

City of York Council – Taxi Licensing

Minutes of meeting with York Hackney Carriage and Private Hire Associations

Thursday 11th July 2019

Present: Lesley Cooke (Chair) – Licensing Manager CYC (LC)
Matt Boxall – Acting Head of Public Protection CYC (MB)
Nigel Woodhead – Enforcement Officer CYC (NW)
Angela Ruane – Licensing Officer CYC (AR)
Michael Dunn – York Cars PH Association (MD)
Mohammed Iqbal – York Cars PH Association (MI)
Barry Hamer – York Private Hire Association (BH)
Wendy Loveday – York Private Hire Association (WL)
David Rhodes – York Private Hire Association (DR)
William Swords – Station Taxis (WS)
Brendan Trotter – Station Taxis (BT)
Richard Newby – York Hackney Carriage Association (RN)
Paul Thomson – York Hackney Carriage Association (PT)
Tony Green – Independent Taxi Association (TG)
Brendan Murphy – Senior Transport Project Manager CYC (BM)

1. Update on Station Frontage – BM Update

- a. A new Planning Application has been made as there were new plans for the scheme. This included a multi storey (3 storeys) car park on site of present car park.
- b. They are struggling to come to an agreement with LNER for a vehicle pick up point that could be used by taxis/private hire.
- c. LNER want the portico back which would mean moving the rank into the present long stay car park. The head of the rank would be under a canopy. The current Station Taxi office will not be touched as it is listed.
- d. First job will be to take out Queen Street utilities followed by the bridge demolition. Works will hopefully start in 12 months and last two years.
- e. Still awaiting news about the funding for this scheme.

Minutes of last meeting

- a. Page 3 training, MB stated that Associations can make suggestions towards the content of the training. Please let MB know the kind of thing that the Associations would like us to consider including.
- b. LC updated regarding promoting the York taxi trade, she had put some information together with regards to being safe while travelling in taxis/private hire vehicles, including details of how to identify CYC licensed vehicles etc. The Council's Communication Team had approved it, she shared with the Associations for comment.

2. Update to Council's Executive

MB stated that a report was going before Executive on 26th September regarding the legality of Uber.

3. Taxi Licensing Policy Reports to Licensing and Regulatory Committee on 15th July

- a. LC stated that she will be taking reports to Committee on 15th July regarding driver training and suitability. Wakefield are also taking their report on 17th July. Leeds, Calderdale and Kirklees are also going through the Committee process with these reports. Bradford have already introduced the suitability policy and will implement same driver training policy.
- b. WL commented about point 4 option 1 of the report stating it was some kind of alignment with Uber. LC confirmed that the introduction of the new policies had nothing to do with Uber. The managers from the six authorities had been asked by Leaders to have a joint approach to taxi licensing policies. York is still staying as a single authority.
- c. WL concerned that it would lead to national licences.
- d. WL concerned about English language standard training. Wakefield and Leeds do the training but Bradford don't. LC stated that more and more applicants do not have English as their first language. She feels it is important that our applicants must be able to converse with customers, as well as being able to work out change and write out receipts. AR advised that some applicants bring interpreters to appointments with them.
- e. MI asked if test is for new or existing drivers as he believed it would be fairer for everyone to do the test. LC confirmed that it was only for new drivers
- f. MI believes that both English and knowledge tests should be done by all drivers, he does not believe the system is fair. All drivers and applicants should do tests or they should be dropped. He also believes the training day is too expensive at £80 and other costs for the six modules.
- g. TG asked whether there was any reason why standards shouldn't be higher.
- h. MB stated that at the January meeting it was said that 80% passed the knowledge test at first stage, but this is not correct. Since the new tests were introduced about a third pass at first attempt and pass rate is about 50% over the whole process.
- i. WL is concerned that many of new applicants don't live in York.
- j. RN is concerned that newly licensed drivers in York don't have sufficient knowledge of the area.
- k. LC reiterated that we will not be lowering standards.
- l. WS stated that the knowledge test should be difficult to pass and there was no reason why it shouldn't be expensive.
- m. TG stated that he understands MI concerns about costs but states that the test should be difficult.
- n. MI stated that he was not saying that standards should be lowered but the costs were too expensive.
- o. LC stated that we had received positive comments to the consultation from the trade to the proposed new changes.

4. Hackney Carriage Working Group

- a. LC advised that officers have been tasked by Committee Members to look at why CYC regulate the number of hackney carriage vehicle licences. A working group consisting of WS, TG, two Members of Committee along with LC and NPW has been established. When they meet they will discuss what to include in a public consultation. Private hire will not be involved in the group.
- b. MI asked if there was any time scale, LC confirmed there is no time frame.

5. Race Days Traffic Management System

LC advised that this is dealt with by the Highways Team. They place signage on streets off Albemarle Road to stop vehicles cutting through the estate. Complaints have been received that a couple of Uber vehicles

had moved the signs to gain access and a message has been sent to Uber. York licensed vehicles are doing the same and she asked the Associations to ask their members not to move the road closure signs.

6. Private Hire renewals – Safeguarding Training

- a. LC reminded the PH trade that they need to complete the Safeguarding training before renewals, extra sessions are available.
- b. LC stated that HC renewals went smoothly.

7. Association Membership

LC stated that she was aware that there had been a number of changes in the Associations membership. She asked each Association to email their constitutions/terms of reference to licensing@york.gov.uk along with details of total membership and Committee Member's.

8. Arm Bands

LC advised that arm bands to display the driver's badge are now available. Red for PH and yellow for HC. They have to be worn on the left arm. There is no cost as it is a safety element. A charge will be made if arm bands get damaged or lost. It is not compulsory for drivers to get one.

9. Enforcement – NW Update

- a. Since the last meeting we have received 36 complaints relating to Uber including:
 - dangerous driving
 - involvement in RTC's
 - smoking
 - parking on ranks
 - wrong way on one way streets
 - illegal turns
 - driver spitting at female
- b. All complaints are logged and home authorities are informed.
- c. Received 18 complaints about York licensed HC including:
 - behaviour
 - dangerous driving
 - wrong tariff, refusing fares
 - smoking, illegal turns
 - running red lights
- d. Received 15 complaints against York PH including:
 - abusive behaviour
 - wrong way on one way street
 - incivility
 - illegal turns
 - smoking in vehicle
 - parking on rank
- e. Also received three complaints regarding other out of town vehicles, including
 - Smoking
 - illegal taxi
 - Ryedale HC working for Uber

- f. One York PH driver found guilty at York Magistrates Court for an offence of plying for hire. He is appealing this decision.
- g. WL asked MB if it was possible for any multi agency day time enforcement. MB advised it may be possible, although using Hazel Court Depot might prove difficult during the day. Will undertake a day time patrol.

10. Hackney Consultation – Time taken to implement

Already dealt with.

11. Knowledge Tests

Already dealt with.

12. Vehicle checks – can these be outsourced

MI asked if vehicle checks can be outsourced to other garages. LC advised that we are not considering this at the moment, the checks will continue to be done in house.

13. Enforcement at Races

- a. WL asked why there is no enforcement at the races. LC advised that licensing cannot enforce road traffic or Highways issues.
- b. WS advised that PH are dropping off at the rank. LC advised that she would feedback to Racecourse before John Smiths on Saturday.

14. Barry Hamer – Progress on case

BH asked for an update on the case where an Uber driver drove at him. LC advised that we could not discuss the matter at a public meeting due to data protection. MB advised that he would discuss with BH later.

15. MOT's and West Yorkshire.

- a. WL advised that Kirklees vehicles do not require their vehicles to have an MOT. AR advised that they issue a Certificate of Compliance which only lasts whilst the vehicle is licensed.
- b. TG advised that they still only lasted for six months so probably was not worth bringing in at York.

16. Wakefield and door signage.

WL asked why Wakefield vehicles don't display side plates. NW advised that their vehicle licence conditions do not stipulate they display but he is aware they are looking at changing that condition.

17. Why is Bradford not in with West Yorkshire and York

Already dealt with.

18. Helen Sefton

WL asked whether Helen Sefton is coming back. LC advised that she is currently on secondment as the Senior Licensing Officer and that post is to be advertised.

19. Reason for Vehicle inspection cost increase

WL asked why the inspection costs had risen. LC advised that we have to pay for the mechanic's time, which have increased so the costs had to be raised, fees are set at a cost recovery level.

20. Breaking the 2014 Regulators code by supporting Uber over local taxis

- a. WL stated that YPHA have joined forces with UTAG (United Trade Action Group) who have taken TFL to task for breaking the regulators code, York are breaking that code by supporting Uber and allowing them to work in the city.
- b. MB advised that CYC are not supporting UBER, they remain neutral, this argument had already been raised with him. The next stage would be for the trade to put in a complaint about a breach of the code. MB agreed that the council is bound by the Regulators' code.

21. Bus Lanes

WL asks if we can make the bus lanes in York for local taxis only as other authorities like Leeds do. Medway have also implemented this since 1/7/19, restricting bus lanes to HC and PH vehicles licensed by Medway only. Other authorities' vehicles are not allowed to use them. LC asks if those details could be forwarded to her.

22. Taxi rank fines – do UBER actually get fined or just logged as a complaint.

- a. WL asks if we can issue a ticket if UBER are seen parked on a rank. NW advised that we cannot issue a ticket, he will bring this matter to the attention of Parking Team that no vehicles other than CYC HCV can park on a designated rank.
- b. MB advised that we can take formal enforcement action, including prosecution if necessary.
- c. NW advised that the first stage is to issue a warning letter.

23. Matt Boxall's email detailing the question Legal asked Leo to answer.

WL raised that one of her Members was concerned that MB only asked Leo (Counsel) whether the Uber app was legal. MB asks WL to get the member to contact him.

24. Executive meeting 26/9/19

WL stating that she is attending this meeting and will be registering to speak.

25. Any other business

- a. BH stated that a PH driver of an 8 seater asked if he could put his mobile number on his vehicle but this was refused by the taxi office. AR advised that if he is an operator, conditions state that bookings can only be taken via a landline.
- b. WL asked York's position on whether Uber is working illegally or not, there has been nothing from Executive since 2017. MB advised that the Taxi Licensing Policy does not relate to out of town vehicles.
- c. WL advised that Mike Slater stated that Uber being lawful is a policy change. MB advised that our internal legal position has always been that Uber is legal. LC stated that Mike Slater should have said position not policy.
- d. MB advised that the triple licensing position is settled law. This is the purpose of the report going to the Executive.

- e. BH stated that Uber when licensed in York should have started like 659, Uber give nothing to York and he can't understand why they are allowed to work here illegally.
- f. MB stated that he has asked if Uber are operating lawfully and on CYC legal and counsel advice they are.
- g. WL asks MB if he would like her to send anything from other QC's or is he just sticking with Leo's advice. MB advised that he is happy for her to share other opinions.

26. Date of next meeting

TBC