



White Paper Response

The white paper published by the Welsh Government was finally published in December, and after much anticipation it turns out the Government want to fudge the most important issues and take the easy way out rather than lead the way for the rest of the UK to follow.

PROPOSAL 1

The Welsh Government is proposing to set national standards for taxi and private hire vehicle licensing.

Whilst we agree with the concept of a national standard for all vehicle licensing in Wales, this proposal does not go far enough. Although the white paper does mention drivers standards briefly, what we are also seeking is a national standard for drivers, at present (much the same as the vehicle licensing) standards for drivers differ with each authority. We are seeking a national standard for each and every driver that wants to be badged in Wales, with a high level of entry, which in turn will raise standards. We propose that every driver (whether they want to drive a hackney carriage or private hire) on application must pass:

- Enhanced DBS check
- A DSA taxi test
- Extensive topographical and knowledge test for the area they are applying to be licensed
- NVQ or Btec Professional Taxi and Private Hire driver qualification
- Group 2 medical
- Proof of eligibility to work in the UK
- English Language and Maths tests

PROPOSAL 2

The Welsh Government is proposing to allow a licensing authority to take enforcement action against any vehicle operating in its area.

We agree with this proposal 100%. When a driver is either dropping off or picking up customers in an area they are not licensed from an area they are, the local enforcement officers must have control over them whilst in their jurisdiction.

PROPOSAL 3

The Welsh Government is proposing to allow the creation of a mechanism by which relevant information can be shared, for the purposes of safeguarding.

We agree. A national database needs to be established to allow local licensing authorities who have revoked a Drivers or Operators license for whatever reason, to check before issuing a Drivers or Operators license. There are incidents published nationwide involving drivers having their license revoked in their home area only for them to apply to another authority for a private hire license and then return to the area they've been revoked and work for Uber.

PROPOSAL 4

Option A- The Welsh Government is proposing to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national licensing authority, a JTA (Joint Transport Authority)

This would include licensing, fee- and fare-setting , enforcement, hearing appeals arising from licensing decisions, prosecutions and deciding matters such as whether to apply quantity control to taxis.

Option B- Would see local authorities retain the power to issue licenses, but more consistently than they do now. They would have to follow one set of national standards; they would all have to share information with each other; and they would be able to enforce against any vehicle/driver from another authority.

Option A raises more questions than answers, it could create, in essence, a national license. Which could be open to a plethora of legal challenges. If the license is issued nationally what is to stop a driver from Anglesey wanting to ply for hire in Cardiff as the license is issued by one single authority? Localism has been the bedrock of licensing legislation for decades, even though we realise that reforms are desperately needed, we firmly believe that local authorities need to be the purveyor of all licensing functions under the direction of the Senedd. Option B would be our preferred option.

Missed Opportunity

Once responsibility for licensing was devolved to Wales it was a chance for our country to lead the way and be trailblazers for the rest of the UK to follow. We feel the White Paper and it's proposals for change does not go far enough. It has failed to mention a number of issues that drivers face such as:

- Cross Border Hiring
- The number of licenses issued
- CCTV
- New App regulation

This recently published [report](#) by Professor Mohammed Abdel-Haq, Chairman of the Task and Finish Group on Taxi and Private Hire licensing gave 34 recommendations on how to improve the trade.

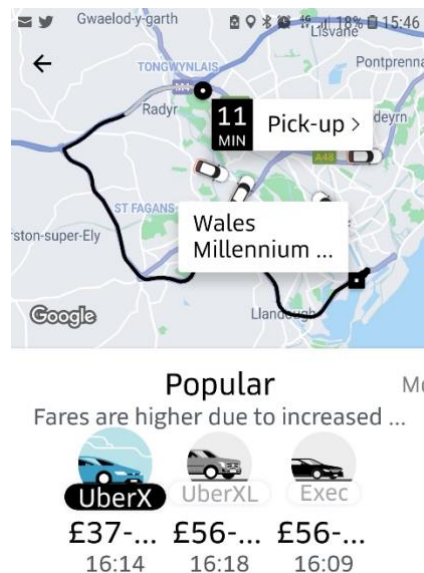
Cross Border Hiring

Not all 'cross border' work is a concern: many journeys will naturally start within one licensing authority and end in another, and the new framework should allow this, especially in more rural areas. Appropriate measures should also be in place to allow specialist services such as chauffeur and disability transport services to continue to operate cross border. However, what is not acceptable is the increasing number of drivers who now work entirely in areas that they are not licensed. For example in Cardiff, every day we see hundreds of vehicles licensed by Newport, Rhondda Cynon Taf, Merthyr and the Vale of Glamorgan working in the Capital.

They've circumvented Cardiff County Council's quite strict vehicle licensing policy and driver requirements to obtain licenses elsewhere and work in Cardiff for the relatively new app based companies such as Uber and Ola.

We realise that the proposed National Standards would rid Wales of these discrepancies with various licenses but it will not stop the issue of cross border hiring. We are constantly being told by drivers licensed elsewhere and the app companies that make use of these drivers that topographical and knowledge tests are obsolete and are no longer needed, due to sat navs.

We firmly believe that this is not the case. A taxi/PH driver is quite often the first point of contact for visitors or tourists, a driver is an ambassador for the city/town he or she works and needs local knowledge and the ability to drive wherever the customer wants in the shortest and most direct route possible. The picture below is a screen shot from the Uber app showing which way they want the driver to go from the Village Hotel in Coryton to the Wales Millennium Centre in Cardiff Bay. It may well be the quickest route but as you can see travelling via the M4 and then the A4232 is certainly not the shortest route, it is in fact 7.2 miles longer than the most direct route via the A470. A driver without that local knowledge would blindly follow the sat nav and it will cost the customer approximately £14 more than what it should. Is that the kind of service you want drivers to provide?



We are proposing that every journey for both Hackney and Private Hire needs to start or end in the area the driver and vehicle is licensed OR operators must not dispatch a booking to a vehicle when the vehicle is outside the authorities border, unless the booking ends within the authorities border. This will not stop customers from requesting a fare to any destination, and from any company but it will prevent areas becoming saturated with 'out of town' vehicles working predominantly in areas they are not licensed. This will simplify legislation and make it easier to enforce.

License Numbers

The current rate that licenses across this City are issued is unsustainable, according to the White Paper there are 5,000 taxis and 4,900 PHVs in Wales and 12,000 drivers. In November 2018 there were 2,168 taxis and PHVs and 2,414 drivers licensed by Cardiff County Council alone, almost 25% of the countries total for what is only 10% of the countries population. And that's not including the hundreds of 'out of town vehicles working here since the arrival of Uber in April 2016. The following license numbers were obtained via the freedom of

information act. A huge 458% increase of Newport license holders living in Cardiff since the arrival of Uber and Ola proves that reform is desperately needed.

CARDIFF COUNCIL HC/PH LICENSES

	Dec 2016	Sept 2017	July 2018	Nov 2018	-/+	
HC Vehicles	941	907	894	893	-47	-5%
PH Vehicles	1143	1149	1223	1275	+80	+12%
Drivers	2186	2271	2389	2414	+203	+10%
PH Ops	71		112	95	+41	+34%



NEWPORT COUNCIL HC/PH LICENSES

	Jan 2016	June 2017	June 2018	Nov 2018	-/+	
HC Vehicles		121	108	100	-21	-17%
PH Vehicles		685	786	847	+162	+24%
HC/PH dual badge holders		209	204	204	-5	-2.4%
PH drivers		685	838	869	+184	+27%
License holders with a Cardiff address	43	83	209	240	+197	+458%

The London mayor Sadiq Khan has stated in this [BBC report](#) from August 2018 the need for a cap on PHV licenses being issued, to combat congestion and improve air quality. There is no legislation at present that allows Local Authorities to cap PHVs, they can only cap Hackney Carriage licenses. This legislation needs changing urgently, the increase in numbers in Cardiff is massive and unsustainable. All major operators and the likes of the Licensed Private Hire Car Association will argue against a cap in licenses, the reasons being is that they make huge profits on the more drivers that use their platforms. All to the detriment of drivers; the more licenses issued; the more vehicles on the road; the more hours drivers have to work to earn anything approaching a living wage, which in itself creates health and safety issues; causing more congestion and pollution.

CCTV

In the interests of passenger and driver safety discussions must be had on whether all licensed vehicles must be fitted with CCTV (visual and audio) subject to strict data protection measures. With attacks on drivers, both physical and verbal on the rise across the UK, CCTV could be the ideal deterrent to problem passengers. The issues of cost and funding needs to be addressed.

App and Operator Regulation

The low pay and exploitation of some drivers is a source of concern. Licensing authorities should take into account any evidence of a person or business flouting employment law, and with it the integrity of the National Living Wage, as part of their test of whether that person or business is "fit and proper" to be a PHV or taxi operator. The opportunity is there to regulate fares across the country, creating a minimum rate to prevent companies undercutting each other, this causes a huge difference to drivers profit margins as the drivers expenses don't go down, if anything they rise year on year. All this does is create a race to the bottom. You could also create a maximum fare which would prevent the likes of Uber and Ola charging extortionate amounts for relatively short journeys, all you have to do us search social media for cases of this.

A code of conduct needs to be introduced for Private Hire Operators, at the moment they are answerable to nobody and act with impunity. The majority treat drivers with contempt forcing archaic rules onto a supposedly self employed individual.