Removal of the 7 zones with the simultaneous removal of all limitations on hackney carriage numbers in the Chester le Street and Durham City zones; and then to undertake a demand survey for the whole of the County of Durham with a view to carrying out further regulation.

Consultation Process

- 14. A phased consultation process was designed in September 2009 that aimed to be broad ranging, inclusive, balanced, and transparent and applied lessons that had been learned from the earlier licensing consultation processes. A detailed description of the phased consultation process is attached as appendix 2 to this report. An 'options appraisal' was included in the consultation briefing paper see attached Appendix 3 A list of all interested parties who provided a response to this consultation is given in Appendix 4.
- 15. A detailed summary of the responses from the countywide public consultation exercise on zoning, the control of hackney carriage numbers and colour policy is contained in Appendix 5 and Appendix 6 provides a comprehensive presentation and analysis of results from the consultation process. This includes the tabular and graphical presentation of the consultation results, including statistics and various response data. The information and the analysis of the consultation results, set out and discussed in paragraphs A4, A5 and A6 of Appendix 5, are referenced to and should be read in conjunction with Appendix 6 of the report.

Outcome of the consultation exercise

- 16. Each one of these five options has associated with it various possible positives/advantages and negatives/disadvantages for the public, for the trade,

for the Council and for other interested parties and stakeholders. The most significant advantages and disadvantages associated with the five options that were identified are detailed in the briefing paper attached as Appendix 3.

17. Overall the countywide response to the consultation process from individual members of the licensed hackney carriage and private hire trade was very low (7%).
18. Further representations from the licensed trade however were received via the County Working Group (CWG) / Area Working Groups (AWG) which were established prior to the consultation process as County / Area forums to support trade members and promote effective communications between the licensing authority and trade representatives.

Zoning and regulation of hackney carriage and private hire licensing

19. Using the overall member representation within Area Working Group (AWG) as an indicator, nearly 72% of the countywide licensed membership supported options which would remove the zones and the concurrent regulation of hackney carriage numbers in Chester le Street and Durham City (Options A and E combined responses).
20. Option B was supported by 3 of the AWGs and Option E was also supported by 3 of the AWGs. Option A, as a preference, was supported by 2 of the AWGs. Therefore, 5 of the 7 AWGs preferred options which would remove the zones and the concurrent regulation of hackney carriage numbers in Chester le Street and Durham City (Options A and E combined responses).
21. CWG members gave Options A and B as being their most preferred options with Option E also receiving support from two of the CWG members. Again, by grouping together the supporters of Option A with the support for option E, the CWG had more members who supported the removal of the zones than those who wanted to retain them.
22. In relation to the question of the regulation of hackney carriage numbers, 6 CWG members favoured regulation either within the existing zones or on a countywide basis should a survey of demand be supportive of this.
23. Grouped according to their zone, a much greater percentage of licensed individuals from three zones Chester le Street, Durham City and Wear Valley responded to the survey. Option B was the preference of more individual respondents from this category than any other preferred option. The greatest supporters of this option operated within Chester le Street and Durham City areas.
24. Of the individuals representing or associated with other interested parties who responded in respect of the zoning options, 5 favoured Options that removed the zones and 4 respondents in this category wanted the zones to be retained.

25. Durham Constabulary recommend and support the removal of the 7 taxi zones with the implementation of one single taxi zone and the concurrent removal of the limitations on hackney carriage numbers in the Durham City and Chester le Street.

Colour Policy

26. AWG representatives from two areas, Chester le Street and Wear Valley said “yes” to a colour policy. AWG representatives from three areas, Durham City, Derwentside and Easington said “No” to a colour policy.
27. Two members of the CWG said “Yes” to a colour policy and three members of the CWG said “No” to a colour policy.
28. Of the 154 individual licensed hackney carriage and private hire respondents, 102 did not want a colour policy. The zone which yielded the greatest percentage of individual respondents in opposition to a colour policy was Durham City.
29. Overall two of the three zones which yielded the greatest percentages of individual respondents in this category (Chester le Street and Wear Valley) are the zones which, under the control of the former District Councils, were previously subject to a colour policy.
30. The most popular colour for a hackney carriage amongst this group of respondents was white and the most popular colours for private hire vehicles were white and black.
31. The number of responses from the general public in relation to the issue of taxi colour policy was particularly small (6 people). 5 respondents said “yes” to the imposition by the Council of a taxi colour policy. Of the 6 interested party respondents who commented, 5 favoured having a colour policy. No colour preferences were put forward. Durham Constabulary made no comments in relation to colour policy.

The position of governmental organisations

32. The Department for Transport advises that a limit on taxi numbers is unlikely to be in the best interest of consumers. They do however recognise that local licensing authorities are in the best position to determine whether taxi numbers should be limited.
33. The Office of Fair Trading considers that quantity regulation limits the number of taxis and reduces availability and lowers the quality of service to the public.
34. Department for Transport Hackney Carriage and Private Hire Licensing best practice guidance does not refer to colour policies. Vehicle identification by colour is not addressed and the colour of a licensed vehicle is not specifically mentioned in the guidance.

35. The introduction of a colour requirement for hackney carriage vehicles has been already undertaken by 8 of the 12 (66%) local authorities operating within the north east region. 37% of those LAs have adopted a single black colour policy and 25% have adopted a single white colour policy.

Material Considerations

35. Zoning and the Regulation of Hackney Carriage Numbers within Zones:
- Should the existing zones be kept or should they be removed?
 - Should the existing regulation of hackney carriage numbers in two existing zones be maintained or ended?
 - Should the regulation of hackney carriage numbers in the remaining zone(s) be considered?
36. The Council may resolve to remove the existing zones and concurrent limitations on hackney carriage numbers in zones 1 and 2 and resolve not to regulate hackney carriage numbers anywhere within the County. **(Option A)**.
37. If Council were to make a resolution to remove the zones and to deregulate hackney carriage numbers, an appropriate date would need to be set to enable the following prescribed process to be undertaken:
- (1) *The Council will have to pass an extension resolution under the Local Government Act 1972, Schedule 14, Part 2, Para 25 which, is to abolish the zones and apply hackney carriage licensing uniformly throughout County Durham.*
 - (2) *A local authority may after giving the requisite notice resolve that the above shall apply throughout their area or shall cease to apply throughout their area.*
 - (3) *In order to propose the resolution the Council will need to give notice in accordance with paragraph 25(5) as follows:*
 - (4) *The notice which is requisite for a resolution given under sub-paragraph (1) above and is a notice that is:*
 - (a) *Given by the local authority in question of their intention to pass the resolution given by advertisement in two consecutive weeks in a local newspaper circulating in their area; and*
 - (b) *Served, not later than the date on which the advertisement is first published, on the council of every parish or community whose area, or part of whose area, is affected by the resolution or, in the case of a parish so affected but not having a parish council (whether separate or common), on the chairman of the parish meeting.*

38. If the existing zones are kept, and the Council continue to seek the regulation of the numbers of hackney carriages in zone 1 (Chester le street) and in zone 2 (Durham City). To maintain this arrangement would require regular (at least every three years) independent hackney carriage demand surveys to be undertaken in these two zones in order to assess the level of demand/unmet demand, followed by the regulation of numbers should these surveys show no significant unmet demand in existence. This is a costly and time consuming process. The fees for the demand surveys could be recovered via the licence fees applicable within the regulated zones. **(Option B)**
39. If the existing zones are kept, the Council may resolve to remove all imposed limitations on hackney carriage numbers in zones 1 and 2; and also resolve not to carry out any more demand surveys which would be needed if the future regulation of hackney carriage numbers in any of the zones were to be considered **(Option C)**.
40. If the existing zones are kept, and the Council continue to seek to regulate the numbers of hackney carriages in zone 1 (Chester le street) and in zone 2 (Durham City) the Council may resolve to undertake further surveys into the demand for hackney carriages in the other five zones with a view to regulating hackney carriage numbers in all zones? This is a costly and time consuming process. **(Option D)**.
41. If the existing zones are removed the Council may seek to regulate the numbers of hackney carriages across the County which would need to be supported by further assessment of the level of demand / unmet demand within the single zone, followed by the regulation of numbers should these surveys show no significant unmet demand in existence. It is however considered that it would be highly unlikely that such a survey would find sufficient evidence of unmet demand within such a large and diverse geographical location. This assessment would be a costly and time consuming process, the cost of which may be recovered via the licence fees. **(Option E)**
42. In the event that any decision is taken other than retaining the status quo, a sufficient lead in period would be necessary to enable the Council to revise its administrative systems and procedures in order to adapt to any countywide changes in hackney carriage regulation. This would include the unification of fees and charges and, in conjunction with the trade, the setting of new countywide hackney carriage tariffs and; most importantly, to enable existing and future members of the licensed hackney carriage and private hire trade in the County to plan for and adapt to any changes that may affect their business activities that may result from such changes.
43. In addition to the above the Council may resolve to adopt a colour policy for hackney carriages and private hire vehicles, a single colour for hackney carriage vehicles could be specified allowing private hire vehicles to be any other colour. Alternatively, parts of vehicles could be colour banded.

44. If the Council resolved to introduce a colour policy an appropriate date would need to be set for its implementation. Consideration would have to be given to how the policy would apply to new applications for vehicle licenses and for existing vehicles.

In Conclusion

45. Whilst the individual consultation responses have been relatively low, the views expressed by the county wide and area working groups would appear more representative of the trade across the County. With this in mind there is clear support for those options which include the removal of zones (Option A and E) across the County and this view is further supported by the Police.
46. The removal of zones within County Durham would effectively remove any current limitations on the number of hackney carriage licences within Chester-le-Street and Durham City areas (Option A). Deregulation is supported by the Police, as well as other government organisations, however there is strong support amongst the trade to maintain the regulation of hackney carriage licences either within zones or throughout the entire County. If the countywide regulation of hackney carriage numbers was to be supported by the Council in addition to the formation of one zone, an assessment of demand across the whole of the county would then have to be undertaken. If a survey found there was evidence of any significant unmet demand, the Council could then seek to regulate hackney carriage licences (Option E).
47. Given the need to undertake regular assessments of demand to support regulation of hackney carriage licences and that this would require significant investment by the authority, leading to increased costs of providing licensing services, Option A would be the preferred option.
48. The responses concerning the introduction of a colour requirement remain inconclusive and whilst some AWGs, members of CWG, Individuals and members of the public were able to present a preferred option, there were two members of the CWG who were unable to express a single or clear preference on behalf of the two AWGs that they represented. Notwithstanding above, comments were received from both AWG and CWG to the effect that they would expect that should the vehicle colour requirements be introduced that this would be on a phased basis over an appropriate time scale.
49. The introduction of a colour requirement for hackney carriage vehicles would promote the safety of persons who flag down taxis in the street as this would assist them in identifying legitimate taxis operating within the Durham area and more importantly help them avoid rogue taxi drivers operating unlicensed vehicles. Taking this approach would contribute to ensuring the safety of residents and visitors to the area, reduce crime and promote confidence in using local taxi services.

- 50 In relation to colour preferences, it is proposed that a single white colour policy is introduced for hackney carriage vehicles with private hire vehicles being any other colour except white.
51. It is acknowledged that the introduction of a colour requirement with immediate effect however would have financial implications for local taxi operators and in order to reduce any burdens on local businesses it is proposed that the introduction of any colour requirement for all hackney carriage and private hire vehicles is phased in over a five year transitional period with effect from 1 April 2016 and will apply before the effective date to any newly licensed vehicles.

Recommendations

51. That Members consider the contents of this report and make the following recommendations to Council
- Adoption of option A as detailed in paragraph 13, to remove the existing seven zones across the County and deregulation of existing hackney carriage licence limitations.
 - The introduction of a colour requirement in respect of vehicles submitted for licensing as hackney carriage vehicles or private hire vehicles as follows:-
 - (i) all newly licensed hackney carriages to be coloured all white.
 - (ii) no proposed private hire vehicle to be newly licensed if any part of the exterior is white.
 - (iii) that the colour requirement for hackney carriage and private hire vehicles is implemented over a 5 year transitional period by 1 April 2016 or before this date on the replacement of any existing licensed vehicle.
 - (iv) that this policy will apply to all licensed vehicles including purpose built vehicles and minibuses, but will not apply to any special vehicles as defined within the policy which will be exempt from any colour requirement.

Contact: Terry Collins

Appendix 1: Implications

Finance

Significant financial implications would be associated with the carrying out of future hackney carriage demand surveys

Staffing

None

Equality and Diversity

The issues associated with zoning and colour policy have been addressed by the Council's Equality and Diversity team

Accommodation

None

Crime and Disorder

The police consider there to be advantages associated with the removal of the existing zones in terms of crime and disorder reduction

Human Rights

None

Consultation

A countywide public consultation process has been undertaken

Procurement

Disability Discrimination Act

The Equality Act 2010 contains new provisions which will, when commenced, tighten the law by placing duties on Hackney Carriage and Private Hire Vehicle drivers to provide assistance to people in wheelchairs and to carry guide dogs or assistance dogs.

Guidance relating to the Equality Act 2010 and the changes relating Taxis and Private Hire Vehicles is available on the Department for Transport website www.dft.gov.uk.

Legal Implications

There is a potential for an application for judicial review

Appendix 2 The Phased Countywide Consultation Process.

The process consisted of 3 phases: **Phase One** – This phase of the process began in October 2009 and was concerned primarily with establishing the national context and setting up a countywide licensed taxi trade working group; **Phase Two** – the identification and investigation and appraisal of available options together with the production of an informative briefing paper (see appendix 5); and finally, **Phase Three** – the formal consultation and survey phase of the process which, ended at midnight on Sunday 12th September 2010. Phase three utilised a traditional postal survey, a web-based survey and the use of survey proformas used to record information from members of the trade (see appendix 6).

Consultation Process	Activities and Milestones	Key Dates
Phase I	Process design	September 2009
	1 st Member workshop	23 rd October 2009
	1 st Press Release	23 rd October 2009
	Postal Survey	November 2009
	Dept Transport Enquiry	November 2009
	Briefing paper started	December 2009
	Stakeholder analysis	December 2009
	1 st Trade Presentations	December 2009
	Development of Working Group Model Options	January 2010
	Report to committee (ongoing review of policy, technical revision and request for extension to phase consultation process)	January 2010
	2 nd Press Release	24 th February 2010
	Model for countywide working group chosen by trade by ballot	
	2 nd Trade presentations and trade nominations	March 2010
	Meeting with Police	16 th March 2010
	Ballot Durham City Trade	March 2010
	Phase II	Full AWG membership established
First meeting AWG		April/May 2010
Nominations for CWG		April/May 2010
3 rd Trade AWG and CWG meetings		May/June/July/August 2010
Citizen Panel, AAP and Interested Party Presentations and workshops		July/August 2010
Completion of Briefing Paper and Options Appraisal		July 2010
Phase III	3 rd Press Release	July 2010
	Postal and Web Based Survey	July/August 2010
	Survey Results and Committee Report/Policy Revision	October/November 2010
	4 th Press Release	October/November 2010

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Neighbourhood Services

Environment, Health and Consumer Protection

Public Safety (Licensing Services Section)

PUBLIC CONSULTATION ON TAXI LICENSING POLICY AND REGULATION

**BRIEFING PAPER ON HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLE REGULATION IN COUNTY DURHAM
(ZONES, THE REGULATION OF HACKNEY CARRIAGE VEHICLE NUMBERS AND COLOUR POLICY)**

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1.0 INTRODUCTION

- 1.1 This briefing paper forms one part of the overall consultation and appraisal process associated with Hackney Carriage and private Hire vehicle regulation in the County of Durham. The overall consultation and appraisal process aims to bring together relevant information concerning a number of important issues associated with the regulated operation of Hackney Carriages and Private Hire vehicles within the County of Durham. Specifically, the issues of zoning, colour policy and the control of taxi numbers are major subjects for consideration. It is these three important issues that are mainly covered in this paper.
- 1.2 Every attempt has been made to ensure that the information provided in this briefing document is accurate and factual. A balanced approach has been taken in the production of this paper and care has been taken to ensure that all known relevant and significant matters are included. The consultation and appraisal process as a whole has been designed to be both open and transparent. The Licensing Authority welcomes your ideas, thoughts and suggestions in relation to any aspects of the consultation and appraisal process. If you have would like to comment on this briefing paper or any matters associated with the consultation and appraisal process as a whole, please contact us. Our contact details are given at the end of this document.

2.0 Zoning

- 2.1 The licensing of taxis is complex and involves the application of a substantial amount of legislation and case law, some of which dates back to 1847. The effect of this regulation is to require any vehicle which is to be used as a taxi, to be licensed by the licensing authority, either as a hackney carriage or as a private hire vehicle. The difference between a hackney carriage and a private hire vehicle is detailed in the glossary at the end of this paper. Prior to the 1st April 2009, when the County of Durham was divided into 7 District Council areas, hackney carriages were licensed by the 7 District Councils. Each District had its own taxi policy which related to matters such as vehicle, driver and operator licence conditions, fees and charges and taxi fares etc. With the coming together and merging of the former Durham District Authorities with the County Council, a new, single Council was formed.
- 2.2 In order to provide the general overriding principles against which the licence conditions can be set, the new Durham County Council (the Licensing Authority) adopted a single taxi policy, which includes appropriate licensing conditions. The policy provides guidance for members when making taxi related decisions, informs the trade of the operating standards with which they are expected to comply and informs the public of the service that they can expect from the taxi trade.
- 2.3 From 1st April 2009, hackney carriage vehicles continued to be licensed only to operate as such within the zone in which their license was granted – i.e. in one of the areas of the previous District Councils. Council members had to make a decision on

whether taxis should continue to operate in 7 zones (corresponding to the original District Council boundaries) or as 1 single zone covering the entire geographical area of County Durham.

- 2.4 The decision had been taken by the new Authority to initially maintain the status quo in relation to the zones but to harmonise licence conditions across all 7 zones by adopting one single policy. Transitional arrangements were put in place allowing for the situation where there would initially be differing licence conditions applying across the 7 zones for a period of time to give drivers and operators time to adapt to the various changes resulting from the new policy and associated conditions. In this manner the process afforded some means of protection to those who were involved in the taxi trade, whilst ensuring that the transition to the standard adopted by the Licensing Authority was managed in an orderly fashion for the benefit of the public.
- 2.5 The initial decision to maintain the status quo was influenced by a number of important factors: It was accepted by the Authority that the situation relating to zoning was both complex and emotive in nature and may have important consequences for the trade, the travelling public and for the local authority. A decision to change the zoning arrangements could therefore not be taken lightly or without full consideration of all of the various associated issues. Most importantly, in order to allow for the appropriate long term taxi licensing policy and arrangements to be put in place, the Council accepted that it would need to carry out extensive consultation in order to make a proper decision on zoning arrangements. The time was not available to carry out such a detailed study and consultation exercise prior to the vesting day for the new authority.
- 2.6 Having outlined the nature of zoning and circumstances that resulted in the current situation within County of Durham the possible ramifications resulting both directly or indirectly from either keeping or changing the current zoning arrangements are set out below. However, before concentrating on the possible advantages and disadvantages of zoning arrangements and the various options available, the subject of taxi quantity regulation must be highlighted. This particular issue is inextricably linked to the zoning situation.
- 2.7 Two of the former District Councils, Durham City Council and Chester-le-Street District Council had, by regulation (the Transport Act 1984), limited the number of hackney carriage vehicle licenses that were available to the taxi trade. 74 in Durham City and 92 in the Case of Chester-le-Street District Council. These limitations had been imposed following detailed surveys that had established at the time of the survey that there was no unmet demand for hackney carriages within the area of these two former District Councils. The limitations on available vehicle licences are directly associated with the existence of the zones in which the restrictions apply. Removal of a zone would have the effect of removing any associated limitations on taxi licence numbers. In this context, the removal of the limitations of taxi numbers is known as deregulation. Within the County of Durham, there are currently approximately 950 Hackney Carriages, 550 Private Hire vehicles and 2500 drivers licensed by the Council.

3.0 Zoning Options

There are five main options available for dealing with the issue of zoning that are available to the Council:

- A. Removal of the 7 zones with the simultaneous removal of all limits on hackney carriage numbers throughout the County of Durham.
- B. Retain the status quo, with seven zones, two of which are regulated (limitation of hackney carriage vehicle numbers in Chester le Street and Durham City zones).
- C. Maintain the zones with no limitations on numbers of hackney carriages.
- D. Maintain the zones and undertake further demand surveys in all zones.
- E. Removal of the 7 zones with the simultaneous removal of all limitations on hackney carriage numbers in the Chester le street and Durham City zones; and then to undertake a demand survey for the whole of the County of Durham.

Each one of these five options has associated with it various positives or advantages and negatives or disadvantages for the public, the trade, the Council and several other and interested parties. Some of these pros and cons are outlined below. It is important to note however that what may be perceived as an advantage for one party may be thought of as disadvantageous to others. These lists are not exhaustive and there may well be other pros and cons associated with any one or more of these options that are either not known or predictable at the present time.

3.1 Removal of the 7 zones and removal of all limits on hackney carriage numbers throughout the County of Durham i.e. the creation of a single zone and removal of all current restrictions on hackney carriage numbers - [OPTION A](#)

De-zoning the whole County area and removing limitations could prove to be the most straight forward, simple and cost effective method of administration for Hackney Carriage licensing. Any significant savings that might result from such changes would then be reflected in licensing fees and charges. Under this system, there would be a greater consistency in terms of licensing conditions/restrictions and hackney carriage fares or tariffs throughout the County would be the same. The enforcement of taxi licensing conditions and legislation would be simplified and made easier. This option could have the biggest impact upon the taxi trade as it currently stands, especially in the two existing zones that currently have regulated numbers of hackney carriages in them. De-zoning and deregulation may have a positive affect in terms the service made available to the public in these two zones as more taxis may be available at peak times. A decision to de-zone and de-limit could be subject to Judicial Review by those who could be negatively affected by the decision.

3.1.1 Some possible advantages and positive attributes associated with option A - a single zone, unregulated in terms of hackney carriage numbers.

- The Office of fair Trading considers this approach to conform to best practice.
- The Department of Transport also consider the one zone approach to be the best practice.
- Potentially could lead to greater availability of hackney carriage vehicles in some busy areas at peak times.
- Could result in fewer or shorter taxi queues in some busy areas at peak times.
- Could lead to reduced waiting times for customers in some busy areas at peak times.
- May be beneficial to hackney carriage owners and drivers who are currently excluded from operating as such outside their current zones.
- There would be no waiting list for hackney carriage vehicle licences as is currently the case in the existing Chester le Street and Durham City zones.
- Could result in increased in revenue for the Council from potentially more hackney carriage vehicles and drivers entering the trade from outside the County. Any increase in such revenue would be used to maintain and improve the provision of licensing services.
- This option could encourage new drivers and vehicle owners to enter the trade and provide new employment opportunities.
- It would provide greater freedom and the ability for hackney carriage trade members to operate throughout the County area as opposed to just one zoned area.
- There is the potential for an increase in income for some members of the hackney carriage trade as a result of a lifting of restrictions.
- The system would be beneficial to enforcement regime.
- This option could support crime and disorder reduction by assisting in the efficient transport of pedestrians in town and city centres and help promote the safe night time economy.

- By removing limitations and restrictions and making it easier for new drivers and vehicles to be licensed in currently controlled zones, this option could reduce the number of unlicensed drivers and vehicles. This would also support public protection and public safety measures.
- One set of hackney carriage fares or tariffs would give a greater degree of uniformity for the travelling public in County Durham.
- There could be some reduction in officer workload particularly in administration but also in terms of enforcement.
- This option would remove some existing confusion and complexity. It would provide a simplified and more a uniform system of hackney carriage licensing.

3.1.2 Some possible disadvantages and negative attributes associated with option A - a single zone, unregulated in terms of hackney carriage numbers.

- There may well be insufficient provision for taxi ranks in some busy, high demand areas at peak times.
- There is the Potential for increased traffic movements and congestion in busy town and city centre areas especially during periods of high demand at peak times. This could lead to increases in road traffic pollution at certain times.
- Option 1 could be detrimental to the business interests of some existing members of the hackney carriage trade operating in the currently regulated and controlled Chester le Street and Durham City zones. The ability of taxis from outside existing zones to operate throughout the County and for new people and vehicles to enter the trade in previously restricted and controlled areas, could lead to a reduction in available work and income for some existing trade members. The imposition of unrestricted hackney carriage trade and changes to both supply and to demand for hackney carriage services could have a significant impact on existing trade members in the Chester le Street and Durham City zones.
- The imposition of a single set of hackney carriage tariffs throughout the County could be damaging to the income of some existing members of the hackney carriage trade. Current tariffs reflect the nature of hackney carriage movements and usage associated with service user patterns within the existing zones. A single set of tariffs would to some extent alter the incomes of hackney drivers and proprietors and they may not properly align with service usage across all parts of the county. (Taxis in city centres characteristically make more frequent but shorter journeys whilst out of town and city cabs may make fewer but longer passenger journeys. Current zone related tariffs do take account of these differences to some degree).

3.2 Retain the status quo, with seven zones, two of which are regulated and maintain the existing limitation on hackney carriage vehicle numbers i.e. the maintenance of a multi-zone system and limitations on taxi numbers in the Durham City and Chester-le-Street zones - [OPTION B](#)

This option requires the least effort on the part of the new authority in the short term. Over the longer term however it would prove costly due to the need to administer the different licensing regimes and to maintain the regulation of taxi numbers regular, expensive, independent surveys of user demand for taxi services must be carried out. This option may also be perceived to be anomalous with the provision of other services which affect the public in the County, as the boundaries of the zones will remain as the administrative areas for the dissolved district councils.

3.2.1 Some possible advantages and positive attributes associated with maintaining a multi-zone system and continuation of the regulated limitations of hackney carriage numbers in the Durham City and Chester le Street zones.

- Choosing this particular option would maintains the status quo
- Potentially, this option could help in the reduction or control of traffic congestion by controlling numbers of hackney carriage vehicles in some busy areas at peak times. This may help to prevent increases in road traffic pollution as well.
- The necessity for extra Taxi ranks would be lessened, as the number of such facilities could, more justifiably, be maintained as is current. Increases in Hackney carriage numbers operating in towns and city areas would require a review and assessment of taxi rank provision which, may lead to an identifiable need for more ranks in certain areas.
- In the short term there would be a reduced officer workload in the administration of taxi licensing in comparison to any other option which changes the current situation and which would inevitably lead to some changes in the management of taxi licensing services hence changes to and increases in workload.
- Option B would continue to provide a certain degree of business or trade protection to existing hackney carriage trade members operating in the individual zones. Arguably this would give greater benefit to those trade members who are associated with the two regulated zones.
- Maintenance of the zones and continuation of the limitation of numbers of hackney carriage vehicles in Durham and Chester le Street areas would necessitate future, regular surveys of unmet demand. Irrespective of the costs involved in such exercises, the results may provide a good indication of demand for taxi services in those zones and the numbers of hackney carriage vehicles allowed to operate could therefore reflect the needs of the travelling public in those zones.

- 3.2.2 Some possible disadvantages and negative attributes associated with maintaining a multi-zone system and continuation of the regulated limitations of hackney carriage numbers in the Durham City and Chester le Street zones.
- Arguably, this option has some effect in terms of reducing choice for consumers (taxi service users) in controlled or regulated areas, especially in some busy areas at peak times.
 - By a similar process, the status quo reduces trade and business choices and options available to all existing hackney carriage trade members by preventing their ability to operate freely as hackney carriages throughout the County.
 - This option will continue to restrict those potential members of the hackney carriage trade who may want to set up business in the zones that have limitations on hackney carriage vehicle licence numbers.
 - This option does restrict open competition and prevents free market conditions in relation to hackney carriage trade and business activities, especially in the Chester le Street and Durham City areas of the County.
 - Limitation of hackney carriages could lead to insufficient taxi numbers in some locations at certain times. In some busy areas at peak times the balance of supply against demand could be disadvantageous to the service users.
 - There is a greater potential for higher or increased levels of enforcement activities to control errant hackney carriage drivers who may seek to flout the zoning requirements and carry out hackney carriage activities outside the zones in which they are so licensed.
 - The administration system is more complex in comparison to what would be required under option A, involving the use of a multi-plating identity system and other differences in hackney carriage vehicle identification methods. Such differences are necessary to match the vehicles to the zones in which they are licensed.
 - Under the current economic climate, there is a potential negative impact on existing businesses who may be unable to expand their operations and access new markets as they are restricted in their operations by both the zoning arrangements and the associated limitations on available vehicle licences in two areas of the County.
 - Anecdotally, there currently exists a certain level of confusion or a lack of understanding amongst the public and the trade in relation to the current operation of hackney carriage zones and the restriction of hackney carriage licence numbers.
 - There is a continuing risk of applications being made for a Hackney Carriage license and, when refused, appealed to the Crown Court.

3.3 Maintain the zones but with no limitations on numbers of hackney carriages i.e. the maintenance of a multi-zone system and the removal of limitations on hackney carriage numbers in the Durham City and Chester le Street zones - **OPTION C**

This option if chosen might produce some of the advantages and the disadvantages associated with the removal of the regulation of hackney carriage vehicle numbers outlined in option A along with some of the possible pros and cons associated with maintaining the 7 zones highlighted in option B. However, because zoning and the regulation of numbers are to some degree inextricably linked, it is also conceivable that the nature extent of any possible advantages and disadvantages stemming from this option could be somewhat different when compared to those which may result from either option A or B. It should be noted that although a rigorous demand survey is always required in order to enable an Authority to limit or to maintain limitations in respect of hackney carriage numbers in a given zone, no such survey would be required in order to remove any existing limitations. Any decision to de-limit numbers could be subject to Judicial Review by those most affected by the decision to de-limit numbers (i.e. those who have hackney carriages currently licensed in Durham and Chester-le-Street).

3.3.1 Possible advantages and positive attributes associated with a multi-zone system and the removal of limitations on hackney carriage numbers in the Durham City and Chester le Street zones.

See 4.3.1 above (some possible advantages and positive attributes associated with option A - a single zone, unregulated in terms of hackney carriage numbers – associated with option A) for those identified pros possibly associated with the removal of limitations on hackney carriage numbers.

See also 4.4.1 above (some possible advantages and positive attributes associated with maintaining a multi-zone system and continuation of the regulated limitations of hackney carriage numbers in the Durham City and Chester le Street zones – associated with option B) for those identified pros possibly associated with maintaining the existing 7 zones.

3.3.2 Possible disadvantages and negative attributes associated with a multi-zone system and the removal of limitations on hackney carriage numbers in the Durham City and Chester le Street zones.

See 4.3.2 above (some possible disadvantages and negative attributes associated with option A - a single zone, unregulated in terms of hackney carriage numbers – associated with option A) for those identified cons possibly associated with the removal of limitations on hackney carriage numbers.

See also 4.4.2 above (Some possible disadvantages and negative attributes associated with maintaining a multi-zone system and continuation of the regulated limitations of hackney carriage numbers in the Durham City and Chester le

Street zones – associated with option B) for those identified cons possibly associated with maintaining the existing 7 zones.

3.4 Maintain the zones and undertake further demand surveys in all zones - introduce limits for the zones not currently limited Maintain the zones – OPTION D

It is possible to impose and maintain a limit in any zone; provided that there is an up to date survey that confirms that there is no significant unmet demand for Hackney Carriages within that zone. If Members wish to exercise this option, in addition to maintaining the zones as they currently exist, it would be necessary to conduct demand further surveys in all of the zones to establish the demand status in each, and to repeat these surveys at least every three years thereafter in all or some of the zones in order to maintain any identified and arguably justifiable limitations.

This option might produce some of the advantages and the disadvantages associated with maintaining a multi-zone system and continuation of the regulated limitations of hackney carriage numbers in the Durham City and Chester le Street zones, together with some possible concurrent disadvantages and negative attributes as outlined in option B above. This option would be an expensive one due to the amount of demand survey work that would be necessary and it is also probable that if further limitation of hackney carriage numbers was to occur in zones additional to those that already exist, then any probable and associated advantages and disadvantages could be magnified and affect larger areas of the County.

3.4.1 Possible advantages and positive attributes associated with a multi-zone system and additional limitations on taxi numbers throughout all zones

See 4.4.1 above (*some possible advantages and positive attributes associated with maintaining a multi-zone system and continuation of the regulated limitations of hackney carriage numbers in the Durham City and Chester le Street zones – associated with option B*) for those identified pros possibly associated with maintaining the existing 7 zones and the regulation of hackney carriage numbers. Could lead to such affects being experienced in other zones should the need for limitation of hackney carriage vehicles in other zones be identified and the regulation of numbers be imposed as a result.

3.4.2 Possible disadvantages and negative attributes associated with a multi-zone system and additional limitations on taxi numbers throughout all zones

See also 4.4.2 above (*Some possible disadvantages and negative attributes associated with maintaining a multi-zone system and continuation of the regulated limitations of hackney carriage numbers in the Durham City and Chester le*

Street zones – associated with option B) for those identified cons possibly associated with maintaining the existing 7 zones and the regulation of hackney carriage numbers. Could lead to such affects being experienced in other zones should the need for limitation of hackney carriage vehicles in other zones be identified and the regulation of numbers be imposed as a result.

3.5 **Removal of the 7 zones with the simultaneous removal of all limitations on hackney carriage numbers in the Chester le street and Durham City zones; and then to undertake a demand survey for the whole of the County of Durham – OPTION E**

Theoretically it would be possible to remove the zones but then to impose and maintain a limit in the one zone that would be created by the administrative boundary of the whole of County Durham; provided that there had been a suitable survey that had confirmed that there was no significant unmet demand for Hackney Carriages within the entirety of County Durham. It is however considered that it would be highly unlikely that such a situation would exist within the whole of County Durham and that it would be very unlikely that such a survey, if carried out would ever find evidence of a countywide situation involving unmet demand within such a massive and diverse geographical area. Notwithstanding this, If Members wished to exercise this option, it would be necessary to conduct a countywide survey to establish that there was in fact unmet demand, and repeat this survey at least every three years thereafter on a countywide basis. Any possible advantages or disadvantages resulting from this option would to a greater or lesser degree mirror those highlighted above in relation to options that include removal of the zones with the imposition of limitations on hackney carriage numbers where this was proved to be both possible and necessary.

3.5.1 Possible advantages and positive attributes associated with a single zone with limitations on taxi numbers throughout the County.

See 4.3.1 above (*some possible advantages and positive attributes associated with a single zone, unregulated in terms of hackney carriage numbers - associated with option A*) pros in relation to the single zone aspects highlighted.

See also 4.4.1 above (*some possible advantages and positive attributes associated with maintaining a multi-zone system and continuation of the regulated limitations of hackney carriage numbers in the Durham City and Chester le Street zones - associated with option B*) pros in relation to the limitation of hackney carriage numbers – but within one zone only, not the existing two.

3.5.2 Possible disadvantages and negative attributes associated with a single zone with limitations on taxi numbers throughout the County

See 4.3.2 above (*some possible disadvantages and negative attributes associated with option A - a single zone, unregulated in terms of hackney carriage numbers – associated with option A*) cons in relation to the single zone aspects highlighted.

See also 4.4.2 above (*some possible disadvantages and negative attributes associated with maintaining a multi-zone system and continuation of the regulated limitations of hackney carriage numbers in the Durham City and Chester le Street zones* – associated with option B) cons in relation to the limitation of hackney carriage numbers – but within one zone only, not the existing two.

3.6 Opinions of the Department of Transport

The Department for Transport (Dft) advised the Council in September 2009 that it remains the Department's view (as set out in the Department's response to the Office of Fair Trading report in 2004 and the Best Practice Guidance in 2006) that a limit on taxi numbers is unlikely to be in the best interest of consumers. However, Ministers recognise that local licensing authorities are in the best position to determine whether taxi numbers should be limited and section 16 of the Transport Act 1985 remains the statutory means by which they can limit numbers if they so choose.

The DfT further advised that the Department's most recent research, from a survey carried out in 2008, showed that 88 licensing authorities (including Chester le Street and the City of Durham) out of 343 imposed a limit on the number of hackney carriage licences.

3.7 Opinions of the Office of fair Trading

The Office of Fair Trading considers that quantity regulation (limiting the number of taxis), reduces availability and lowers the quality of service to the public. In the OFT's opinion, which was expressed in two separate reports published in 2003 and 2007, these restrictions should therefore be lifted by the local authorities that have imposed such restrictions.

The OFT study that led to its 2003 report identified a number of benefits to consumers that should flow from adoption of its recommendations. Specifically, the OFT believes that acting on their recommendations in respect of removing quantity restrictions would benefit consumers by:

- Putting more taxis on the road – removing quantity restrictions could increase the number of taxis in affected areas by 30 per cent.
- Making journeys safer – removing quantity restrictions and increasing the number of licensed taxis will reduce the need for illegal taxis where neither the driver or vehicle have been subject to appropriate quality and safety checks. Last year (2006) around 1.8 million people used an illegal taxi, exposing themselves to potentially serious safety risks.
- Reducing passenger waiting times – removing quantity restrictions will save an overall 2.5 million hours across the UK

- Creating more choice – removing quantity restrictions could put an extra 15,000 taxis on the road. This will substantially increase peoples' choice of transport modes when deciding how to reach their destination.

3.8 Opinions of Durham Constabulary

A report (see Annex 1) was supplied by Durham Constabulary to Durham County Council on the 7th May 2010. This report is the official police contribution to the countywide taxi consultation process and contains the views, opinions and observations of the Local Constabulary. The following is an extract from the report which is the summary of their findings on the subject of zoning and the limitation of Hackney carriage numbers:

“Durham Police recommend the removal of the 7 taxi zones and the implementation of one singular taxi zone allowing for the sharing of hackney carriages on all hackney ranks across the county. It is our firm belief that should this take place then there would be a dramatic impact on the reduction of crime and disorder within the City Centre. Should the implementation of a single zone take place then it would be expected that there would be a flood of taxis into the city however it is perceived that this influx would only be for a short time and like water the number of city taxis would ultimately find their level”.

3.9 Opinions of the Licensed Hackney Carriage and Private Hire Trade

3.9.1 Opinions expressed by the local Area Working Groups (AWGs) representing the hackney carriage and private hire trade associated with the existing zones.

Table (i)

Area Working Group	Zones Keep or Remove? (1 zone or 7)	Regulation of HC Numbers Maintain or End?	Colour Policy Yes or No?	Option Favoured by AWG (Zoning and regulation of HC numbers)
Chester le Street	Keep the 7 zones	Regulate HC numbers	Yes to Colour policy	Option B
Easington	Remove the 7 zones	Regulate HC numbers	No to colour policy	Option E
Derwentside	Remove the 7 zones	Regulate HC numbers	No to colour policy	Option E
Durham City	Keep the 7 zones	Regulate HC numbers	Yes to Colour policy	Option B
Sedgefield	Remove the 7 zones	Regulate HC numbers if 7 zones are kept	No clear opinion expressed	Option A or Option E
Teesdale	Keep the 7 zones	Regulate HC numbers if 7 zones are removed	No clear opinion expressed	Option B or Option E
Wear Valley	Remove the 7 zones	No clear opinion expressed	Yes to Colour policy	Option A or Option E

3.9.2 Opinions expressed by the County Wide Working Group (CwWG) comprising representatives from the 7 AWGs whose membership represents the hackney carriage and private hire trade associated with the existing zones.

Table (ii)

All Area Working Groups	Zones Keep or Remove? (AWG Responses)	Regulation of HC Numbers Maintain or End?	Colour Policy Yes or No?	Option Favoured by AWG (Zoning and regulation of HC numbers)
Countywide Working Group Representatives	3 Keep 4 Remove	6 Regulate 1 Unclear	3 Yes 2 No 2 Unclear	2 for Option B 2 for Option E 2 for Options A or E 1 for Options B or E

4.0 Vehicle Identification and Colour Policies

A Council can require any hackney carriage licensed by them under the Town and Police Clauses Act 1847 Act to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage. In a similar way, under the Local Government (Miscellaneous Provisions) Act 1976, a Council can require private hire vehicles not to be of such a design and appearance as to lead the public to believe that it is a hackney carriage.

In order to assist the public in recognising a Hackney Carriage that has been licensed by the Authority such vehicles may therefore be required by license conditions to conform to a specified colour policy. This may assist in the promotion of public safety by helping to reduce the possibility of customers getting into unlicensed vehicles or getting in to private hire vehicles that are unlawfully plying for hire in the street or from a taxi rank.

Of secondary consideration, the adoption of a colour policy would, in addition to the main public safety purposes, provide a readily identifiable 'Durham Countywide Taxi Fleet'. Three of the former District Councils had adopted a colour policy and white was the colour chosen by the former District authorities. This colour was chosen at the time as it had been considered that there were generally fewer white non-commercial vehicles on the road. Another consideration that had led towards white being chosen was that with white, the issue of colour shading was thought not to be as prevalent as with other car colours.

Arguably, the need to specify the colour of hackney carriages and private hire vehicles is not so great when such licensed vehicles may be easily identified as such in other ways with the appropriate use of decals, roundels, top signs, for hire signs etc. In the Department for Transport publication '*Taxi and Private Hire Licensing Best Practice Guidance*' DfT February 2010, reasons for and means of vehicle identification are addressed.

The colour of a vehicle is not specifically mentioned however as a means of identification which is considered to equate to best practice although the publication does say in the section on vehicle identification that in addition to the display of licence plates and discs on vehicles "...requiring some additional clearer form of identification can be seen as best practice. This is for two reasons: firstly, to ensure a more positive statement that the vehicle cannot be hired immediately through the driver; and secondly because it is quite reasonable, and in the interests of the traveling public, for a PHV operator to be able to state on the vehicle the contact details for hiring;". The use of colour policies is not referred to however and some degree of interpretation or extrapolation may be thought necessary if this section were to be used to give justification to a colour policy in terms of perceived best practice.

5.0 The national perspective

Information provided by the Department for Transport revealed in September 2009, that at the time of their survey carried out in 2008, 88 of the 343 authorities in England had a working policy to restrict the number of Hackney Carriage licenses in all or some parts of their administrative areas. This includes Chester le Street and Durham City zones within the County of Durham.

5.1 The situation in other new unitary authorities

The 7 other new unitary authorities that along with Durham county Council were created under the latest round of local government reorganisation were contacted to find out about the situation concerning zoning, limitation and colour policy in their administrative areas. These new authorities, formed by the merger of former County and District Councils were Wiltshire County Council, Shropshire County Council, Northumberland County Council, Cornwall County Council, Cheshire East, Cheshire west and Central Bedfordshire.

As may be seen from the two tables below, only one new Unitary Authority has removed zoning in respect of Hackney Carriages (HC). Central Bedfordshire had no number limitations or colour policies in either zone and the amalgamation of the zones was with the co-operation of the trade.

Table (iii) Zoning, limitation and colour policies in the new Unitary Authorities

Authority	No of zones pre LGR	No of zones post LGR	No of zones regulated	No of zones with colour policy
Central Beds	2	1	0	0
Cheshire East	3	3	2	0
Cheshire West	3	3	1	2
Cornwall	6	6	2	2
Northumberland	6	6	0	1
Shropshire	5	5	0	0
Wiltshire	4	4	0	0

Table (iv) Zoning, consultation and policies in the new Unitary Authorities

Authority	Has authority de-zoned post LGR?	Is consultation ongoing or proposed re de-zoning?	Has a single policy been adopted, proposed, or in consultation?
Central Beds	Yes	N/A	Yes
Cheshire East	No	No	No
Cheshire West	No	No	No
Cornwall	No	No	No
Northumberland	No	Yes	Proposed
Shropshire	No	Ongoing	In consultation
Wiltshire	No	No	Yes

NOTES: *By the end of 2009, Cornwall and Shropshire were in the process of consultation regarding the possible removal of zones in their administrative areas.*

Cornwall had met with the trade only and was consulting via a questionnaire. The questionnaire's responses were designed to fit into categories ranging from 'strongly disagree' with the proposal/suggestions to 'strongly agree'. The responses we are told have been very poor with only 10 – 11% of questionnaires from the trade being returned. The results were to be reported to the appropriate committees and the final decision was to be left to members with no officer recommendations given at all in the final report. The proposals were to address the issues of removing zones in the first instance and then to proceed with the issue of restricting/de-restricting Hackney Carriage numbers. The eventual outcome of this consultation and decision making process in Cornwall was that local members decided to keep the existing 6 zones and to maintain the limitation of numbers in two of these zones.

Shropshire adopted a single policy for April 1st 2009 and consulted on revisions to this alongside the issue of the removal of existing zones. They consulted with the trade by way of forums but not working groups. Their consultation document on their website simply asked for any comments on the issue of de-zoning among the proposed amendments to the policy. At the time of writing this briefing paper Shropshire County Council have not made a decision on the issue of zones and they are continuing to operate as they had previously done prior to LGR.

Consultation Response Report from Durham Constabulary

Opinions of Durham Constabulary

The report was supplied by Durham Constabulary to Durham County Council on the 7th May 2010. This report is the official police contribution to the countywide taxi consultation process and contains the views, opinions and observations of the Local Constabulary.

REPORT:

This matter is being dealt with by Sgt Tim Robson, extension number 663 2351.

Dear Sir /Madam

Taxi Zoning and Creating a Single Taxi Zone.

1. Overview

1.1 I am a Sergeant in the Durham Constabulary Licensing Unit where for over 8 years I have engaged in taxi licensing matters at a number of levels. During this time I have dealt with matters associated with The National Taxi Association (December 2003 onwards), DELTA – Derwentside Taxi Drivers Association (2003 onwards), Chester-Le-Street Taxi and Private Hire Working Group (2004 onwards), and most importantly I have been attending the Durham City Licensing Strategy meetings from 2004 to April 2009 which included the attendance of Durham Independent Taxi Association.

1.2 Working regularly in the night time economy gives me an in depth insight into the provision and availability of taxis in the North area. The basis of this report is to convey my findings over the past 5 years on taxi provision primarily in the North Durham.

1.3 From 2004 onwards the police had regular meetings with the Durham City Taxi drivers association. Consultation identified that the then current position of taxi ranks was inappropriate and as such the rank in North Road, Durham City was moved a short distance down the road to outside of Bottoms Up, an off licence. At this time funding from licensees allowed for the implementation of Taxi Marshalls. I coordinated the provision of two taxi marshals at this location whose duties were to monitor the rank and report matters to the police. They were effectively eyes and ears providing the police with an early intervention to deal with crime and disorder.

2. Taxi Marshals

2.1 At this time Walkergate was under development and the night time economy was focused in the North Road area. The city had few new attractions with the old pubs and nightclubs creating the main attraction for visitors.

During 2005 the Disorder in the area of North Road, Durham rose monthly. In assessing the reasons behind the disorder a proportion was seen to be linked with persons waiting in taxi queues.

2.2 Following consultation with taxi drivers at the licensing strategy meetings the rank in North Road was moved to a location where it was perceived taxi drivers would favour attending. The taxi operators made mention to the disorder that they were experiencing on the rank and stated they did have sufficient cars however they were short of drivers. I will discuss this matter later in the report.

2.3 In response to this the licensees in the North Road area agreed to fund the provision of two taxi marshals to work 12 midnight until 3am. Their duties were to maintain an orderly queue and to utilise radios to inform CCTV of any developing matters. They also identified persons in the queue who were willing to travel together and travel to a like destination. This ensured that revellers were taken home as quickly as possible. The taxi marshals were also door supervisors employed by Phoenix Security and they provided me with a great deal of information on the number of taxis attending the queue during the night.

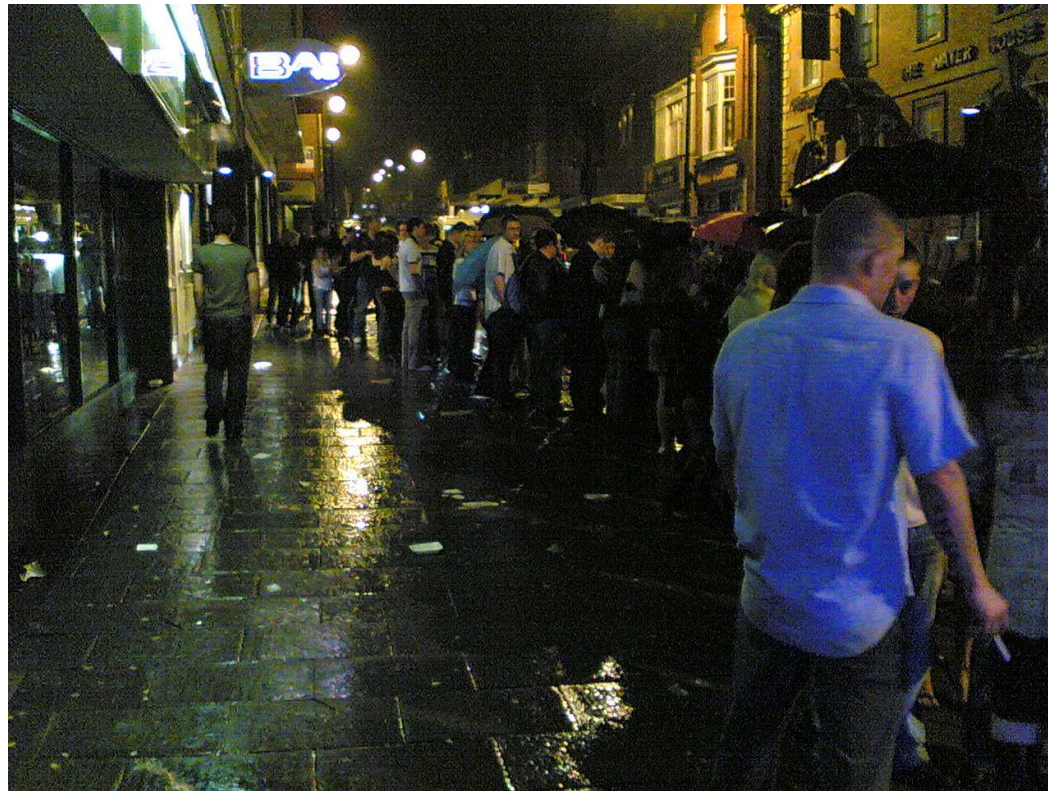
2.4 After speaking with the marshals' and in working a number of nights it was abundantly clear that there were insufficient taxis in the city to cater for the amount of revellers requiring transportation home at the end of a night.

2.5 During the following months a reduction in crime and disorder in the area was noticed. The queues for persons waiting for the taxi did not reduce. Across the City Centre at all ranks there was excessive queuing. Early intervention and filling taxis with multiple fares did help the disorder issues but the main problem was still the lack of taxis.

[Taxi Queue North Road March 2006 Image 1](#)



Taxi Queue North Road March 2006 Image 2



3. Durham City in Comparison

3.1 The issue of insufficient taxis was addressed across the whole of the North Area of the Constabulary and Durham City was the only area where there were problems.

3.2 The population of Durham today is around 40000 (with a further 20000 or so living in the immediate surrounding area), and university buildings and departments are spread throughout the city, as are the 17 colleges of the university. The colleges house approximately 16000 students. A bus service is provided for the students to get them safely home to the peripheral colleges at the end of the night. The issue of

“town and gown” has I am pleased to report reached a very low level. In comparison to the surrounding areas Durham has the highest population.

3.3 Only Chester le Street and Durham City Centre have a limit on the number of Hackney Carriages. I attended the Licensing strategy meetings where I again raised the issue of lack of taxis in the City Centre. I was again informed that there were sufficient taxis and the main issue was the lack of drivers. The reality is that there are insufficient cars and that any persons wishing to work as a taxi driver are primarily solo operators with their own cars. To evidence this the current Hackney taxi driver waiting list at Durham City has 74 persons waiting who are mainly sole providers. Individuals who wish to operate their own business and car, and not to work for the bigger firms who may have a lack of drivers but owing to this are causing taxis to be unused during the busy times.

3.4 I questioned the re deployment of drivers within the big City Centre operators to cover the Night Time Economy and the result was that they could not get the drivers to work that period of time, after all if a driver could make his/her money on a daytime basis conveying fares from the city and shopping centres then they would, and ultimately these drivers were then boycotting the night time economy. Even providing taxi marshals, improved rank location and better policing of the Night time economy there was still insufficient persuasion to cause drivers to work back.

3.5 During 2006 the situation did not improve. Checks through 2006 showed that there was still insufficient taxis to deal with the requirements of the city.

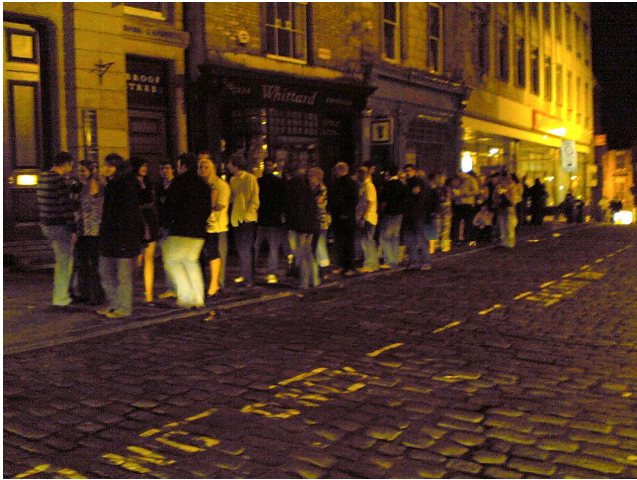
3.6 In October 2006 the new Walkergate Development opened to the public, increasing the Night Time economy by 3 large capacity establishments and a number of smaller dining houses. The development caused displacement of a proportion of the revelers' in North Road to Walkergate, but it also caused an increase in public attraction to the City. The increase in trade could be seen in the closing times of premises across the City.

3.7 Unlike other parts of the North East the police have fought to maintain Durham City's 2am licences and this remains to present day. Only occasional licences are extended to 3am and only on an ad hoc basis. Trade increased in the Walkergate area and decreased in North Road where taxi marshals were still employed. In assessing the City's taxi ranks during the early part of 2007 a common theme can be seen. In the early part of 2007 there was still no change.

Market Place Taxi Rank March 2007

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4

Taxi Rank bottom of Crossgate March 2007

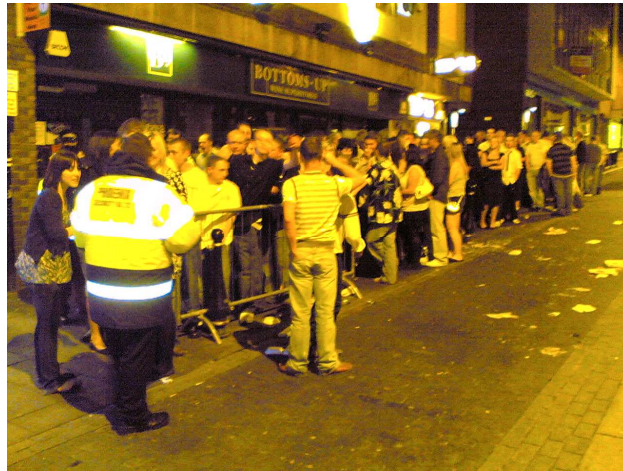


4. Queuing

- 4.1 In North Road the queues still remain. After speaking to persons in the queues it was evident that they were very disgruntled at having to wait a considerable time for the arrival of a taxi. I interviewed people in the ranks as they waited and it was evident that a number of the persons were travelling to the out skirting villages. This was causing the taxis to take some time before they returned. Noticeable in the all images is the lack of taxis.
- 4.2 Taxi Marshals were only working North Road, people felt safe in the queues associated with marshals and I noted that North Road rank still attracted crowds from the Walkergate area especially as a number of those in the queue were from villages to the west of Durham city such as Brandon and Langley Park.

North Road March 2007

1

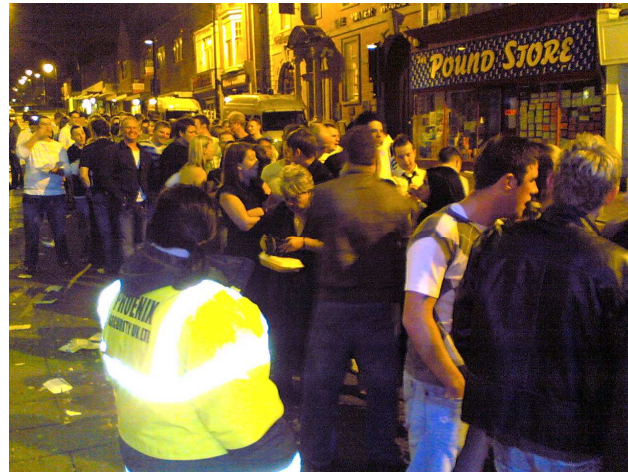


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5. Councilors' views

5.1 It is worthy of note that at this time Councilor Edna Hunter identified problems with taxis, the issues associated with the lack of taxis which were now developing farther and greater than before and the problem was causing great issue to many. The following news feed is therefore relevant to my report and its content must be taken into consideration in making a decision regarding the need to make one single zone. The following is the content of the news feed.

5.2 Taxi shortage 'fuelling violence'

A lack of late-night transport is fuelling the potential for violence and disorder in Durham City, a leading councillor has claimed.

Edna Hunter, Durham County Council's vice chair, was one of three members of a working group examining drugs and alcohol abuse among under-18s.

They spent four hours on a fact-finding mission in and around the city's nightspots on Saturday.

They identified a lack of taxis and other available transport.

Councillor Hunter said she found the experience “eye-opening”.

Long journeys

She said: “It was immediately apparent that in Durham City, there is an acute shortage of transport, especially taxis, to ferry people out of the town quickly after closing time.

“In one taxi queue, there were almost 40 young people waiting for a taxi, but because the taxis have long journeys to make to take people home to the surrounding villages, only two turned up in more than 10 minutes.

“This causes frustration which can lead to arguments which can quickly turn to violence as we saw for ourselves.”

The fact-finding mission was part of a county council investigation into under-age drinking and drugs abuse and associated problems.

Mrs Hunter added: “After Saturday night’s experience, part of the evidence we shall be feeding back into the investigation is this urgent need to address the lack of late night transport in Durham City, which in my view is a key contributor to potential violence and disorder.

“There may be issues, including the availability of taxi drivers, which contribute to the late night transport problem, but it is an area which needs looking at closely.” *Ends*

Clearly the issues were very apparent in 2007. During 2008 the Walkergate development progressed from strength to strength drawing more and more people to the area. In surrounding areas of the North area little if anything had changed and taxi requirements were being met. Chester Le Street is the only other hackney regulated area in the North however in that area there were few problems with taxi availability.

The only issues in Chester Le Street were associated with location of the ranks. In Durham City the night time economy had split between North Road and Walkergate and although the footfall had increased transportation had not. Ancillary bus services had been instigated but many, especially single women were still reluctant to use bus services over taxis. Taxis were seen by many as a safe and convenient means of getting from A to B and both groups or single females heading home did not like the idea of being alone on a bus or being dropped off some distance from home and having to walk. This was evidenced in the provision of buses by Walkabout in North Road and the comments made by the users of the bus. Taxis were the way forward and the safest way home however the main issue was the wait in the ranks. Again the main issue was that of the lack of taxis.

Information received suggests that due to the limited number of taxi plates available some plates when sold were being sold for in excess of £30,000.

Between June 2009 and current date licensing authorities have noticed a clear migration of private hire plates from both restricted and non restricted zones to that of unrestricted hackney areas. Private hire vehicles have reduced by over 50% in the Easington area, and in Durham City the unlimited number of private hire vehicle drivers have been seen to make application to primarily Derwentside for Hackney plates. It is firmly believed that the reason for this is so that when there is a singular zone the taxi operators will be in a position to move to ranks in the busier areas namely Durham City.

The below table indicates the number of taxis in each specific area, considering that the city has a populous of nearly 75,000 people then there is the equivalent of one hackney taxi per thousand inhabitants of the city.

AREA	HACKNEYS	PRIVATE HIRE
Chester Le Street	95	52
Durham City	74	69
Derwentside	280	136
Easington	216	102
Sedgefield	138	35
Teesdale	16	51
Wear Valley	179	32

In 2010 the issues associated with lack of taxis continue, queues are still long and unnecessary and people waiting remain as frustrated as ever whilst others grow violent in the rank line. The main difference is that now thanks to improved partnership assistance a taxi rank in Claypath now has the support of two taxi marshals'. I have spoken to the marshals' from both North Road and Claypath In February 2010 and the message is that taxis are not stopping at the ranks. On the night of my visit there were 65 people waiting in the queue at North Road and this was the least busiest of the ranks. Taxis were few and infrequent. Taxi marshals informed me that taxis were being flagged down at the top of North Road and driving past those waiting in the queue. Taxis were cherry picking the customers that they wanted to collect causing disaffection to those in the queue.

Summary

Durham's night time economy had changed very much for the better over the last 7 years, moving from strength to strength and addressing issues identified by the police, partnerships and most importantly the public who have to suffer the indignities of drunkenness and both disorderly and violent behaviour associated with the pubs and clubs of the city. The one constant that has not changed radically is the number of taxis in the city. Patrols in the city during 2004, 2005, 2006 and 2007 show the total lack of Hackney carriages. Councillors themselves express their concern at the lack of taxis in 2007. The Independent taxi survey finalised in May 2008 clearly depicted the need for more taxis, in the city and the clear statements from those that manage the taxi ranks, the Marshalls themselves indicate that the taxis in 2010 are simply cherry picking the cream of the ranks as and when they want. It is a sorry state of affairs but it is very true that a majority of taxis if they are working on a busy night are either picking up fares away from the rank or simply driving past the queues of frustrated revellers waiting as patiently as possible to get home in queues of drunken, impatient and often violent individuals. It is my firm belief that the main operators of taxis in Durham City centre have invested a great deal of money in the cost of individual taxi plates. If a mineral is rare then it is of high intrinsic value and the same can be said for taxi plates. Elsewhere in the county taxi plates are worth only the cost of the plate usually £25 however if as in the case of Durham City the plate is only one of 74 released the market value of that plate rises to between £30,000 and £40,000. The fight is therefore a much greater issue for those who hold the plates not because of the need to use the vehicles to generate income from fares, but because the owners of the plates fear the loss of their investment in the individual plates.

Durham Police recommend the removal of the 7 taxi zones and the implementation of one singular taxi zone allowing for the sharing of hackney carriages on all hackney ranks across the county. It is our firm belief that should this take place then there would be a dramatic impact on the reduction of crime and disorder within the City Centre. Should the implementation of a single zone take place then it would be expected that there would be a flood of taxis into the city however it is perceived that this influx would only be for a short time and like water the number of city taxis would ultimately find their level.

Yours sincerely
T. Robson
Sergeant 1590

Appendix 4

A list of all interested parties who provided a response to this consultation

A list of the interested parties and organisations, who provided responses during the consultation process and who expressed preferences in relation to the issues of zoning, regulation of hackney carriage numbers and/or colour policy

- Sgt Tim Robson, Durham Constabulary
- Councillor David Freeman, Durham County Council
- Councillor Joseph Armstrong, Durham County Council
- Councillor Ken Holroyd, Durham County Council
- Roger Cornwell, City of Durham Trust
- Mrs A Boll, Belmont Parish Council
- Mrs L Swinbank, Sedgefield Town Council
- Wendy Hetherington, One North East
- Richard Startup, Passenger Transport, Durham County Council
- Colin Austin, Phoenix Security Limited
- Horden Parish Council

Note: James Button, James Button and Co Solicitors provided information to the County Council, prior to the development of the phased consultation process.

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Appendix 5: Summary of Responses to countywide public consultation exercise on zoning, the control of hackney carriage numbers and colour policy

A1.0 Statistics and data relating to hackney carriage and private hire trade membership currently licensed by Durham County Council (September 2010)

A1.1 The number of people licensed as hackney carriage and private hire trade members by the Council in mid September 2010 was 2126 persons. These people work as drivers of hackney carriage and private hire vehicles, owners or proprietors of such vehicles and as private hire operators.

A1.2 The 2126 licensed drivers (976 hackney carriage drivers, 362 private hire and 654 jointly licensed drivers) are all licensed to drive throughout the entire County but the hackney carriage vehicles that appropriately licensed drivers use may only be used as hackney carriages in the zones in which they are licensed. Hackney carriages may also be used as private hire vehicles but not visa versa. Private hire vehicles and hackney carriages operating as private hire vehicles, licensed by the Council may operate throughout the County.

A1.3 Current statistics for the hackney carriage and private hire licensed trade in Durham County are presented below in table 1 and in graphs 1 to 5. The numbers of licensed individuals and vehicles are categorised by type of licence and by zone. The zones are numbered from 1 to 7 and correspond to the following areas of the County. Zone licensed membership at September 2010.

Zone 1	Chester le Street area	165 members
Zone 2	Durham City area	251 members
Zone 3	Derwentside area	526 members
Zone 4	Easington area	566 members
Zone 5	Sedgefield area	256 members
Zone 6	Teesdale area	93 members
Zone 7	Wear Valley area	269 members

A2.0 Consultation results – licensed hackney carriage and private hire trade response.

A2.1 Consultation response statistics for the hackney carriage and private hire licensed trade in Durham County are presented below in tables 2, 3,4 and 5 and in graphs 6 to14(a-e) below. The numbers and in some cases the relevant percentages of licensed individuals, are categorised by type of licence and by zone. Where appropriate, percentage figures are given which serve to compare responses on specific issues (colour policy, zoning and regulation) from individuals members of the hackney carriage and private hire trade with the total number of trade members countywide; the total number of trade members in the different zones; and the numbers who responded to the issue in question, both countywide and according to zone.

A2.2 Of the 2126 members of the hackney carriage and private hire trade licensed by the Council, a total of 154 individuals (7.24%) responded directly to the consultation on zoning, regulation of hackney carriage numbers and colour policy. From those

respondents, 154 responses related to zoning and hackney carriage number regulation the 154 also related to colour policy but included 2 'no comments'.

A2.3 The 7 hackney carriage and private hire area working groups (AWG) and the countywide working group (CWG) that were set up by the Council as forums to represent members of the licensed taxi trade operating throughout the County, also responded directly to the consultation on behalf of the trade and these group responses are also recorded below in tables 4 and 5.

A3.0 Consultation results - police, interested parties and the general public (non-licensed hackney carriage and private hire trade responses)

A3.1 A total of 22 people, including members of the public and individuals either representing or associated with organisations having an interest in taxi licensing and regulation within the County, provided responses to and participated in the consultation process. From this group of 22 respondents, 15 responses related to zoning and hackney carriage number regulation and 12 also related to colour policy.

A3.2 Consultation response statistics for this grouping of respondents from Durham County are presented in Appendix 2, tables 6 and 7 and in graphs 15 and 16. (A list of all interested parties who provided a response to this consultation is given in appendix 6).

A3.3 As the total number of respondents in this grouping is low and because this grouping of mixed respondents includes people commenting on an individual basis and also those acting on behalf of a group or organisation, percentages of responses are not given or used as indicators of relative preference. For example the response from Durham Constabulary represents the corporate viewpoint of a very large, countywide organisation but their response to the individual consultation questions is numerically only counted as a single response from a single respondent. In this respect, therefore, the recorded numbers themselves give no indication of the weighting that may be attached to the responses of such organisations. (A full and in depth report, submitted to the Council by Durham Constabulary in response to the consultation process, is attached as appendix 6).

A4.0 Discussion and Appraisal

In early December 2009, following a consultation process specifically involving members of the hackney carriage and private hire trade licensed by and operating within the County of Durham, 7 separate, area based working groups were established. Each one of the area working groups (AWG) is associated with one of the existing 7 zones.

These AWGs were designed to be forums for discussion and they formed a vital part of the ongoing wider consultation process. The groups themselves have no decision making role or powers. The outcomes from these meetings are passed to a countywide working group CWG that will meet at least 4 times every year on a 3 monthly basis.

Although the trade representatives at the AWGs and CWG were elected by their peers, the views they expressed and opinions they have given may not represent all members of the trade thought the County. All licensed trade members were therefore invited to comment on these options individually as well as through the AWG forums.

A4.1 Consultation responses from the individual licensed members of the hackney carriage and private hire trade - zoning options including the regulation of hackney carriage numbers.

Out of 2126 countywide licensed trade members, 154 people in total (7.24% of the trade) responded to the consultation on zoning and regulation matters. The zones which yielded the highest responses from the total numbers of licensed HC/PH members were Chester le Street (Zone 1) and Durham City (Zone 2). In both of these zones, 17.5% of the individual members of the licensed HC/PH trade in each of these zones responded. Easington (zone 4), Sedgefield (zone 5) and Teesdale (zone 6) yielded the lowest percentage responses; 0.5%, 1.2% and 2.1% respectively.

Option A – 23 respondents (15%) of the 154 who responded wanted this option (see Appendix 2, graph 12b). Grouped by zone, the biggest supporter of this option was Zone 7 with 56% of the respondents from this zone preferring Option A (see in Appendix 2, graph 14a.2). The 17 'Option A' preferred responses from the zone 7 respondents equates to 74% of the total number of total of the received Option A preferred responses (see Appendix 2, graph 14a).

Option B – 85 respondents (55%) of the 154 who responded wanted this option (see Appendix 2, graph 12b). Grouped by zone, the biggest supporters of this option were zones 1 with 82.5% and zone 2 with 95.5% of respondents from these zones preferring Option B (see Appendix 2, graph 14b.2). The 24 and the 42 'Option B' preferred responses from zone 1 and 2 respondents, equates to 28% and 50% of the total number of total of the received 'Option B' preferred responses respectfully (see Appendix 2, graph 14b).

Option C – 3 respondents (2%) of the 154 who responded wanted this option (see Appendix 2, graph 12b). Grouped by zone, only 3 supporters of this option were from zones 1, 3 and 7 with 3%, 2.5% and 2% of respondents from these 3 zones preferring Option B (see Appendix 2, graph 14c.2). The 3 supporters of 'Option C' from these 3 zones each equated to 33% of the total number of the received 'Option C' preferred responses (see Appendix 2, graph 14c).

Option D – 0 respondents (0%) of the 154 who responded wanted this option.

Option E - 41 respondents (27%) of the 154 who responded wanted this option (see Appendix 2, graph 12b). Grouped by zone, the biggest supporters of this option in ascending order were zones 7, 6, 3 and 4 with 31%, 50%, 63.5% and 100% of respondents from these 4 zones, again in ascending order, preferring Option E (see Appendix 2, graph 14e.2). The supporters of 'Option E' from zones 7, 6, 3 and 4 equate to 30%, 2%, 57% and 7% of the total number of the received 'Option C' preferred responses (see Appendix 2, graph 14e).

No Comments - 2 respondents (1%) out of the 154 who responded made no comment in relation to these options.

A4.2 Consultation responses from the individual licensed members of the hackney carriage and private hire trade - colour policy.

“Yes” to a colour policy – 50 respondents (32%) of the 154 who responded wanted this option (see Appendix 2, graph 7b). Grouped by zone, the biggest supporter of this option was Zone 1 (Chester le Street) with 46% of the countywide total ‘Yes’ responses received, followed by zone 3 (Sedgefield) with 28% and zone 7 (Wear Valley) with 18% (See Appendix 2, graph 9). The supporters of a colour policy from zones 1, 3 and 7 equate to 15%, 9% and 6% respectively of the total number of the received responses (see Appendix 2, graph 7c).

From the results displayed in Appendix 2, table 8, of the 50 respondents who said “Yes” to a colour policy, 43 individuals gave their own preferences for the possible colours of either hackney carriage vehicles, private hire vehicles or both. 31 responses related to hackney carriage colours and 12 related to the colour of private hire vehicles.

The most popular colour for a hackney carriage amongst this group of respondents was white with 16 responses (52% of stated HC colour preferences) and the most popular colours for private hire vehicles were white and black with 3 responses each (25% each of stated PH colour preferences).

“No” to a colour policy – 102 respondents (67%) of the 154 who responded wanted this option (see Appendix 2, graph 7b). Grouped by zone, the biggest supporter of this option was zone 2 (Durham City) with 40% of the countywide total ‘No’ responses received, followed by zones 7 (26%) and 3 (22%) (See Appendix 2, graph 10). Those that did not support of a colour policy from zones 1, 7 and 3 equate to 27%, 17.5% and 14% of the total number of the received responses (see Appendix 2, graph 7d).

“No comments” to a colour policy - respondents (1%) of the 154 who responded gave no comment in relation to this option (see Appendix 2, graph 7b).

A4.3 Consultation responses from the hackney carriage and private hire trade AWG and CWG representatives on zoning options and the regulation of hackney carriage numbers.

Consultation response comments made and preferences expressed by members of the 7 AWGs and the CWG were recorded at AWG and CWG meetings held during the second and third phase of the consultation process.

A4.3.1 The Area Working Group Responses (zoning/regulation)

Representatives from the 7 AWGs expressed the following preferences (see Appendix 2, table 4):

Option A – 2 of the AWGs: zone 5 (Sedgefield) and zone 7 (Wear Valley) wanted this option. [In the case of zone 7, this AWG gave this option as one of its two, equally preferred options.]

Option B – 3 of the AWGs: zone 1 (Chester le Street), 2 (Durham City) 6 (Teesdale) wanted this option. 1 area, zone 5 (Sedgefield*) wanted this option as a second choice, only if the 7 zones were kept

Option C – None of the AWGs wanted this option.

Option D - None of the AWGs wanted this option.

Option E – 3 of the AWGs: zone 3 (Derwentside) 4, (Easington) wanted this option. 1 AWG, zone 7 (Wear Valley) also gave this as one of its two, equally preferred options. [1 area, zone 6 (Teesdale*) wanted this option as a second choice, only if the 7 zones were removed.]

*Signifies that two options were put forward by the AWG depending on whether or not the 7 zones were removed or kept. In the case of zone 5 (Sedgefield) the stated preferred option of the two was Option A and in the case of zone 6 (Teesdale), the stated preferred option of the two was Option B.

Therefore, in terms of preferred options, Option B was supported by 3 of the AWGs and Option E was also supported by 3 of the AWGs. Option A, as a preference, was supported by 2 of the AWGs. In terms of what these options meant for zoning and regulation, 5 of the AWGs therefore supported options which would remove the zones and the concurrent regulation of hackney carriage numbers in Chester le Street and Durham City (Options A and E combined responses). From this perspective, 3 of the AWGs wanted to maintain the zones and the concurrent limitation of taxi numbers in zones 1 and 2.

AWGs 3, 4, 5 and 7 who, as a group together, supported Options A and E, officially represent a total of 1710 licensed hackney carriage and private hire members. AWGs 1, 2 and 6 officially represent a total of 672 licensed hackney carriage and private hire members. Using AWG member representation as an indication of option preference, nearly 72% of the countywide licensed membership supported options which would remove the zones and the concurrent regulation of hackney carriage numbers in Chester le Street and Durham City (Options A and E combined responses).

In addition to the removal of the zones, those 3 AWGs that supported Option E were however, supporting the option that would involve the possible regulation of hackney carriage numbers throughout the whole of the County, should a survey of demand be undertaken which, reported there to be no significant unmet demand throughout the entire County.

A4.3.2 The County Working Group Responses (zoning/regulation)

Representatives from the 7 AWGs who attended the CWG expressed the following preferences (see Appendix 2, table 5):

Option A – Two members of the CWG gave option A as their preference.

Option B - Two members of the CWG gave option B as their preference.

Option C – No members of the CWG gave option C as their preference.

Option D - No members of the CWG gave option C as their preference.

Option A or E – Two members of the CWG gave either Option A or E as their preferences.

Option B or E – Two members of the CWG gave either Option B or E as their preferences.

Therefore, CWG members gave Options A and B as being their most preferred options with Option E also receiving support from two of the CWG members. By grouping together the supporters of Option A with the support for option E, the CWG had more members who supported the removal of the zones than those who wanted to retain them.

In relation to the question of the existence of the 7 zones, 4 CWG members wanted the removal of the zones and 3 CWG members wanted to retain them.

In relation to the question of the regulation of hackney carriage numbers, 6 CWG members favoured regulation either within the existing zones 1 and 2 or on a countywide basis should a survey of demand be undertaken which, reported there to be no significant unmet demand throughout the entire County.

A4.4 Consultation responses from the hackney carriage and private hire trade AWGs and CWG representatives on colour policy.

A4.4.1 Area Working Group Responses (colour policy)

Representatives from the 7 AWGs expressed the following preferences (see Appendix 2, table 4):

“Yes” to a colour policy – AWG representatives from two areas, Zones 1(Chester le Street) and 7 (Wear Valley) said “yes” to a colour policy.

“No” to a colour policy – AWG representatives from three areas, zones 2 (Durham City), 3 (Derwentside) and 4 (Easington) said “No” to a colour policy.

Undecided/unclear response - AWG representatives from two areas, zones 5 (Sedgefield) and 6 (Teesdale) were unable to express a single or clear preference on behalf of the members of the AWGs that they represented.

A4.4.2 The County Working Group Responses (colour policy)

The 7 Representatives from the AWGs who attended the CWG expressed the following preferences (see Appendix 2, table 5):

“Yes” to a colour policy – Two members of the CWG said “Yes” to a colour policy

“No” to a colour policy – Three members of the CWG said “No” to a colour policy.

Undecided/unclear response – Two members of the CWG were unable to express a single or clear preference on behalf of the two AWGs that they represented.

Note: Comments were received from both AWG and CWG representatives to the effect that if a colour policy was introduced, despite their opposition to such a policy, they would expect that the vehicle colour requirements would not be brought in immediately but would be phased in over an appropriate time scale e.g. that existing vehicles of whatever colour would continue to be able to be licensed until they were changed by their owners and the colour policy would then be adopted on renewal of such vehicles.

A4.5 Consultation responses from the general public - zoning options including the regulation of hackney carriage numbers.

It is not possible to state whether or not the respondents in this grouping had any affiliation to the licensed hackney carriage or private hire trade; however they had not identified themselves as being so affiliated in their survey responses.

The total number of responses from individual members of the general public to the taxi consultation was only 8. This number if it were expressed as a percentage of the entire resident and working population of the County would be incredibly small.

From the 8 respondents, 4 favoured Option A (the removal of the 7 zones and the removal of limitations on hackney carriage numbers); 3 favoured Option E (the removal of the zones together with the possibility of the regulation of hackney carriage numbers throughout the County); and 1 person favoured Option B (maintaining the zones and the existing limitations in two of them *subject to future demand survey results*). In spite of the small number of responses, the clear majority (7 out of the 8 respondents) favoured the removal of the existing zones (Options A and E).

A4.6 Consultation responses from the general public - colour policy.

Again, it must be emphasised the number of responses from the general public in relation to the issue of taxi colour policy was particularly small. 8 people commented on this aspect of the consultation. 5 respondents said “yes” to the imposition by the Council

of a taxi colour policy, 1 said “no” and 2 respondents to the survey made no comments on this matter.

None of the 5 respondents who said “yes” to a colour policy expressed any preference as to the hackney carriage or private hire vehicle colour(s) that they considered should be associated with such a policy.

A4.7 Consultation responses from ‘interested parties’ - zoning options including the regulation of hackney carriage numbers.

The grouping of responses from people outside the licensed hackney carriage and private hire trade, in addition to individual members of the general public, contained respondents associated with particular organisations. These respondents, excluding Durham Constabulary, numbered 13 in total.

Of the 15 respondents categorised as ‘interested parties’ for the purposes of this consultation report, 13 individuals responded in respect of the zoning options. Responses from 9 individuals categorised as interested parties (non DCC) were from organisations external to Durham County Council and 4 were from or associated directly with Durham County Council. These 4 are categorised as interested parties (DCC). (See appendix iv).

In relation to the 9 interested parties (non DCC), 3 favoured Option A, 1 Option B, 1 Option C and 4 gave no preference or made no comment in relation to zoning and the regulation of hackney carriage numbers. Therefore, 3 preferred to see the zones removed, 2 expressed the opinion that the zones should be kept, but only 1 respondent favoured the retention of the current limitations on hackney carriage numbers.

The 4 interested parties (DCC) who responded expressed their preferences as follows: 2 agreed with Option A favouring the removal of the existing zones and associated restrictions and 2 agreed with Option B to maintain the status quo.

A4.8 Consultation responses from ‘interested parties’ - colour policy.

Of the total of 15 interested party respondents, 13 people responded in respect of the colour policy responses. 7 individuals who responded were categorised as interested parties (non DCC) and 6 were from or associated directly with Durham County Council, these 6 being categorised as interested parties (DCC).

2 of the 7 interested parties (Non DCC) favoured a colour policy but no colour preferences were put forward. The remaining 5 made no comment either way in relation to the imposition of a taxi colour policy.

The 6 interested parties (DCC) individuals responded as follows: 3 favoured a colour policy, 2 made no comments and 1 considered that a colour policy should not be imposed.

A4.9 Consultation responses from Durham Constabulary - zoning options including the regulation of hackney carriage numbers.

The police consultation response report is attached in appendix 6. This document was supplied by Durham Constabulary to Durham County Council on the 7th May 2010. This report is the official police contribution to the countywide taxi consultation process and contains the views, opinions and observations of the Local Constabulary. The following is an extract from the report which is the summary of their findings on the subject of zoning and the limitation of Hackney carriage numbers:

“Durham Police recommend the removal of the 7 taxi zones and the implementation of one singular taxi zone allowing for the sharing of hackney carriages on all hackney ranks across the county. It is our firm belief that should this take place then there would be a dramatic impact on the reduction of crime and disorder within the City Centre. Should the implementation of a single zone take place then it would be expected that there would be a flood of taxis into the city however it is perceived that this influx would only be for a short time and like water the number of city taxis would ultimately find their level”.

A4.10 Consultation responses from Durham Constabulary - colour policy.

Durham Constabulary has made no response in relation to the issue of taxi colour policy.

A4.11 Central Government information, advice and recommendations

The Equality Act 2010 and the regulation of hackney carriage numbers within Council areas and in zones existing within Council areas.

Since the Transport Act 1985 it has been possible for licensing authorities in England and Wales (outside of London) to refuse a taxi licence application if they are satisfied that there is no significant unmet demand for taxis in their licensing area.

Section 161 of the Equality Act 2010 qualifies the law in this area, to ensure licensing authorities that have relatively few wheelchair accessible taxis operating in their area, do not refuse licences to such vehicles for the purposes of controlling taxi numbers.

For section 161 to have effect, the Secretary of State must make regulations specifying:

- the proportion of wheelchair accessible taxis that must operate in an area before the respective licensing authority is lawfully able to refuse to license such a vehicle on the grounds of controlling taxi numbers; and
- the dimensions of a wheelchair that a wheelchair accessible vehicle must be capable of carrying in order for it to fall within this provision.

The DfT plans to consult on the content of regulations before section 161 comes in to force; the actual date will be announced in due course, but it will not be before April 2011.

The Department for Transport and the Office of Fair Trading information on the regulation of hackney carriage numbers within Council areas and in zones existing within Council areas.

The Department for Transport advised the Council in September 2009 that it remains the Department's view (as set out in the Department's response to the Office of Fair Trading report in 2004 and the Best Practice Guidance in 2006) that a limit on taxi numbers is unlikely to be in the best interest of consumers.

However, Ministers have stated that they recognise that local licensing authorities are in the best position to determine whether taxi numbers should be limited and section 16 of the Transport Act 1985 remains the statutory means by which they can limit numbers if they so choose.

As a result of the 1985 Act, a Council can only refuse an application for a hackney carriage licence in order to limit numbers within its area or within a specified zone within its area, only if the Council is satisfied that there is no significant unmet demand for hackney carriage services within the area or zone to which the licence will apply. This does not mean that a Council must or indeed should limit hackney carriage numbers if they are satisfied that there is no demand for anymore vehicles within their area or a zone within their area but acts to prevent Councils from restricting numbers of hackney carriages for any other reason.

The Office of Fair Trading considers that quantity regulation which limits the number of taxis, reduces availability and lowers the quality of service to the public. In the OFT's opinion, which was expressed in two separate reports published in 2003 and 2007, these restrictions should therefore be lifted by the local authorities that have imposed such restrictions.

The OFT study that led to its 2003 report identified a number of benefits to consumers that should flow from adoption of its recommendations. Specifically, the OFT believes that acting on their recommendations in respect of removing quantity restrictions would benefit consumers by:

- Putting more taxis on the road – removing quantity restrictions could increase the number of taxis in affected areas by 30 per cent.
- Making journeys safer – removing quantity restrictions and increasing the number of licensed taxis will reduce the need for illegal taxis where neither the driver or vehicle have been subject to appropriate quality and safety checks. In 2006 around 1.8 million people used an illegal taxi, exposing themselves to potentially serious safety risks.
- Reducing passenger waiting times – removing quantity restrictions will save an overall 2.5 million hours across the UK
- Creating more choice – removing quantity restrictions could put an extra 15,000 taxis on the road. This will substantially increase peoples' choice of transport modes when deciding how to reach their destination.

The Department for Transport and Vehicle Identification and Colour Policies

A colour policy exists where the Council imposes a standard colour for either hackney carriages or private hire vehicles or for both. Colour policies are used by some authorities to distinguish between hackney carriages and private hire vehicles. Some Councils do not have colour policies for taxis. Some policies involve the use single colours and some have multiple colours in their policies.

A Council can require any hackney carriage licensed by them under the Town and Police Clauses Act 1847 Act to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage. In a similar way, under the Local Government (Miscellaneous Provisions) Act 1976, a Council can require private hire vehicles not to be of such a design and appearance as to lead the public to believe that it is a hackney carriage.

In order to assist the public in recognising a Hackney Carriage that has been licensed by the Authority such vehicles may therefore be required by license conditions to conform to a specified colour policy. This may assist in the promotion of public safety by helping to reduce the possibility of customers getting into unlicensed vehicles or getting in to private hire vehicles that are unlawfully plying for hire in the street or from a taxi rank.

Of secondary consideration, the adoption of a colour policy would, in addition to the main public safety purposes, provide a readily identifiable 'Durham Countywide Taxi Fleet'. Two of the former District Councils had adopted a colour policy and white was the colour chosen by the former District authorities. This colour was chosen at the time as it had been considered that there were generally fewer white non-commercial vehicles on the road. Another consideration that had led towards white being chosen was that with white, the issue of colour shading was thought not to be as prevalent as with other car colours.

Arguably, the need to specify the colour of hackney carriages and private hire vehicles is not so great when such licensed vehicles may be easily identified as such in other ways with the appropriate use of decals, roundels, top signs, for hire signs etc. In the Department for Transport publication '*Taxi and Private Hire Licensing Best Practice Guidance*' DfT February 2010, reasons for and means of vehicle identification are addressed.

The colour of a vehicle is not specifically mentioned however as a means of identification which is considered to equate to best practice although the publication does say in the section on vehicle identification that in addition to the display of licence plates and discs on vehicles "...requiring some additional clearer form of identification can be seen as best practice. This is for two reasons: firstly, to ensure a more positive statement that the vehicle cannot be hired immediately through the driver; and secondly because it is quite reasonable, and in the interests of the traveling public, for a PHV operator to be able to state on the vehicle the contact details for hiring;". The use of colour policies is not referred to however and some degree of interpretation or extrapolation may be thought necessary if this section were to be used to give justification to a colour policy in terms of perceived best practice.

A5 Conclusions

A5.1 Hackney carriage and private hire licensed trade individual consultation response (Zoning/Regulation)

A5.1.1 The overall, countywide response to the consultation process by individual members of the licensed hackney carriage and private hire trade was low (7.24 %).

A5.1.2 Grouped by their zone, a much greater percentage of licensed individuals from three zones (1 - Chester le Street 18%, 2 - Durham City 18% and 7 - Wear Valley 14%) responded to the survey.

A5.1.3 The two zones which yielded the greatest percentages of individual licensed hackney carriage and private hire respondents (1 – Chester le Street and 2 – Durham City) are the zones which are currently subject to the regulation/limitation of hackney carriage numbers.

A5.1.4 Zoning/Regulation 'Option B', maintenance of the status quo, was the preference of more individual respondents than any other preferred option (55% of those who responded individually preferred option B).

A5.1.5 Grouped by zone, the biggest supporters of this option were zones 1 (Chester le Street) with 82.5% and zone 2 (Durham City) with 95.5% of respondents from these two zones expressing a preference for Option B.

A5.2 Hackney carriage and private hire licensed trade, group (AWG and CWG) consultation response (Zoning/Regulation).

A5.2.1 Option B was supported by 3 of the AWGs and Option E was also supported by 3 of the AWGs. Option A, as a preference, was supported by 2 of the AWGs.

A5.2.2 5 of the 7 AWGs therefore supported options which would remove the zones and the concurrent regulation of hackney carriage numbers in Chester le Street and Durham City (Options A and E combined responses).

A5.2.3 CWG members gave Options A and B as being their most preferred options with Option E also receiving support from two of the CWG members.

A5.2.4 By grouping together the supporters of Option A with the support for option E, the CWG had more members who supported the removal of the zones than those who wanted to retain them.

A5.2.5 In relation to the question of the existence of the 7 zones, 4 CWG members wanted the removal of the zones and 3 CWG members wanted to retain them.

A5.2.6 In relation to the question of the regulation of hackney carriage numbers, 6 CWG members favoured regulation either within the existing zones 1 and 2 or on a countywide basis should a survey of demand be undertaken which, reported there to be no significant unmet demand throughout the entire County.

A5.2.7 Using AWG member representation as an indication of option preference, nearly 72% of the countywide licensed membership supported options which would remove the

zones and the concurrent regulation of hackney carriage numbers in Chester le Street and Durham City (Options A and E combined responses).

A5.3 Hackney carriage and private hire licensed trade, individual consultation response (Colour Policy).

A5.3.1 32% of the 154 individual licensed hackney carriage and private hire respondents who responded wanted a colour policy.

A5.3.2 Two of the three zones which yielded the greatest percentages of individual licensed hackney carriage and private hire respondents (1 - Chester le Street and 7 – Wear Valley) are the zones which previously, under the control of the former District Councils, were subject to a colour policy.

A5.3.3 The most popular colour for a hackney carriage amongst this group of respondents was white with 16 responses (52% of stated HC colour preferences) and the most popular colours for private hire vehicles were white and black with 3 responses each (25% each of stated PH colour preferences).

A5.3.4 67% of the 154 who individual licensed hackney carriage and private hire respondents responded did not want a colour policy.

A5.3.5 The zone which yielded the greatest percentage of individual licensed hackney carriage and private hire respondents in opposition to a colour policy was zone 2 (Durham City) with 40% of the countywide total ‘No’ responses received.

A5.4 Hackney carriage and private hire licensed trade, group (AWG and CWG) consultation response (Colour Policy).

A5.4.1 AWG representatives from two areas, Zones 1(Chester le Street) and 7 (Wear Valley) said “yes” to a colour policy. AWG representatives from three areas, zones 2 (Durham City), 3 (Derwentside) and 4 (Easington) said “No” to a colour policy.

A5.4.2 Two members of the CWG said “Yes” to a colour policy and three members of the CWG said “No” to a colour policy.

A5.5 The public, interested parties and the police consultation responses (Zoning/Regulation).

A5.5.1 13 individuals representing or associated with interested parties responded in respect of the zoning options.

A5.5.2 From the interested parties (non DCC) group, 3 favoured Option A, 1 Option B and 1 Option C. Therefore, 3 preferred to see the zones removed, 2 expressed the opinion that the zones should be kept, but only 1 respondent favoured the retention of the current limitations on hackney carriage numbers.

A5.5.3 The 4 interested parties (DCC) who responded expressed their preferences as follows: 2 agreed with Option A favouring the removal of the

existing zones and associated restrictions and 2 agreed with Option B to maintain the status quo.

A5.5.4 Durham Constabulary recommend the removal of the 7 taxi zones and the implementation of one single taxi zone with the concurrent removal of the limitations on hackney carriage numbers in the Durham City and Chester le Street zones.

A5.6 The public, interested parties and the police consultation responses (Colour policy).

A5.6.1 The number of responses from the general public in relation to the issue of taxi colour policy was particularly small.

A5.6.2 Out of the 8 members of the general public commented, 5 respondents said “yes” to the imposition by the Council of a taxi colour policy and 1 said “no”.

A5.6.3 13 interested party respondents commented in respect of colour policy.

A5.6.4 2 out of a group of 7 interested parties (Non DCC) favoured a colour policy but no colour preferences were put forward.

A5.6.5 Of the 6 interested parties (DCC) representatives who responded and expressed a preference, 3 favoured a colour policy and 1 considered that a colour policy should not be imposed.

A5.6.6 Durham Constabulary made no comments in relation to colour policy.

A5.7 The position of governmental organisations

A5.7.1 The Department for Transport advises that a limit on taxi numbers is unlikely to be in the best interest of consumers. They do however recognise that local licensing authorities are in the best position to determine whether taxi numbers should be limited.

A5.7.2 The Office of Fair Trading considers that quantity regulation which limits the number of taxis and reduces availability and lowers the quality of service to the public.

A5.7.3 Department for Transport hackney carriage and private hire licensing best practice guidance does not refer to colour policies. Vehicle identification by colour is not addressed and the colour of a licensed vehicle is not specifically mentioned in the guidance as a means of identification that is considered to equate to best practice

A6 Options

A6.1 Zoning and the Regulation of Hackney Carriage Numbers within Zones – should the existing zones be kept or should they be removed and should the existing regulation

of hackney carriage numbers be maintained or ended; and/or should the regulation of hackney carriage numbers in the other zone(s) be considered? **(Options A to E).**

A6.2 Zoning and the regulation of hackney carriage numbers – if the existing zones are kept, should the Council continue to seek to regulate the numbers of hackney carriages in zone 1 (Chester le street) and in zone 2 (Durham City)?

A6.3 To do this would require regular (at least every three years) independent hackney carriage demand surveys to be undertaken in these two zones in order to assess the level of demand/unmet demand followed by the regulation of numbers should these surveys show no significant unmet demand in existence. **(Option B)**

A6.4 Zoning and the regulation of hackney carriage numbers - if the existing zones are kept, should the Council continue to seek to regulate the numbers of hackney carriages in zone 1 (Chester le street) and in zone 2 (Durham City) and also resolve to undertake further surveys into the demand for hackney carriages in the other five zones with a view to regulating hackney carriage numbers in all zones?

A6.5 To do this would require regular (at least every three years) independent hackney carriage demand surveys to be undertaken in all zones in order to assess the level of demand/unmet demand followed by the regulation of numbers should these surveys show no significant unmet demand in existence. **(Option D).**

A6.6 Zoning and the regulation of hackney carriage numbers - if the existing zones are kept, should the Council resolve to remove all imposed limitations on hackney carriage numbers in zones 1 and 2; and also resolve not to carry out any more demand surveys in which would be needed if the future regulation of hackney carriage numbers in any of the zones were to be considered? **(Option C).**

A6.7 Zoning and the regulation of hackney carriage numbers – should the Council resolve to remove the existing zones and concurrent limitations on hackney carriage numbers in zones 1 and 2 and; resolve not to regulate hackney carriage numbers anywhere within the administrative area of Durham County Council? **(Option A).**

A6.8 Removal of the zones and the deregulation of hackney carriage numbers - It is recommended that if a resolution is made to remove the zones, that the date for this to occur be set at an appropriate date and time in the future to enable the prescribed process to be followed:

A6.9 If Members of Full Council do decide to abolish the existing 7 zones, the Council will have to pass an extension resolution under the Local Government Act 1972, Schedule 14, Part 2, Para 25 which, is to abolish the zones and apply hackney carriage licensing uniformly throughout County Durham.

Subject to [\[F1sub-paragraph \(2\)\]](#) below, a local authority may after giving the requisite notice resolve that any of the enactments mentioned in paragraph 24 above shall apply throughout their area or shall cease to apply throughout their area (whether or not, in either case, the enactment applies only to part of their area).

In order to propose the resolution Council will need to give notice in accordance with paragraph 25(5), which is:

The notice which is requisite for a resolution given under sub-paragraph (1) above and is a notice that is:

(a) Given by the local authority in question of their intention to pass the resolution given by advertisement in two consecutive weeks in a local newspaper circulating in their area; and

(b) Served, not later than the date on which the advertisement is first published, on the council of every parish or community whose area, or part of whose area, is affected by the resolution or, in the case of a parish so affected but not having a parish council (whether separate or common), on the chairman of the parish meeting.

A6.10 A sufficient lead in period would be necessary to enable the Council to revise its administrative systems and procedures in order to adapt to the countywide changes in hackney carriage regulation including the unification of fees and charges and in conjunction with the trade, the setting of new countywide hackney carriage tariffs and; most importantly, to enable existing and future members of the licensed hackney carriage and private hire trade in the County to plan for and adapt to any changes that may affect their business activities that may result from such changes.

A6.11 Colour Policy – should the Council adopt a colour policy with respect to hackney carriages and private hire vehicles licensed by the Authority?

A6.12 Colour policy – should the Council resolve to adopt such a colour policy, what is the colour policy that hackney carriages and private hire vehicles licensed by the Authority be subject to?

A6.13 Colour policy - should the Council resolve to adopt such a colour policy, how and when would that policy be implemented and over what time scale?

A6.14 It is recommended that if a colour policy is adopted that the date for its implementation be set at an appropriate date and time in the future and that following this date, all newly licensed vehicles will be subject to the policy but the adoption process should be a gradual one for existing licensed vehicles, allowing their owners to adapt to the changes over time.

A6.15 A sufficient lead in period would be necessary to enable the owners of existing licensed vehicles of any colour to continue to operate their vehicles until such time as they change their vehicles, at which time the policy on colour would be implemented in respect of the new or replacement vehicle. In this manner, the financial burden on existing licensed vehicle owners would be minimised.

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Appendix 6: Consultation Response - The presentation and analysis of results from the consultation process.

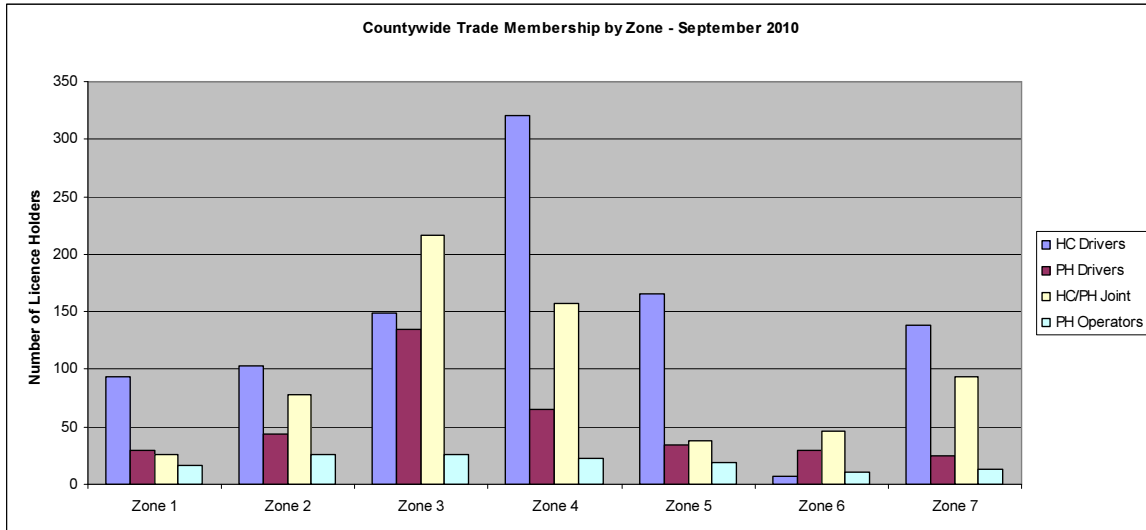
Appendix 3 includes the tabular and graphical presentation of the consultation results, including statistics and various response data. The information and the analysis of the consultation results, set out and discussed in paragraphs A4 and A5 and A6 of Appendix 2, are referenced to and should be read in conjunction with this appendix of the report.

A. Statistics and data relating to hackney carriage and private hire trade membership currently licensed by Durham County Council (September 2010). (Paragraph A4.1)

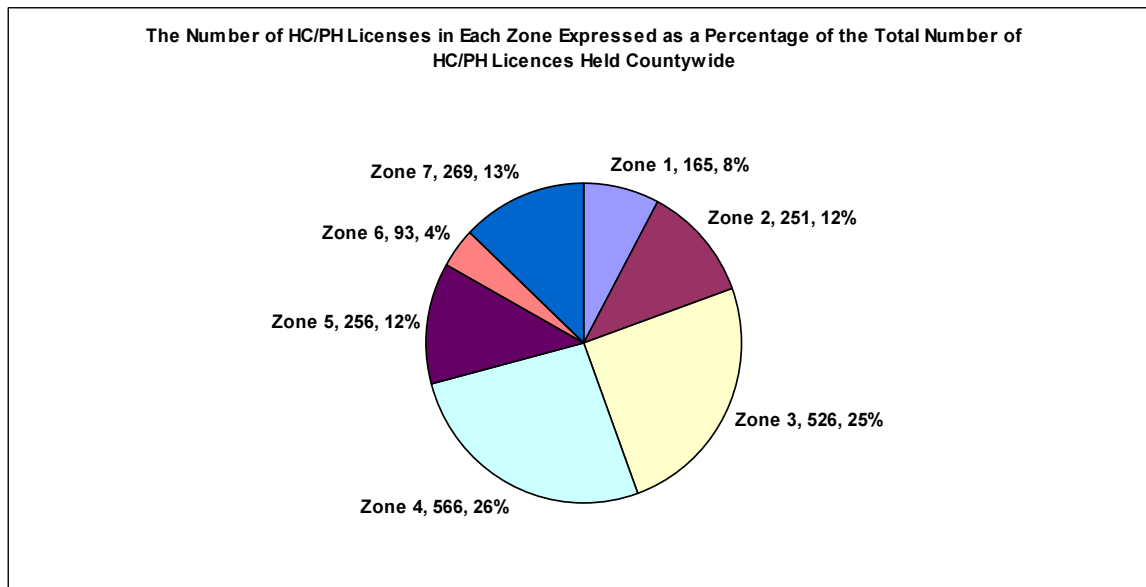
Table 1. The numbers of hackney carriage and private hire licenses in Durham County arranged by type of licence and by existing zone (September 2010).

Trade Members	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7
HC Drivers & Owners	93	103	149	321	165	7	138
PH Drivers	30	44	135	65	34	29	25
HC/PH Joint	26	78	216	157	38	46	93
PH Operators	16	26	26	23	19	11	13
Totals	165	251	526	566	256	93	269
Licensed Vehicles	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7
HC Vehicles	90	74	274	209	145	11	185
PH Vehicles	28	46	144	71	36	42	25
Totals	118	120	418	280	181	53	210

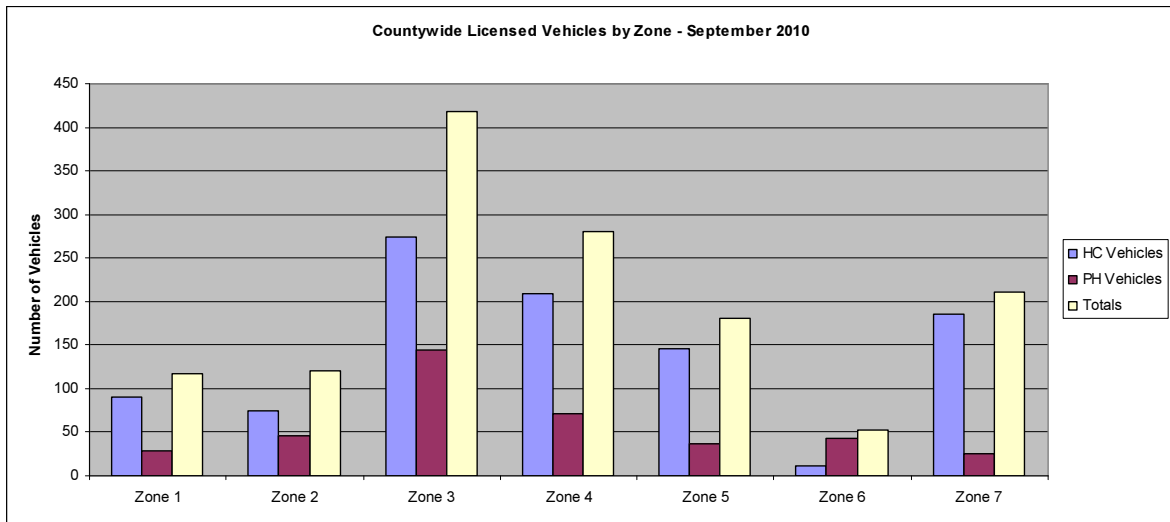
Graph 1. The number of licensed hackney carriage and private hire trade members in each existing zone (September 2010)



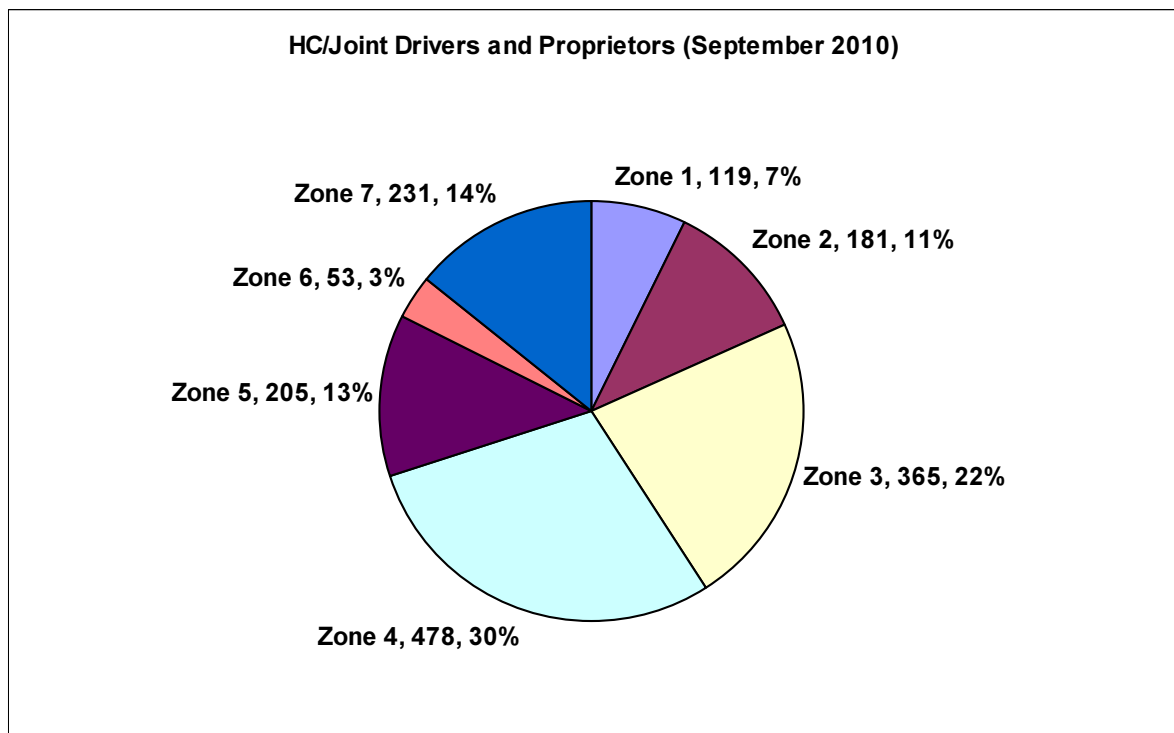
Graph 2. The percentages of hackney carriage and private hire licenses in Durham County arranged by type of licence and by existing zone (September 2010).



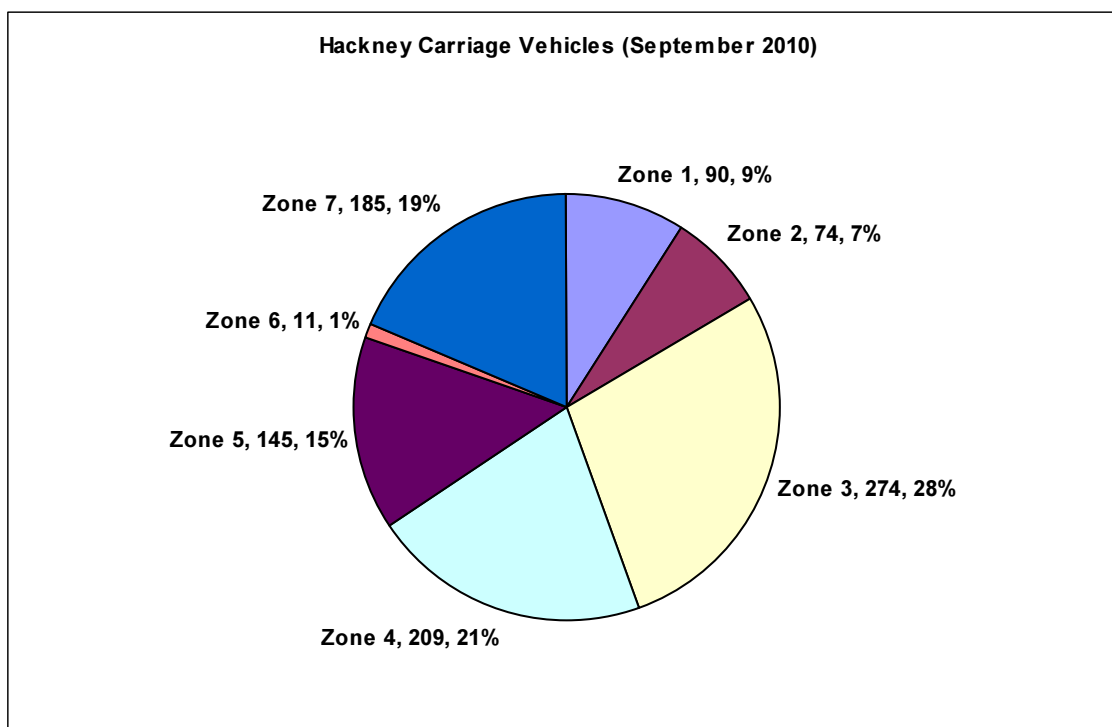
Graph 3. The number of licensed vehicles in each existing zone (September 2010)



Graph 4. The numbers and percentages of the total hackney carriage drivers and proprietors licensed in each of the existing zones (September 2010)



Graph 5. The numbers and percentages of the total licensed hackney carriage vehicles currently operating in each of the existing zones (September 2010)

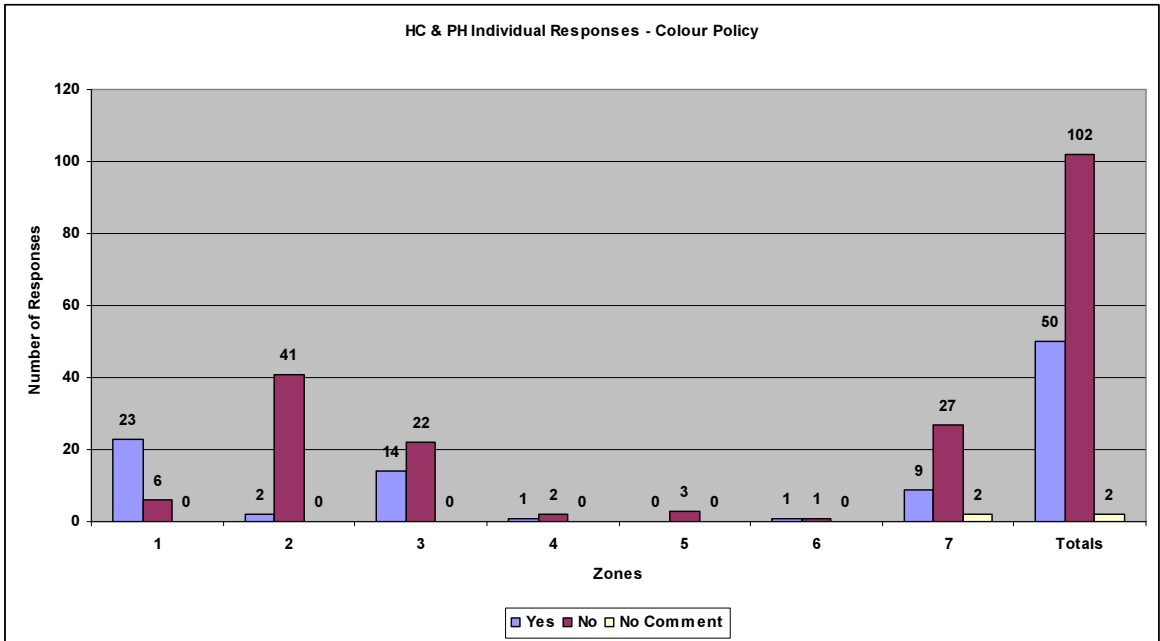


B. Consultation results – licensed hackney carriage and private hire trade response. (Paragraph A4.2)

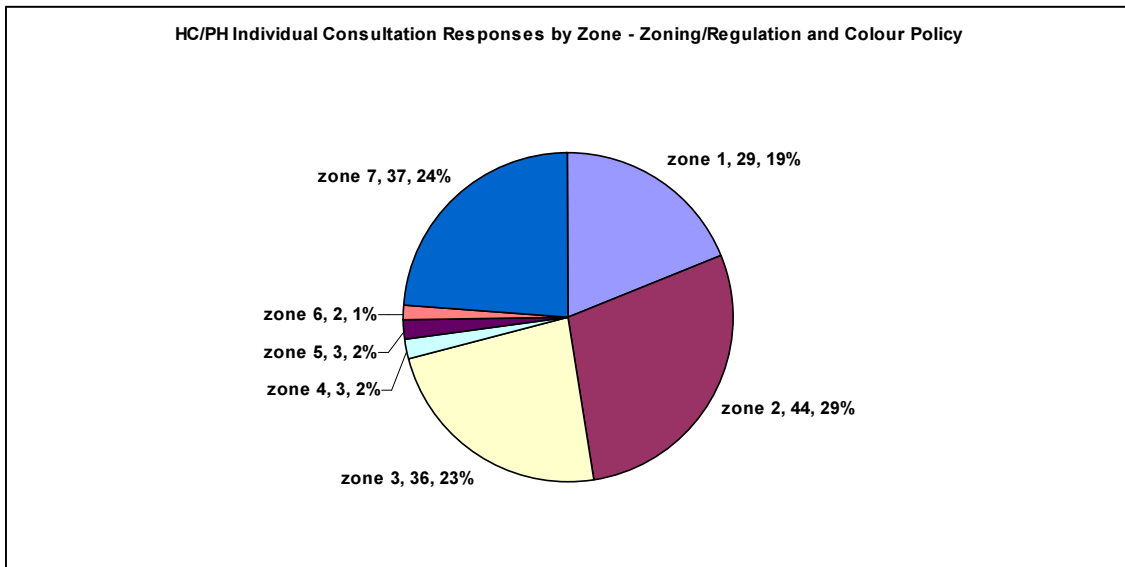
Table 2. The countywide HC and PH trade response to consultation (Colour Policy) – The number of individual trade member responses on colour policy. The number of responses is also shown as a percentage of the total number of HC/PH members currently licensed in each zone.

Zone	HC/PH Colour Policy Responses			Response	Zone	%
	Yes	No	No Comment	Totals	Totals	Response
1	23	6	0	29	165	17.6%
2	2	41	0	43	251	17.1%
3	14	22	0	36	526	6.8%
4	1	2	0	3	566	0.5%
5	0	3	0	3	256	1.2%
6	1	1	0	2	93	2.2%
7	9	27	2	38	269	14%
Totals	50	102	2	154	2126	7.24%

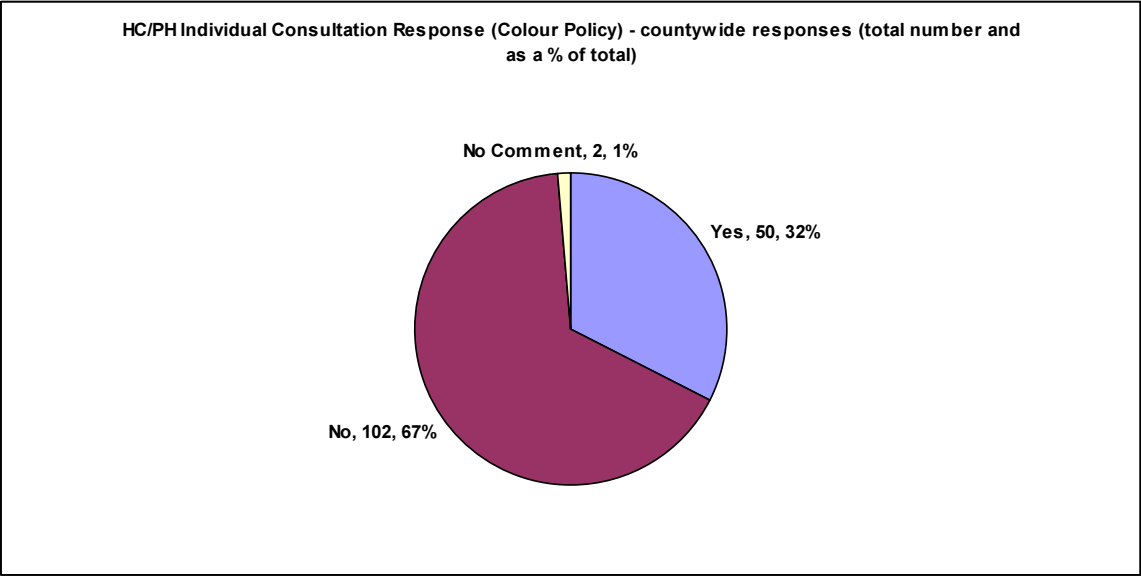
Graph 6. The countywide HC and PH trade response to consultation – The number of individual trade member responses by zone in relation to Colour Policy.



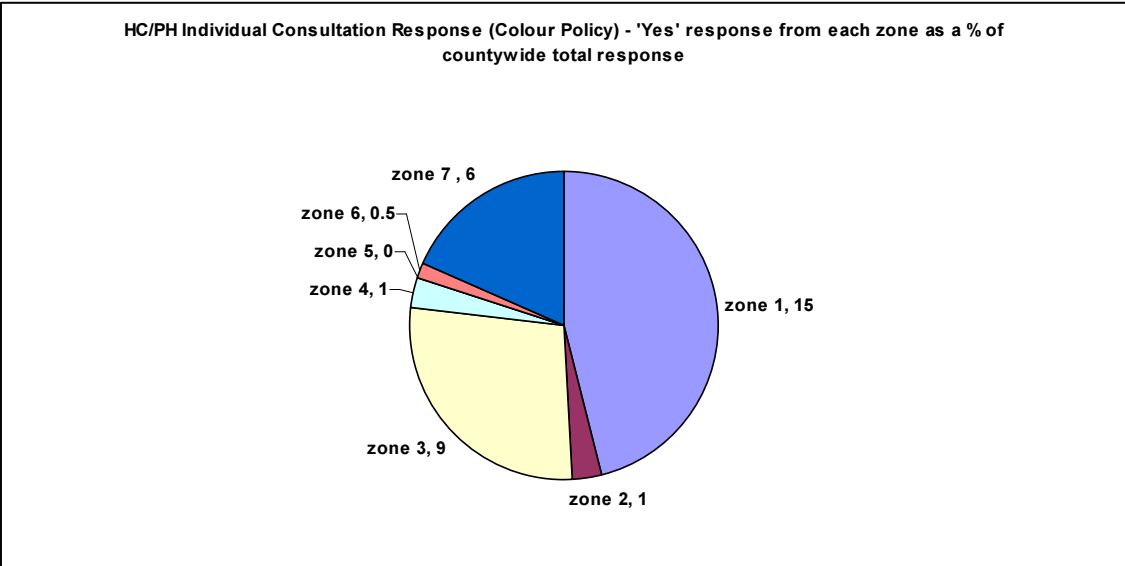
Graph 7a. The countywide HC and PH trade response to consultation – The numbers and percentages of individual trade member responses by zone in relation to zoning/regulation and colour policy.



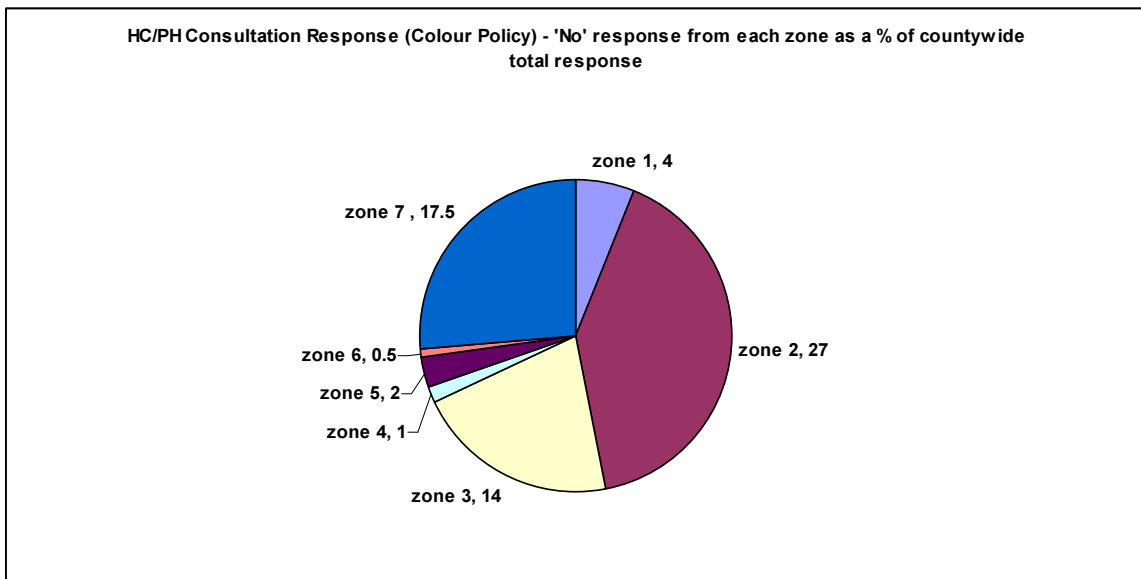
Graph 7b. HC/PH individual consultation response (colour policy) – countywide responses shown as the total number of responses and as percentages of the total.



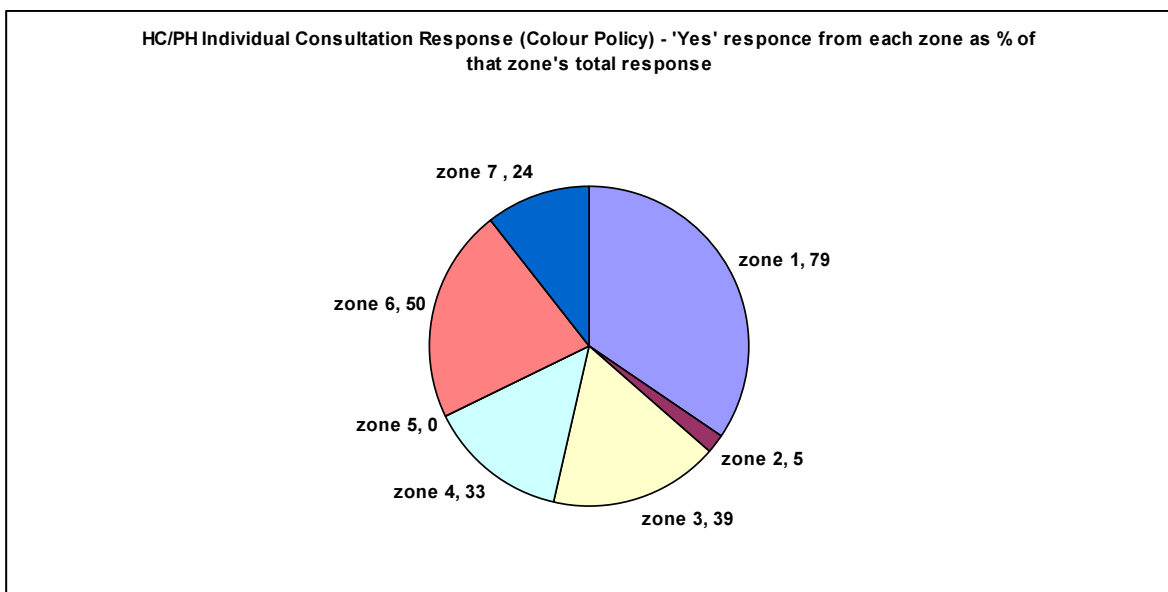
Graph 7c HC/PH Individual consultation response (colour policy) – ‘Yes’ response from each zone expressed as a percentage of the total number of received responses on colour policy.



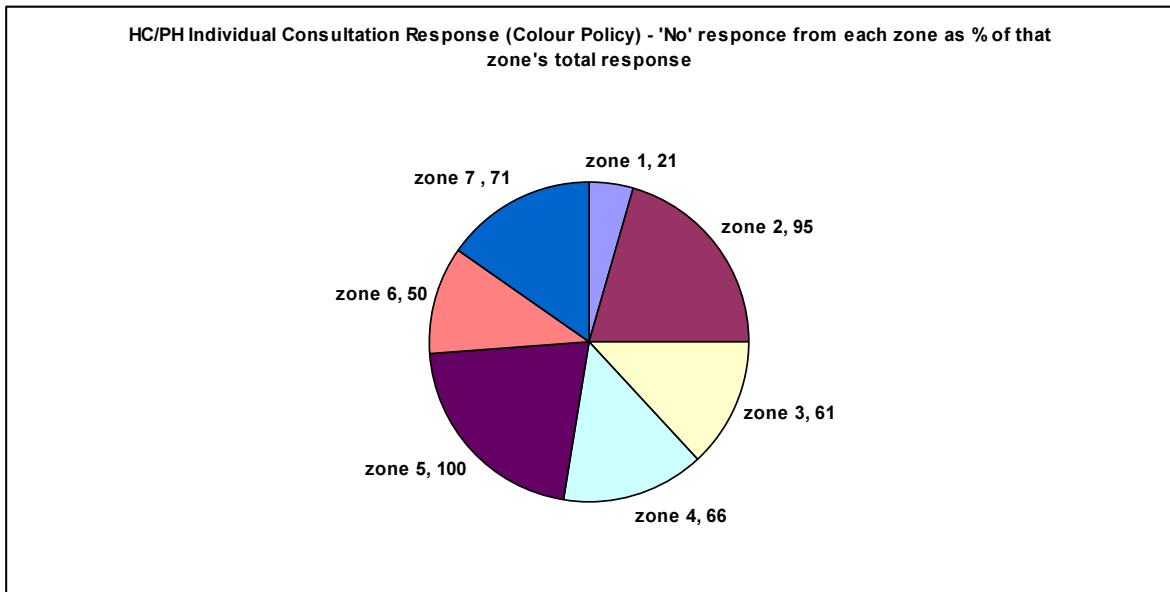
Graph 7d HC/PH Individual consultation response (colour policy) – ‘No’ response from each zone expressed as a percentage of the total number of received responses on colour policy.



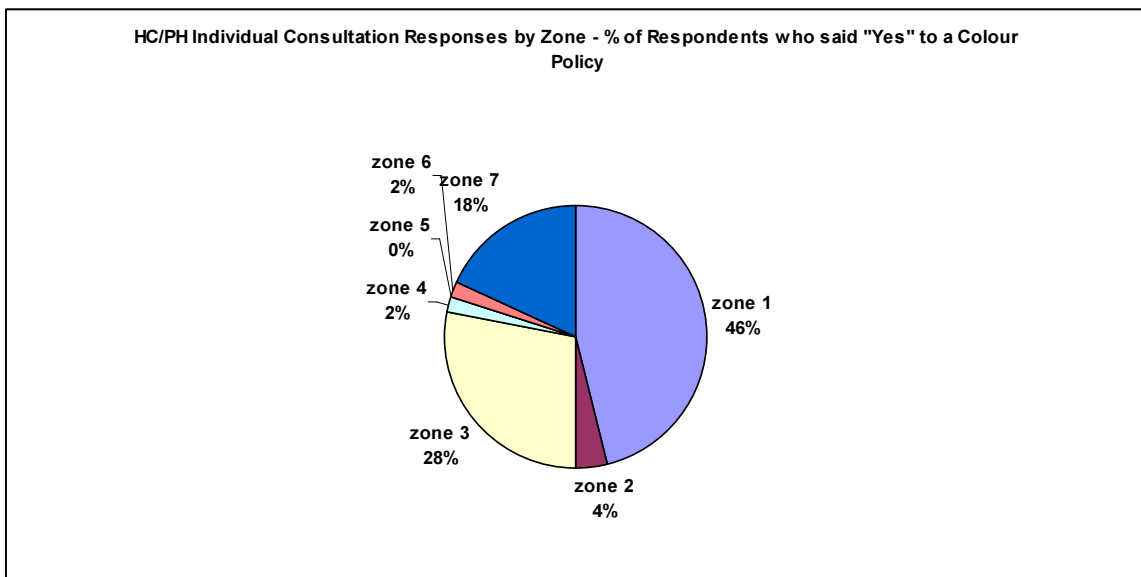
Graph 8a. The countywide HC and PH Individual consultation response by zone (colour policy) – The individual trade members who responded “Yes” in each zone as a percentage of each zone’s total response on colour policy.



Graph 8b. The countywide HC and PH Individual consultation response by zone (colour policy) – The individual trade members who responded “No” in each zone as a percentage of each zone’s total response on colour policy.



Graph 9. The countywide HC and PH trade response to consultation by zone – The percentage of individual trade members who said “Yes” to a colour policy



Graph 10. The countywide HC and PH trade response to consultation by zone – The percentage of individual trade members who said “No” to a colour policy

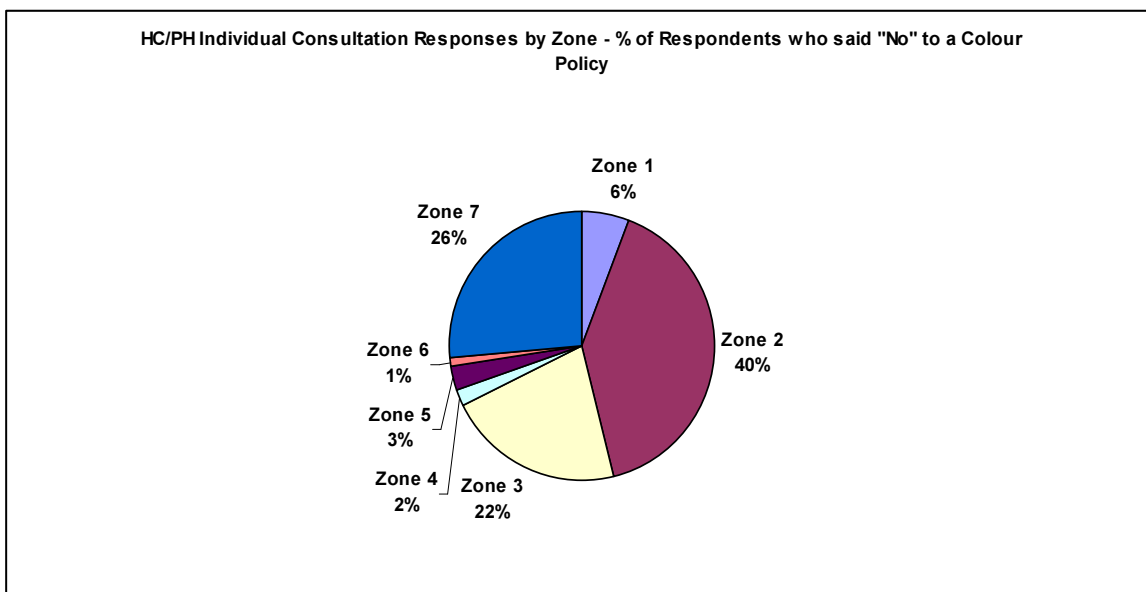
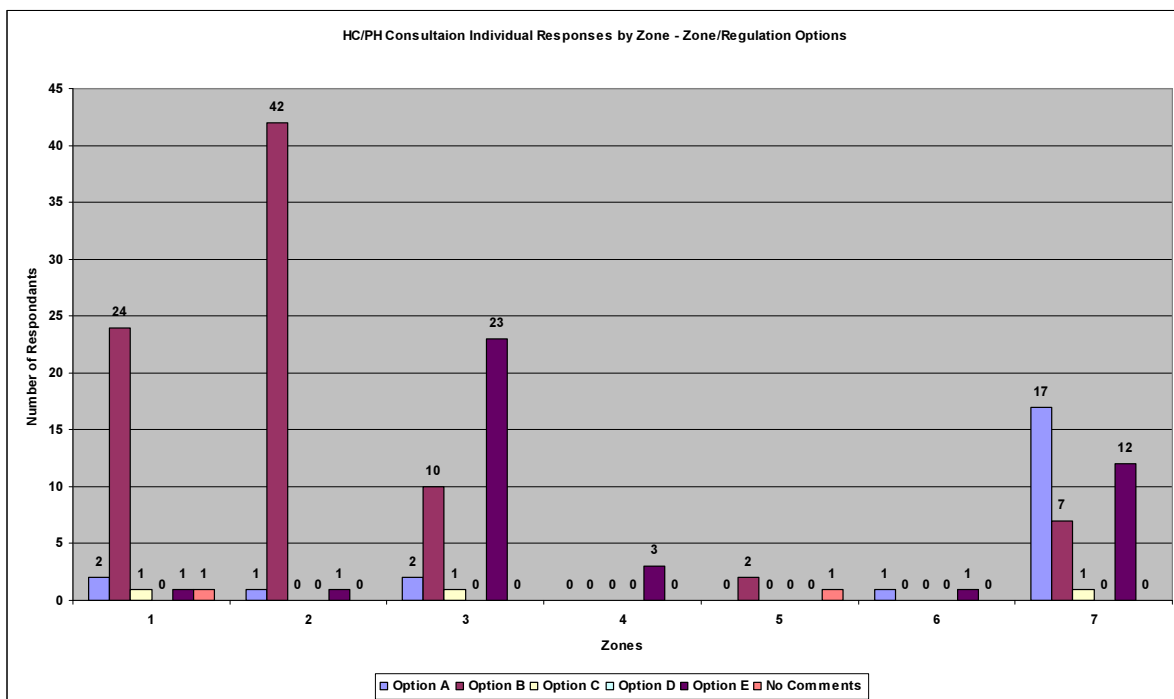


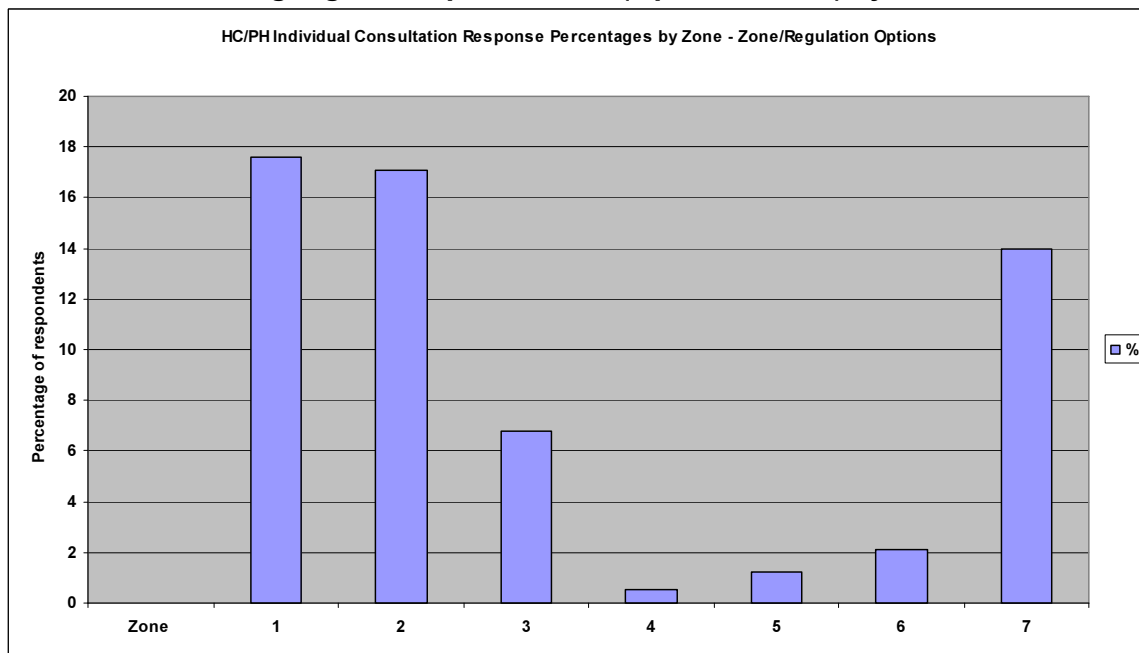
Table 3. The countywide HC and PH trade response to consultation (Zone/Regulation Options A to E) – The number of individual trade member responses on zoning/regulation. The number of responses is also shown as a percentage of the total number of HC/PH members currently licensed in each zone.

Zone	Response						Response Totals	Zone Totals	% Response
	A	B	C	D	E	No Comments			
1	2	24	1	0	1	1	29	165	17.5%
2	1	42	0	0	1	0	44	251	17.5%
3	2	10	1	0	23	0	36	526	6.8%
4	0	0	0	0	3	0	3	566	0.5%
5	0	2	0	0	0	1	3	256	1.2%
6	1	0	0	0	1	0	2	93	2.1%
7	17	7	1	0	12	0	37	269	13.75%
Totals	23	85	3	0	41	2	154	2126	7.24%

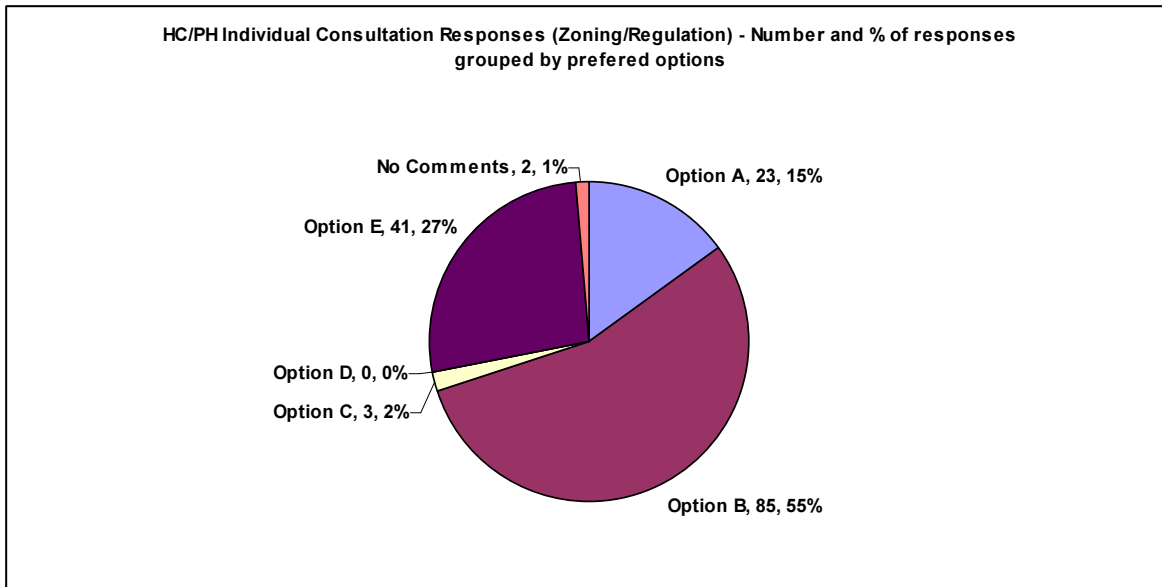
Graph 11. The countywide HC and PH trade response to consultation - The number of individual trade member responses who expressed zoning/regulation preferences (Options A to E) by zone.



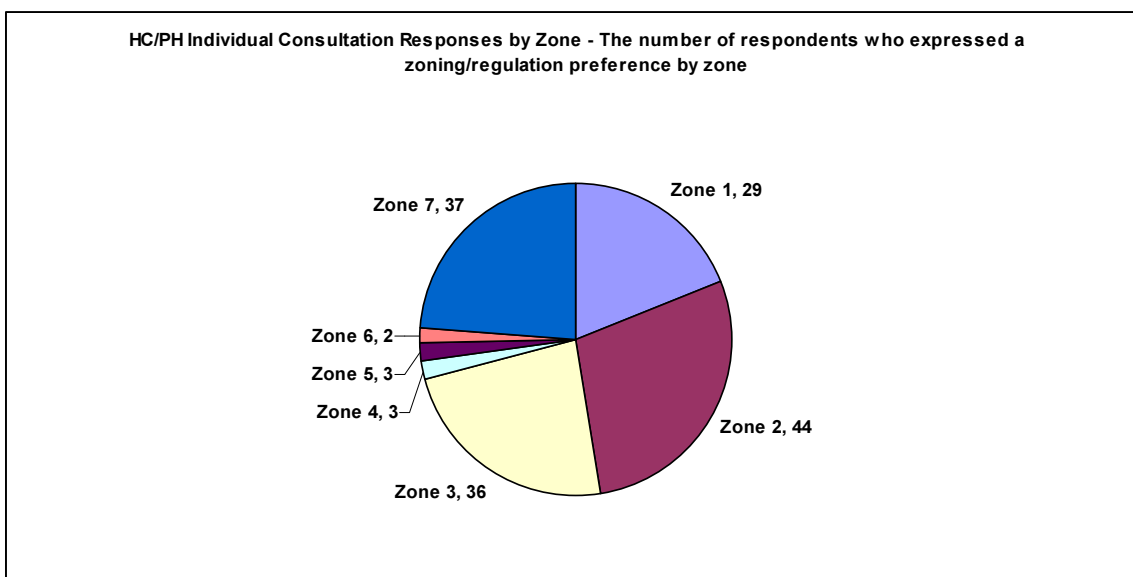
Graph 12a. The countywide HC and PH trade response to consultation - The percentage of individual trade member responses who expressed zoning/regulation preferences (Options A to E) by zone.



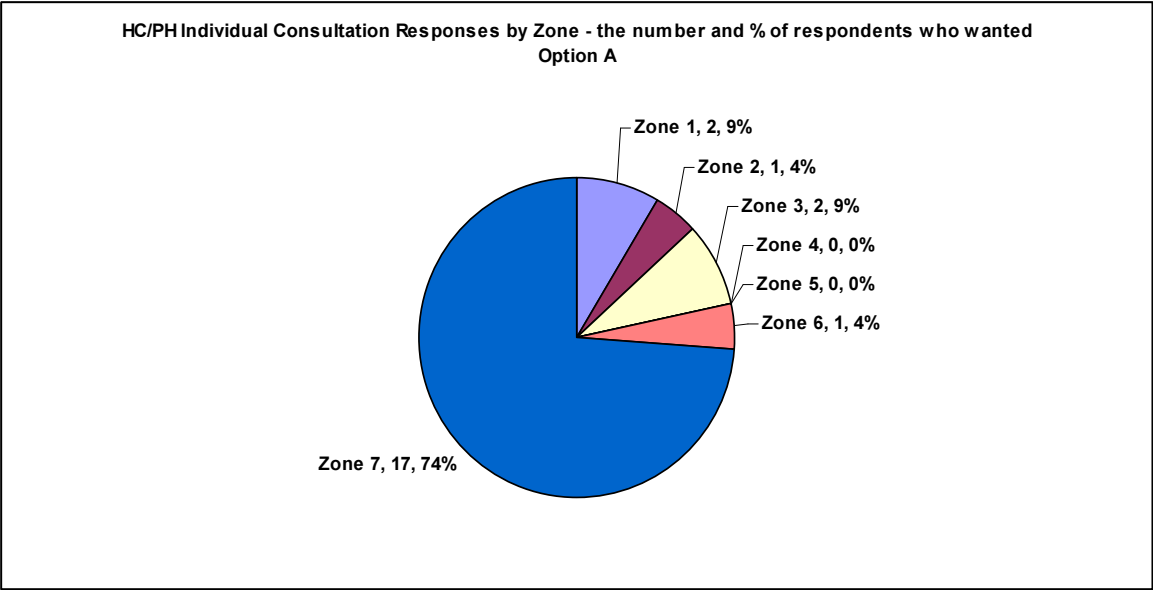
Graph 12b The countywide HC and PH trade response to consultation - The number of individual trade member responses who expressed zoning/regulation preferences Options A to E. The numbers are also shown as percentages of the total number of individual HC/PH responses received in this category.



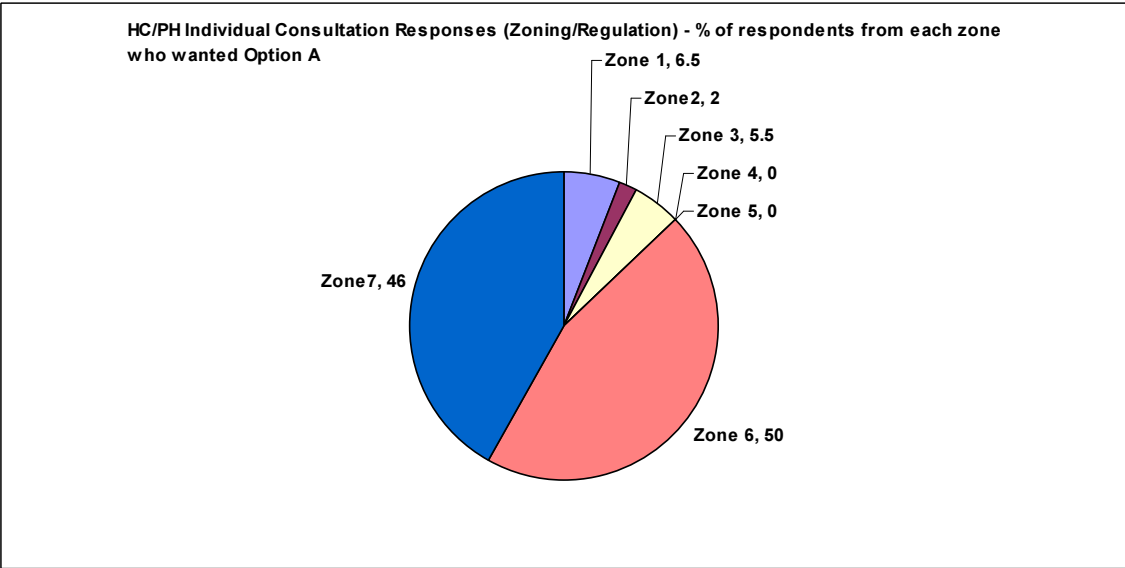
Graph 13. The countywide HC and PH trade response to consultation - The number of individual trade member responses who expressed zone/regulation option preferences by zone.



Graph 14a. The countywide HC and PH trade response to consultation - The individual trade member responses, who wanted zone/regulation Option A, grouped by zone and also shown as a percentage of the total of Option A countywide preferred responses.

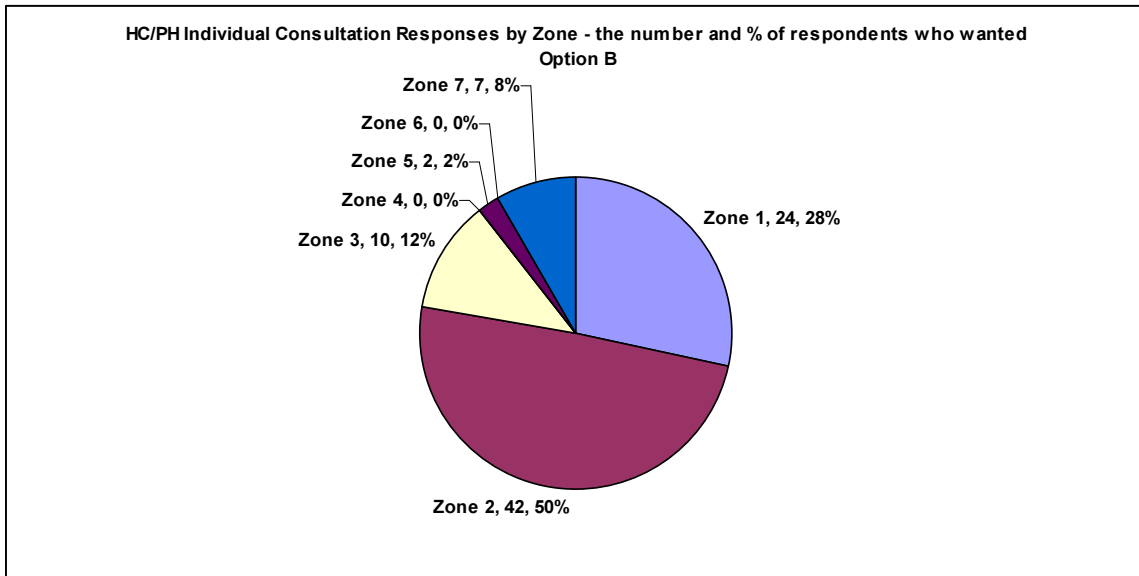


Graph 14a(2). The countywide HC and PH trade response to consultation - The individual trade member responses, who wanted zone/regulation Option A, grouped by zone as a percentage of the total of those zones responses.

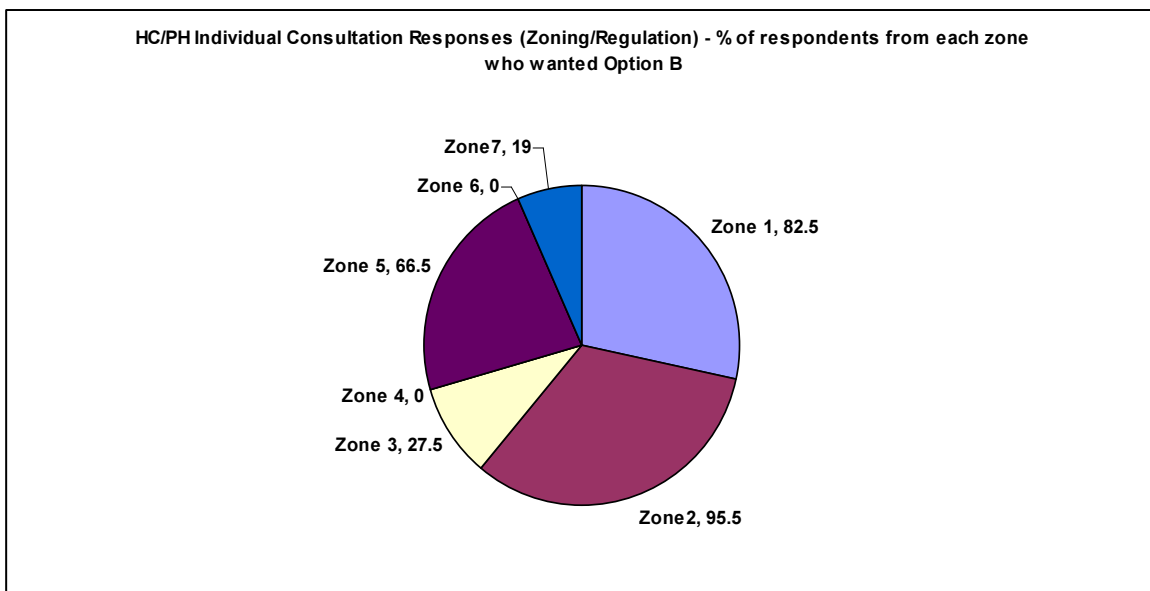


Graph 14b. The countywide HC and PH trade response to consultation - The individual trade member responses who wanted zone/regulation

Option B, grouped by zone and also shown as a percentage of the total of Option B countywide preferred responses.

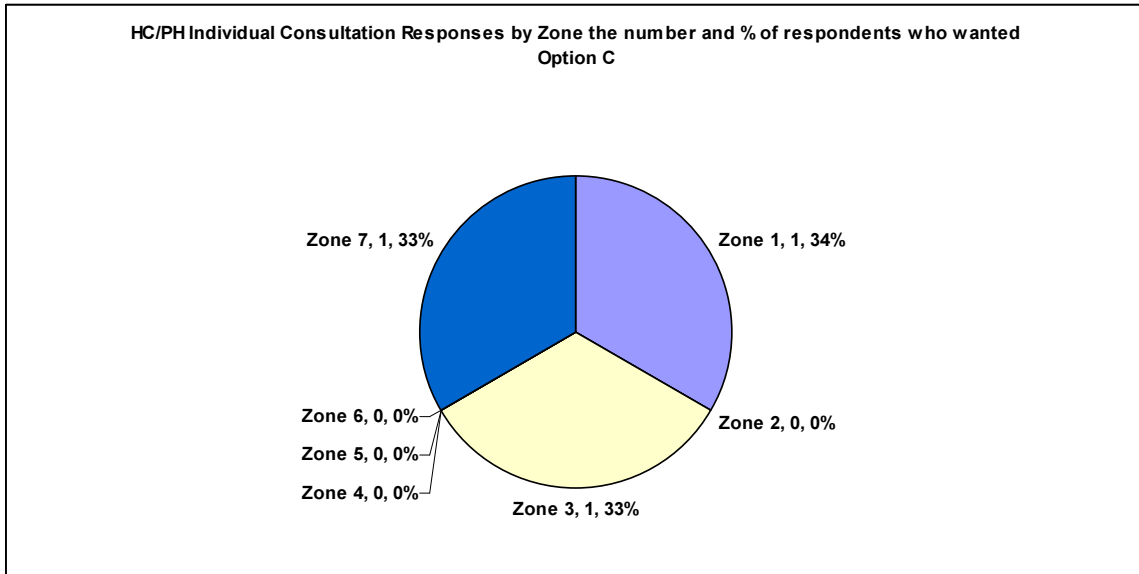


Graph 14b(2). The countywide HC and PH trade response to consultation - The individual trade member responses who wanted zone/regulation Option B, grouped by zone as a percentage of the total of those zones responses.

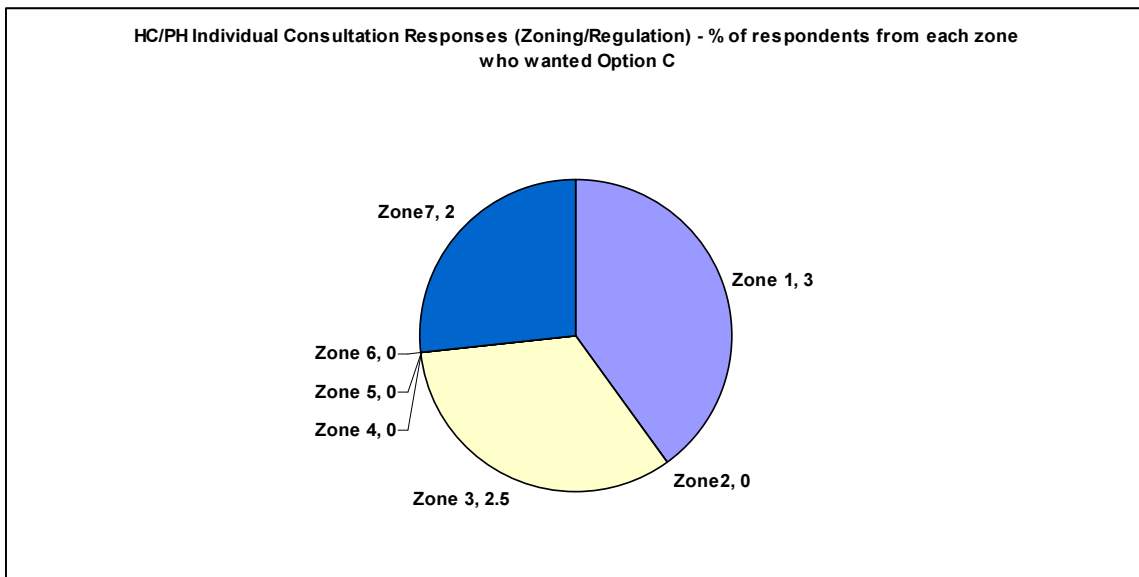


Graph 14c. The countywide HC and PH trade response to consultation - The individual trade member responses who wanted zone/regulation

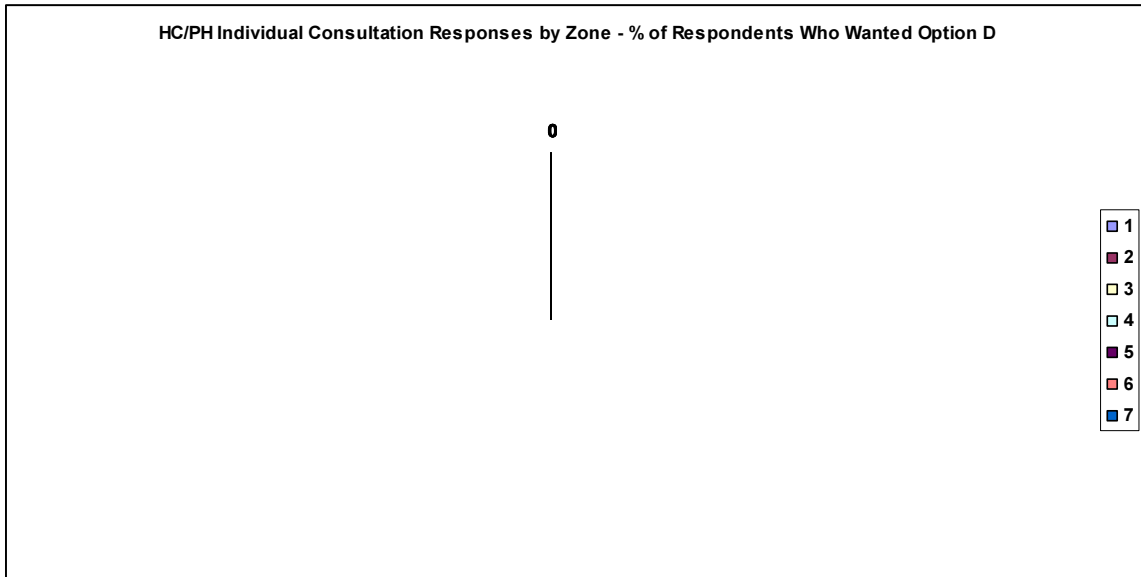
Option C, grouped by zone and also shown as a percentage of the total of Option C countywide preferred responses.



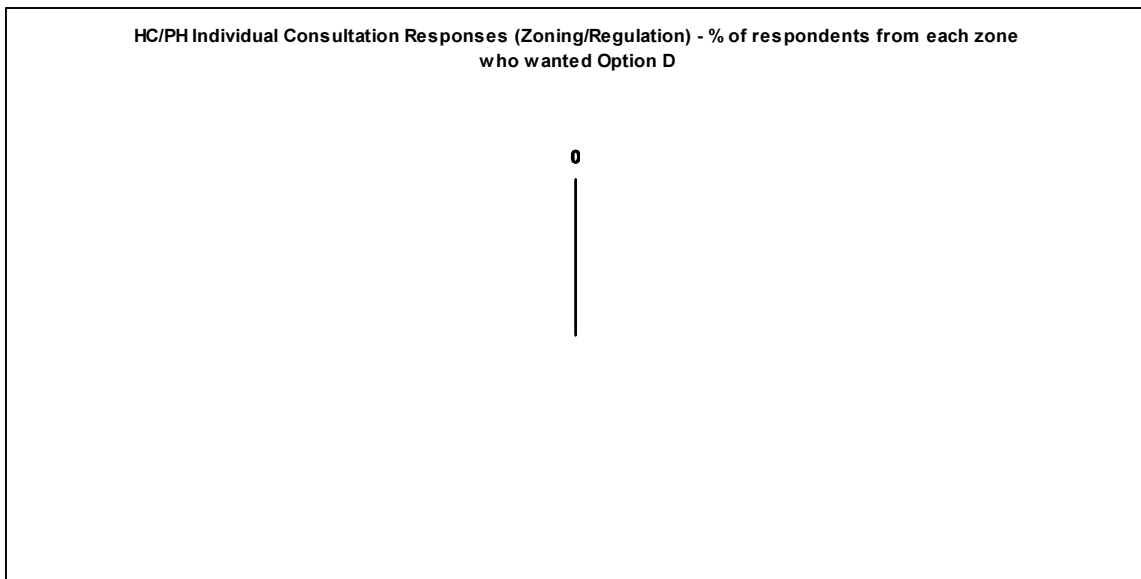
Graph 14c(2). The countywide HC and PH trade response to consultation - The individual trade member responses who wanted zone/regulation Option C, grouped by zone as a percentage of the total of those zones responses.



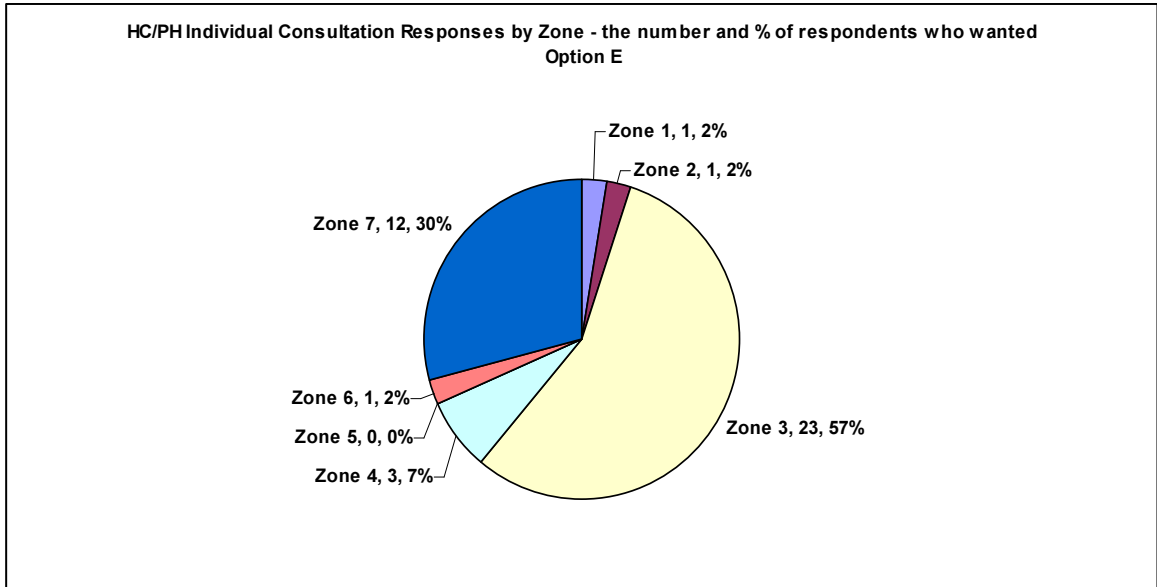
Graph 14d. The countywide HC and PH trade response to consultation - The individual trade member responses who wanted zone/regulation Option D, grouped by zone and also shown as a percentage of the total of Option D countywide preferred responses.



Graph 14d(2). The countywide HC and PH trade response to consultation - The individual trade member responses who wanted zone/regulation Option D, grouped by zone as a percentage of the total of those zones responses.



Graph 14e. The countywide HC and PH trade response to consultation - The individual trade member responses, who wanted zone/regulation Option E, grouped by zone and also shown as a percentage of the total of Option B countywide preferred responses.



Graph 14e(2). The countywide HC and PH trade responses to consultation - The individual trade member responses who wanted zone/regulation Option E, grouped by zone as a percentage of the total of those zones responses.

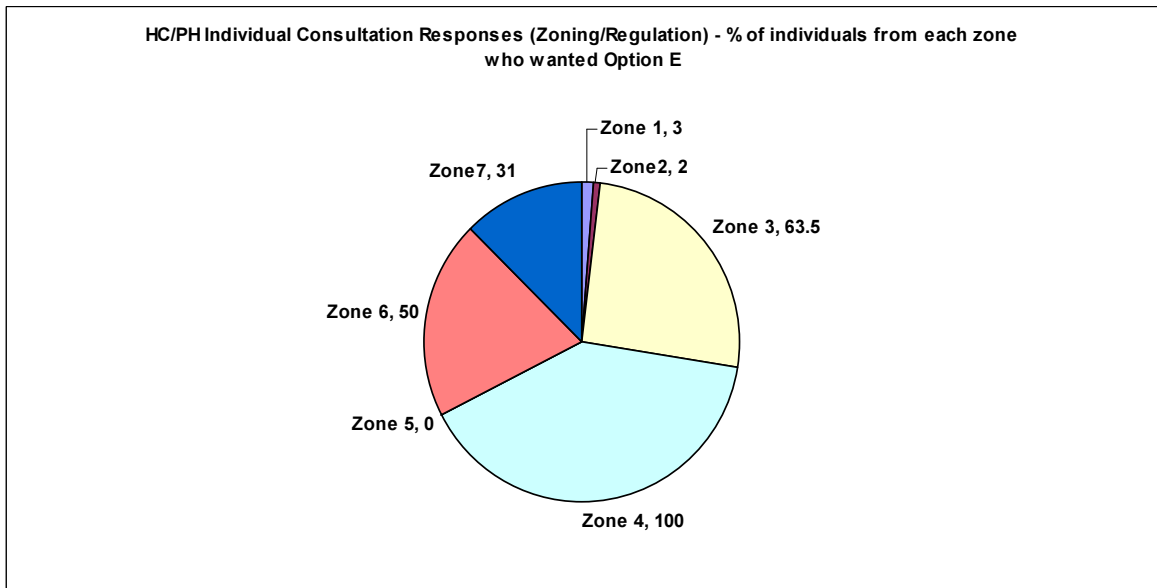


Table 4. The Area Working Group (AWG) response to consultation – zoning/regulation (Options A to E) and colour policy preferences by zone.

Area Working	Keep the 7 zones as they	Regulation of HC Numbers	AWG Zoning/Regulation	Should the Council impose a

Group & Zone	are or Remove them? (7 zones or 1)	(Maintain the regulation and limitation of Hackney Carriages or not?)	Option Preference (Favoured Option) *less favoured, or secondary preference.	Colour Policy? (Yes or No or unclear?)
Chester le Street (Zone 1)	Keep the 7 zones	Regulate HC numbers	Option B	Yes to Colour policy
Durham City (Zone 2)	Keep the 7 zones	Regulate HC numbers	Option B	No to Colour policy
Derwentside (Zone 3)	Remove the 7 zones	Regulate HC numbers	Option E	No to colour policy
Easington (Zone 4)	Remove the 7 zones	Regulate HC numbers	Option E	No to colour policy
Sedgefield (Zone 5)	Remove the 7 zones	Regulate HC numbers if 7 zones are kept*	Option A Or Option B*	No single or clear opinion expressed
Teesdale (Zone 6)	Keep the 7 zones	Regulate HC numbers if 7 zones are removed*	Option B Or Option E*	No single or clear opinion expressed
Wear Valley (Zone 7)	Remove the 7 zones	No clear opinion expressed	Option A Or Option E	Yes to Colour policy

Table 5. The Countywide Working Group (CWG) response to consultation – zoning/regulation (Options A to E) and colour policy preferences made AWG representatives from the 7 zones.

Countywide Working Group	Keep the 7 zones as they are or Remove	Regulation of HC Numbers	CWG member Zoning/Regulation Option	Should the Council impose a Colour Policy?
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(Representatives from the 7 Area Working Groups)	them? (7 zones or 1)	(Maintain the regulation and limitation of Hackney Carriages or not?)	Preferences (Favoured Option) *less favoured, or secondary preference.	(Yes or No or unclear?)
Countywide Working Group Representatives	3 Keep the 7 zones 4 Remove the 7 zones	6 Regulate HC numbers 1 Unclear	2 for Option B 2 for Option E 2 for Options A or E* 1 for Options B or E*	2 Yes to Colour policy 3 No to Colour policy 2 No single or clear opinion expressed

C. Consultation results - police, interested parties and the general public (non-licensed hackney carriage and private hire trade responses) (Paragraph A4.3)

Table 6. The countywide response to consultation – responses from members of the public, from ‘interested’ parties and from the police; expressed zoning/regulation preferences (Options A to E) (Non-taxi trade responses)

Non-HC and PH Trade Comments	Option A	Option B	Option C	Option D	Option E	No Comments
Durham Constabulary	1	0	0	0	0	0
General Public	4	1	0	0	3	0
Interested Parties (Non DCC)	3	1	1	0	0	4
Interested Parties (DCC)	2	2	0	0	0	0

Graph 15. The countywide response to consultation – responses from members of the public, from ‘interested’ parties and from the police; expressed zoning/regulation preferences (Options A to E) (Non-taxi trade responses)

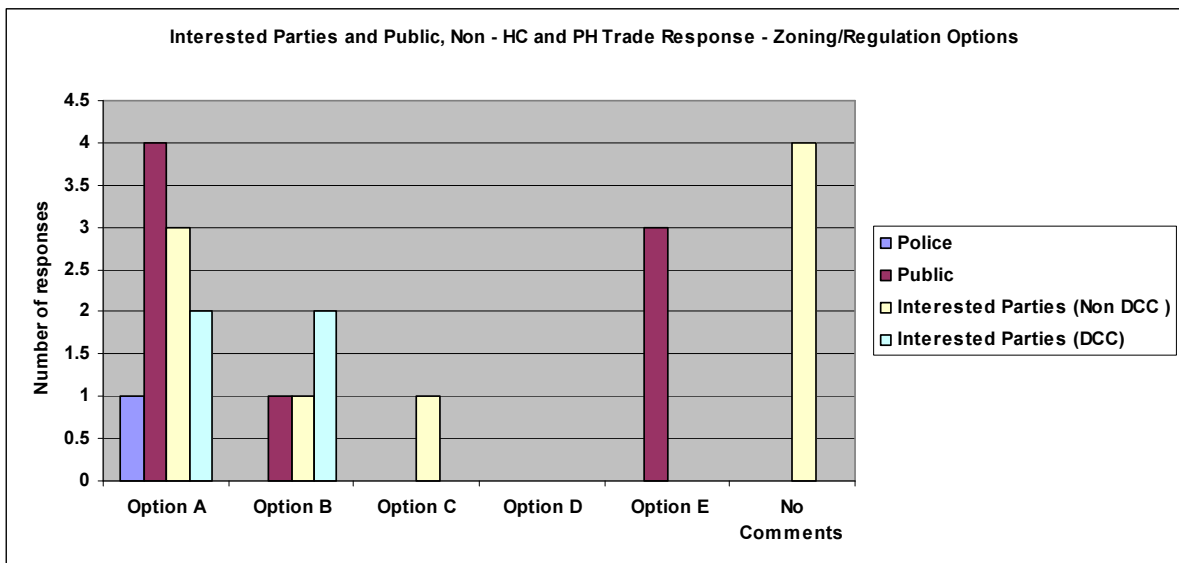
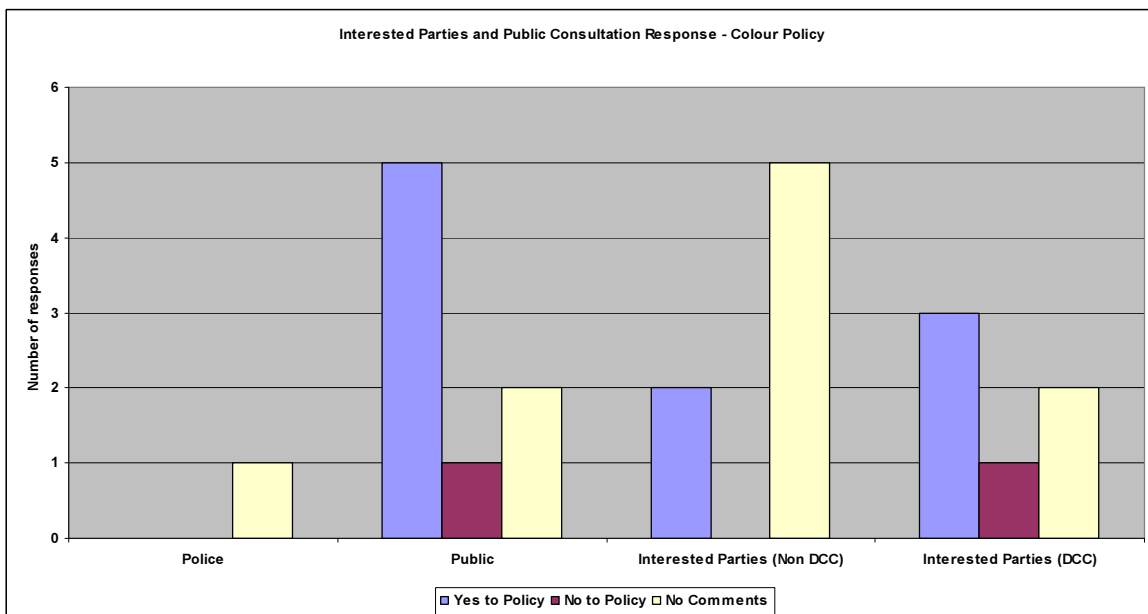


Table 7. The countywide response to consultation – responses from members of the public, from ‘interested’ parties and from the police; expressed colour policy preferences. (Non-taxi trade responses)

Non-HC and PH Trade Comments	Yes to Policy	No to Policy	No Comments

Durham constabulary	0	0	1
General Public	5	1	2
Interested Parties (Non DCC)	2	0	5
Interested Parties (DCC)	3	1	2

Graph 16. The countywide response to consultation – responses from members of the public, from ‘interested’ parties and from the police; expressed colour policy preferences. (Non-taxi trade responses)



D. Consultation responses from the individual licensed members of the hackney carriage and private hire trade - colour policy. (Paragraph A4.4.2)

Table 8. The range of colours favoured by hackney carriage and private hire trade members who said “yes” to a colour policy.

Zone	"Yes" to Policy	"No" to Policy	No Comments	Colour Preferences											
				HC white	HC silver	HC blue	HC black	HC yellow	HC red	PH white	PH silver	PH blue	PH black	PH yellow	PH red
HC and PH Trade Comments															
Totals	50	102	2	16	10	0	5	0	0	3	1	1	3	2	2

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