

## City of York Council – Taxi Licensing

### Minutes of Meeting with York Hackney Carriage & Private Hire Associations

Wednesday – 16 January 2019

**Present:** Lesley Cooke (Chair) – Licensing Manager CYC (LC)  
Angela Ruane – Licensing Officer CYC (AR)  
Nigel Woodhead – Enforcement Officer (NW)  
Helen Sefton – Senior Licensing Officer (HS)  
Wendy Loveday – York Private Hire Association (WL)  
Steven Nelson – York Private Hire Association (SN)  
Michael Palmer – York Private Hire Association (MP)  
Michael Albon – York Hackney Carriage Association (MA)  
Anthony Green – York Hackney Carriage Association (AG)  
Colin Metcalfe – York Hackney Carriage Association (CM)  
Jim Kerr – Independent Taxi Association  
William Swords – Station Taxis (WS)  
Michael Pavlovic – Councillor (MPav)

#### **General Items – both Hackney Carriage and Private Hire Associations Present:**

##### **1. Anti-idling**

LC advised that a report was going to the decision session for the Council's Executive Member for Transport and Planning on 7 February 2019.

##### **2. General Update**

a) LC gave the meeting an update on the taxi licensing figures for the year 2018.

###### Vehicles

	Private Hire	Hackney Carriage
Grants	93	
Renewals	570	183
Annual inspections	467	183
Interim safety inspections	275	107
Change of vehicles	51	62
Transfers	27	19
Suspended	17	4

## Drivers

	Private Hire	Hackney Carriage
Grants	131	32
Knowledge test	124 – 1 <sup>st</sup> 65, 2 <sup>nd</sup> 22, 3 <sup>rd</sup> 17, 4 <sup>th</sup> 10, 5 <sup>th</sup> 8, 6 <sup>th</sup> 2	21 – 1 <sup>st</sup> 8, 2 <sup>nd</sup> 4, 3 <sup>rd</sup> 4, 4 <sup>th</sup> 4, 5 <sup>th</sup> 1
Medicals	231	107
DBS		
Suspended	2	1
Revoked	4	3

Appeals – 1 to sub-committee – officer decision upheld, 2 to Mags court withdrawn, 1 pending Mags court hearing

Existing drivers and new apps DBS checks – 885

Complaints – 280

CYC licensed v/d – 130

Uber – 115

Bradford – 54, Leeds – 25, Kirklees – 25, Wakefield – 2, Calderdale – 7, Selby – 3, Harrogate – 1, Ryedale – 4

- b) WL was concerned that looking at the figures the knowledge test was too easy as the number of people passing first or second time was nearly 80%. She asked that the tests be made harder. LC said that the test was going to be outsourced to the council's Workforce Development Unit and would include training on other matters such as health and safety.

### 3. Treatment of Licensing Staff

LC gave details of an incident where members of the licensing team were verbally abused by a licensed driver at reception. WL stated that this was not acceptable and that a zero tolerance should be taken. MP said he would send out an email to members.

### 4. Who can and can't drive licensed vehicles

LC described a recent incident whereby a HC turned up at Hazel Court for test driven by a non licensed driver. Reiterates that licensed vehicles can only be driven by licensed drivers. WL stated that plates must also never be removed, side plates can be removed from PH vehicles if not working.

## 5. Enforcement update

- a) NW reports that since he returned to the team in mid November there had been 38 complaints, 17 regarding out of town Uber vehicles, these include:
  - illegal turns,
  - driving the wrong way down one way streets and
  - parking on HC ranks.
- b) 15 regarding York PH vehicles these include
  - dangerous driving,
  - smoking,
  - comments to Uber drivers and other incivility.
- c) Three York HC vehicles, these include
  - obstructing pavements and
  - comments to Uber drivers.
- d) Three relating to other out of town vehicles working in York.
- e) There is to be an Uber ply for hire case at York Magistrates next week.
- f) HS has done enforcement evenings with Police and DVSA when various vehicles were suspended for mechanical defects both from York and out of town.
- g) MPav mentioned engine noise and horn blowing in the Badger Hill area. CM advised that the licensed trade are aware of the law regarding this.

### Private Hire Association items:

## 6. Leo and the Reading case

- a) WL stated that Reading is nothing like the York case, she does not understand why Leo is still waiting after 10 weeks and asks when they will get an answer. LC stated that Matt Boxall had advised that it will possibly be received before the end of the month.
- b) WL advised that another QC has said the reply could have been given in ten hours and queried whether the council had been given a deadline to reply.
- c) AG asked why the council had chosen Leo. LC advised that council had used him before.
- d) MP asked if the information would be given to Members and the taxi trade. LC advised that decision would be considered by officers, including the council's legal team to decide the next course of action, a report would go to Licensing Committee. All factors will be taken into consideration dependant on the advice from Leo. If the council decide to take legal action Uber could be brought in for talks or interview under caution.
- e) WL stated that she believed Uber were running scared and if we could geofence York they would go away.
- f) AG stated that if Uber found to be acting illegally then definite legal action should be taken.

g) HS stated that James Kelly is Head of Cities at Uber.

## **7. OLA, Lyft and other similar PH companies.**

a) WL stated that OLA and Lyft are very similar to Uber and asks whether it would be possible to add to the policy that if licensed in York that only York drivers are allowed.

b) LC advised that Uber take bookings from licensed operator and if OLA or Lyft are licensed by York they could use vehicles from outside areas. WL queried whether the policy can go to members to get changed and MPav stated that there will always be a problem with out of town vehicles and drivers.

## **8. Number of Uber vehicles in York 3.00hrs Sat/Sun**

WL stated on behalf of a member that Uber were outnumbering York vehicles 10 to 1 at 03:00hrs last Sunday morning. Vehicles were kerb crawling. NW said he would pass to the enforcement team that work on a weekend.

## **9. Consultation – not electronic and request for an extension.**

WL stated that members had asked whether it was possible for an extension but LC said this was not possible. The consultation had to end on 18/01/19.

## **Hackney Carriage Associations items:**

### **10. HC Fares – Multi Seater tariff – Bank Holiday rates**

a) LC stated that she will share with the Association any increase after the accountant has seen the figures. LC asks that the associations put forward a formal request regarding any increase in fares.

b) AG asked if they could have a separate rate for 7 seater vehicles, LC suggests that the Associations get together and discuss but states all Associations would have to agree to any fare increases.

### **11. HC ranks – closure of Piccadilly, unavailability of Toft Green, Rougier Street and reinstatement of rank outside of the station.**

a) LC stated that all HC drivers were consulted regarding Piccadilly rank closure. MA stated that he did object.

b) MA stated that Toft Green rank was unusable with vehicles parked on it. NW stated he had spoken with the Tokyo nightclub previously regarding the rank but they denied knowledge of whom the vehicles belonged to. NW also stated that parking enforcement were the only ones who could issue tickets and they do not work after 9pm.

c) MA stated that Uber are still parking on Rougier Street. NW advised that he will liaise with the weekend team. He will also send a message for the taxi rank sign to be placed roadside of bus shelter and will contact Uber regarding all ranks in York.

- d) WL concerned that CYC are engaging with Uber, HS advised that we have to communicate with them; we have the West Yorkshire agreement.
- e) MA asked what was happening with the station changes. WS advised that he believed the bridge changes had gone to planning. Tea Room Square was a separate matter. LC said that she had not heard anymore but would make enquiries.

## **12. Council support for local registered drivers**

AG asked if the council could put something out to get local people to book local taxis. He would also like to see the council backing drivers via Twitter/Facebook. LC advised she would raise this with Matt Boxall and the council's Communications team.

## **13. Lobbying Government for relief on purchasing WAV's to be used as taxis**

- a) AG stated if you are a disabled person buying a vehicle you do not pay VAT but when buying a wheelchair accessible taxi they have to pay VAT. He asked LC if she could lobby Government to get VAT relief on taxi WAV's. LC suggests that the Associations contact their MP's. She is going to the LGA conference in February and will mention it there.
- b) YPHA association offered their support.

## **14. Update on current new driver registrations and pass rate percentage**

Already covered.

## **15. Audio recording inside taxis – illegal or not?**

LC stated that it was not illegal to have audio recording but it could breach data protection of the passenger if they are unaware. She can fully understand if a driver turns audio on if something is happening but would rather audio was not used as a matter of course.

## **16. Police, including BTP, involvement in future liaison meetings**

AG asks if it would be possible for the police to attend any future meetings. LC stated this would be down to officer availability and time.

## **17. Enforcement**

- a) CM raised the problems at Toft Green rank. NW advised that he contacts Graham Titchener at the council to make a complaint.
- b) CM concerned that Civil Enforcement Officers can't enforce anything. LC stated that evening officers are authorised. NW stated that he asks them what to look at, however, they are dealing with a number of licensing matters, not just taxi licensing.

**18. Taxi Cop – trialled in another city for 18 months. This may be the answer to everyone's issues.**

- a) CM handed out a flyer from Avon and Somerset about the taxi cop that they employ. LC stated that the only way it can be funded would be through vehicle fees.
- b) JK stated that Birmingham Taxi Cop is fully funded by Birmingham authority. Leeds had considered getting one but did not go ahead due to cost.
- c) CM stated that it seems to be working in Avon and Somerset and that we are lacking a point of contact. LC advised that North Yorkshire Police probably would not have the resource for a full time officer to be a taxi cop.

**19. Date of next meeting**

Wednesday 10 April 2019, Hazel Court, at 1.00 pm.