

City of York Council – Taxi Licensing

Minutes of Meeting with York Hackney Carriage & Private Hire Associations

Wednesday – 10 April 2019

Present: Lesley Cooke (Chair) – Licensing Manager CYC (LC)
Matt Boxall – Acting Head of Public Protection CYC (MB)
Helen Sefton – Senior Licensing Officer (HS)
Nigel Woodhead – Enforcement Officer (NW)
Angela Ruane – Licensing Officer CYC (AR)
Gary Frost – Major Transport Project Manager CYC (GF)
Brendan Murphy – Senior Transport Project Manager CYC (BM)
PC John Armstrong – Neighbourhood Policing Team
Wendy Loveday – York Private Hire Association (WL)
Michael Palmer – York Private Hire Association (MP)
Barry Page – York Private Hire Association (BP)
Glenn Jardine – Independent Taxi Association (GJ)
Tony Green – Independent Taxi Association (TG)
Colin Metcalfe – York Hackney Carriage Association (CM)
Robin Sargent – York Hackney Carriage Association (RS)
William Swords – Station Taxis (WS)
Brendan Trotter – Station Taxis (BT)

General Items

1) Update on Station Frontage / Queen Street Bridge

GF gave an overview of the current situation. The council consulted on proposals for the station frontage area last year. The planning application is currently open for public comments until beginning of May and the application will go to the Planning Committee in June or July. Contractors will be invited to tender for the project later in the year, probably late summer.

TG asked how long the works will take.

GF advised it will be approximately 12 to 18 months in total for the station frontage and Queen Street. Tea Room Square is not in GF's remit.

WL asked if private hire pick up points have been integrated into the plan.

GF stated that there is nothing in the planning application but he would like to try to get private hire rendezvous points and would support the idea. GF advised WL to comment on the planning application.

GJ voiced concerns regarding the traffic flow during the works period.

GF advised that it is too early in the development for him to be able to answer the concerns.

RS said that Micklegate is currently closed to outbound traffic and asked if this will be reversed during the works.

GF advised it is too early to be able to answer that question but he will pursue it.

WS asked if there are any contingency plans for archaeological finds.

BM said they don't expect to find too much as that area has already been significantly dug up in the past.

GF advised that they will attend future meetings to give further updates.

2) North Yorkshire Police – PC John Armstrong

TG asked for clarification about what constitutes a civil or criminal offence. This is in regards to a passenger doing a "runner".

JA said that they encourage civil proceedings first. To pursue criminal proceedings the offence would need to be proved beyond reasonable doubt and the process takes much longer. It could be dealt with by way of a Community Resolution where the person responsible can be written to for payment.

JA advised that there is a complaint from on-line if anyone is not happy how a Police Officer has dealt with something.

CM said he has reported a runner to the Police in the past and the fare was recovered and delivered to his home by the Police.

WL said she has had a lot of dealings with Operation Spartan but it has all been by email. She asked if it would be possible to meet with officers from the team.

JA advised that he did invite them to this meeting but no-one was available and he encouraged drivers to keep reporting incidents.

MP said he has written to Julia Mulligan regarding cross border working but he has not received a reply yet. He asked JA what is the police's position on this.

JA responded that they will prosecute anyone who does anything illegal regarding driving offences. They cannot take further action until the legal position has been clarified.

WL asked if York Private Hire Association can have access to the police legal team.

JA advised to go onto the North Yorkshire Police website and look for the link for the legal team email address.

TG asked if an officer from British Transport Police (BTP) could attend these meetings as well.

JA said he is in contact with a sergeant from BTP and he will ask if they can attend. He also advised that he will try to attend the meetings regularly and if he is on a leave day he will try to get a colleague to attend instead.

3) Minutes of last meeting

WL – Item 2b.

WL still has concerns about the knowledge test.

TG asked if the knowledge test and training will change due to the work being done with West Yorkshire Authorities (WYA).

LC stated that all the WYA are waiting to take papers to committee but we are currently in purdah. When the report has been to committee we will need to source a training provider. There will be separate elements to the training – local knowledge, safeguarding and english. Local knowledge must be passed in the area the applicant has applied for a licence, the other elements can be passed at any of the WYA.

LC also advised that existing drivers may have to undergo a safeguarding course every three years. Things change and drivers need to be updated at regular intervals.

WL asked if the knowledge test is going to be harder as she feels it is currently too easy.

LC said more fail than pass the knowledge test on first attempt.

TG said he thinks that six attempts at the knowledge test are too many and feels that the entry bar is being lowered.

LC advised that this may change to three attempts and said that the standard will not be lowered. Each module will have a separate test. One of the modules will be the local knowledge and we will set the test for that.

TG asked if the trade associations can be involved when the training package is being redesigned.

MB advised that it is up to the local authority to set the test – we judge who is fit and proper to hold a licence.

LC advised that currently applicants who fail the knowledge test five times must wait six months, giving them time to revise, before being allowed to sit a sixth test. If an applicant fails the sixth attempt, they will not be licensed.

RS asked if taxi licensing do any follow ups with new applicants once they have been licensed and if not, would it not be advisable to do so.

LC said that would be up to the private hire companies.

AR advised that once the licence has been granted we have deemed the person to be fit and proper so we would not have grounds to follow up unless we receive a complaint.

WL – Item 3: Treatment of Licensing Staff

WL said she has not seen any zero tolerance posters yet.

LC advised that they have not been produced yet but she will make sure they are done.

RS – Item 11

RS asked if there is an update on Toft Green rank.

NW said the weekend enforcement team had looked at it and staff at the club deny that the vehicles belong to staff. We do not have access to the PNC so cannot get information from vehicle registration numbers.

RS said this is an on-going problem and asked if the police can be involved.

WL – Item 12

WL asked if MB has raised the possibility of the council promoting local registered drivers for local people with the council's communications team.

MB advised that we are not able to do that as we must remain neutral.

TG clarified that they are asking us to support and promote local drivers.

LC explained that the hirer makes the choice of which company they wish to use. We cannot make a statement advising the public to only use a vehicle licensed by York. We can advise the public what to look for with licensed drivers and vehicles, making it a safety promotion rather than promoting the use of York drivers/vehicles only.

RS stated they are asking us to promote local drivers for local people.

MB advised the council must take a neutral stance.

WL stated that we could be in breach of the Regulators Code and we could encourage people to use the local trade.

MB stated that he does not think that is the case.

4) Lanyards and ID Arm Bands

LC explained that there has recently been an article published in The Press regarding the wearing of lanyards. This resulted in some members of the trade refusing to wear lanyards anymore. It is a condition of licence/byelaw that the driver's badge must be worn. We have priced up arm bands, similar to those worn by door staff, as a possible alternative to lanyards and need to know if the trade would be interested.

WL stated that she thinks it is a good idea.

LC advised that we will purchase some arm bands and it will be the personal choice of drivers whether they use a lanyard, clip or arm band.

5) HC Driver Licence Renewals

LC advised that all the renewal paperwork has now been posted out. This is the first renewal since the granting of three year driver licences. We will post out the driver licences and badges but proprietors will still need to come in as we may need to see

further documentation. It is the responsibility of the drivers and proprietors to ensure their licence is renewed.

6) HC Vehicles' Licensing Policy – Restriction on Numbers

LC advised that the results of the unmet demand survey went to committee last year. At that time, Members asked us to look at the restriction on the number of HC vehicle licences issued and to consult with citizens of York.

After the election and the formation of the new committee, a working party will put together to look at how we move forward.

LC said she will be asking for a representative from each of the HC associations and asked that they start thinking now about who they think will be the best person in their association to be on the working party. It will involve looking at the principle of restricting the number of HC vehicles.

TG said he is concerned that we need to look at justification for restricting the number of HC vehicles.

7) Anti-Idling

LC advised that officers in air quality are currently being trained in anti-idling and will be able to issue penalty charge notices. The Anti-Idling Scheme will be implemented from 20 June 2019. The officers have asked for feedback from the associations on their tool-kit before it goes public. All association members present looked at the tool-kit and completed a questionnaire.

8) Joint Operation Evening Work Update

HS advised that she had recently undertaken a joint evening enforcement operation with the Police, DVSA and officers from Leeds City Council.

21 vehicles were stopped – 11 York vehicles and 10 out of town
3 vehicles had the licence suspended – 1 HC, 1 PH and 1 out of town
2 drivers received a warning – 1 for vaping in his vehicle and 1 for breach of conditions

WL asked if it is possible to do any day time joint enforcement to which HS responded that we will.

9) Enforcement Update

NW reported that since the last meeting we have received 121 complaints and advised that all complaints are logged.

62 complaints referenced Uber
39 complaints about private hire
16 complaints about hackney carriage
4 complaints about out of town drivers

The weekend enforcement officers have carried out observations on Lendal. Each weekend at least a dozen licensed drivers are seen to turn right out of Lendal and the ration is 50:50 between York licensed drivers and Uber drivers.

MW advised that he had asked the weekend enforcement officers to look at various things including licensed vehicles on Blake Street. A York private hire driver was questioned by an enforcement officer whilst he was waiting outside McDonalds. The attitude of the driver was so bad he is being called in for interview.

CM and MP both stated that a visible enforcement presence would be a deterrent and said we need more visible enforcement on the streets.

WL commented that 50% of the complaints were about one company to which NW responded that they are licensed with five different authorities.

Hackney Carriage Associations' Items

10) Taxi Driver Manners

GJ stated that it is in the regulations that drivers must assist customers but lots of drivers don't assist customers. Drivers are also refusing to do short journeys. Could we remind all drivers that they must assist passengers.

HS advised that it is a criminal offence to refuse a journey within the boundary.

NW asked for instances to be reported to us but he needs evidence and the name of the driver.

WS said that they have a similar problem at the station with drivers of wheelchair accessible vehicles who won't take customers in wheelchairs from the station rank, they send them to the central reservation waiting area instead.

LC asked for the associations/Station Taxis to report any drivers who refuse to take customers in wheelchairs.

Note: NW and RS left the meeting at this point.

11) Poor Traffic Flow

GT asked if it was possible to liaise with Traffic Management regarding poor traffic flow in the city. This is one of the main reason customers have to wait at the ranks for vehicles.

LC advised that we will ask if a member of that team can attend the next meeting.

12) In Car Card Payments

TG asked if it could be made a condition of licence that every driver must have a card machine in their vehicle.

WS stated that Station Taxis are bringing this in next year.

LC replied that she does not think it could be introduced as a vehicle licence condition and AR agreed with this. LC will raise this question with her WY counterparts.

BP stated that drivers' takings would be down if they only accepted card payments as customers tend not to give a tip when paying by card.

Private Hire Association Items

13) PH picking up at McDonalds, Blake Street

WL stated that this is still an on-going problem and advised that it has been brought to her attention that Uber are picking up there all the time. The York PH trade are objecting to picking up their customers at the "pick up" points for McDonalds when Uber are picking up outside and she fully understands the drivers' viewpoint on this.

LC advised that she will ensure that the weekend enforcement staff check McDonalds on a regular basis.

HS stated that we can contact Uber again and ask them to notify their drivers again not to pick up outside McDonalds.

WS asked if Uber can also be reminded not to pick up inside the station portico.

14) Safeguarding Course – online versus in person

WL advised that it has been brought to her attention that a lot of drivers are doing an online safeguarding course and asked if drivers can just do the online course as they are not happy at paying £40.00 to attend the CYC course if they can do it online instead.

MP stated that the CYC safeguarding course provider had advised him that he did not think the online course would be valid.

LC responded that we would like all drivers to do the CYC safeguarding course. However, after licensed drivers submitted a petition against doing the safeguarding course, Members determined that we would accept other safeguarding training. Any driver who does an online course must justify why they have done it online, provide details of the course content and what they have learnt.

MB said that drivers must prove that they have met the standards that were agreed by Members.

LC advised that new training will be introduced in the future and it is hoped that Members will agree that only one training course will be acceptable. It is also possible that all drivers will need to do three yearly refresher courses.

15) The new station pick up points

WL said her question had been covered earlier in the meeting.

WL then asked for clarification about the penalty for PH drivers sitting on HC ranks. Her understanding is a written warning for a first offence and a fine for a second offence.

HS responded that a driver would receive a written warning for the first offence and a second offence would possibly result in prosecution if there was sufficient evidence.

MB asked the trade to continue sending in reports to Licensing as it helps to build up the picture.

WL asked if an out of town vehicle has been reported and the same vehicle is involved in a road traffic accident (RTA), do they report that as well.

LC asked for all details to be reported as we would not have details of a vehicle licensed by another authority. We can then inform the home authority of the RTA as well.

16) A question regarding the taxi licensing policy

WL said she would ask this question at a later date due to being in purdah at the moment.

17) Any other business

LC advised that council officers from the transport team are hosting an event at the Fossgate Social on 30 April 2019 between 9.30am to 1.00pm to obtain feedback on the Stonebow/Fossgate works and encouraged members of the trade associations to attend.

MP voiced his concern at the amount of items that are now in windscreens of licensed vehicles, i.e. phones, sat navs etc.

LC advised that would be checked as part of the vehicle inspection.

HS said that equipment should not be within the sweep of the windscreen wipers.

MB advised that we would let the evening enforcement team know and we will also put an article in the Taxi Times.

18) Date of next meeting

Thursday 11 July 2019 at 1.00pm.