



Wednesday, 12th March 2014

*By email: taxiprivatere.licensing@leeds.gov.uk
And to Councillors on the Leeds City Council Licensing Committee*

Re: Taxi and private hire licensing consultations

I am responding on behalf of Leeds Cycling Campaign to suggest some additions and amendments to the private hire operator conditions and Convictions Criteria, currently under consultation.

Given the substantial numbers of private hire vehicles and drivers, we feel there should be additional consideration given to road danger and safety of vulnerable road users (such as pedestrians, horse riders, and cyclists). Feedback from our members indicates that there are significant issues around standards of driving and behaviour from some hackney carriage and private hire drivers, with some members commenting that private hire drivers have the worst negative impact of any class of drivers on their experience of cycling in the city. Members have witnessed numerous instances by taxis of speeding, red light jumping, and aggressive tailgating. There have been significant problems around the route to Leeds Bradford International Airport, with horse riders and cyclists at risk from inconsiderate and dangerous behaviour by taxi drivers. Clearly there are some drivers who are safe, considerate and responsible, but we would ask the Council to take appropriate action to raise expectations and standards within the profession.

1. Standard of Service

In your document "CONDITIONS ATTACHED TO THE GRANT OF A LICENCE TO OPERATE A PRIVATE HIRE VEHICLE", Section 11 "STANDARD OF SERVICE" reads:

"The operator shall provide a prompt, efficient and reliable service to members of the public at all times and shall ensure that when a private hire vehicle has been hired to be in attendance at an appropriate time and place, that vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that time and place."

The focus on promptness and punctuality is of benefit to the customer, and should be included in the conditions. However the lack of any consideration of the safety and comfort of other users of the public highway is, in our view, an important omission. In comparison, First Bus have assured us they do not penalise or reprimand drivers for lateness unless caused by individual misdemeanour, and that they encourage drivers to uphold standards of safety and consideration, if necessary at the expense of punctuality. We suggest that the private hire standards of service should include equally prominent reference to (1) the Highway Code and high standards of driving, and (2) behaving with appropriate consideration for vulnerable road users, including pedestrians, horse riders and cyclists.

2. Training

In your consultation document on Private Hire Operator Conditions, at point 3.13 "Operator training", reference is made to PHO knowledge test and CPC training. We suggest that, if it is not already part of the PHO test, understanding of safe driving around vulnerable road users including cyclists and horse riders should be included. Our experience with local bus operators has reassured us that an appreciation of cyclist safety and understanding of cyclist behaviour is included in PSV driver training.

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At a Scrutiny Committee on Hackney Carriage use of bus lanes in July 2012, the Council made clear that taxis form part of the 'public transport mix'. As such, and as private hire vehicles are much more numerous than buses, we view the training and testing of PHO and hackney carriage drivers as equally important to that of PSV drivers in ensuring a safe and comfortable experience for all road users.

Although additional unnecessary burdens on existing drivers are to be avoided, the experience of our members does not suggest that training and testing requirements can be ignored for existing licensed operators. We suggest that the recommendation for CPC training should be extended to existing drivers, with a realistic timescale for implementation (e.g. all drivers expected to have receiving training within 18 months of the date of the change).

3. Taxi and Private Hire Licensing: Convictions Criteria

As mentioned above, based on the reported experiences of our members, we have serious concerns about the behaviour of some licensed drivers. The comment in the "Convictions Criteria" report "Anecdotally, Members will have heard of examples of poor driving standards and at other times complaints about individual examples of thoughtless or deliberately poor driving by some licence holders. Whilst there might be many expressed frustrations at some licensed drivers the context has to be that in reality it is probably a minority of drivers." This is a sweeping statement to make, apparently based on no objective evidence. Anecdotally our experience would suggest that inconsiderate and dangerous behaviour is probably not limited to a minority of drivers.

We note in the consultation the statement "An isolated conviction for major traffic offences (e.g. driving without due care and attention, driving or attempting to drive with alcohol level above the limit, driving or attempting to drive when unfit through drugs) should not prevent a person from proceeding with an application or holding a licence."

Comments from our members indicate strong opposition to this view. Examples of comments received from our members include "Wow. That makes for quite frightening reading." "The pervading impression I am left with is if you can't get any other (driving) job because of your conviction record and accrued penalty points, you can always apply to be a Leeds taxi driver and stand a pretty good chance of being accepted. That seems to go a long way towards explaining the bad driving we habitually observe in our encounters with taxi-drivers." and "They should be shining examples of good driving rather than the dregs."

We fundamentally disagree with the Council's policy in allowing those convicted of serious driving offences to be granted the privilege of a license in future. This is particularly a concern given the UK's feeble conviction and sentencing for dangerous driving and driving without due care and attention. Other occupations are available to those who aren't capable of driving a vehicle in a responsible and safe manner.

The statement that "the private hire sector is the most significant supplier to the Council's Education and Social Services Contracts and this brings with it potentially high levels of access to children and vulnerable adults" only serves to emphasise the importance of expecting high standards from drivers.

We recommend that an individual convicted of one of a major motoring offence, or driving under the influence of drink or drugs, should not be considered for a license in the future.

I hope you will be able to consider these amendments. We would be very happy to meet with you and the private hire operators to discuss this further.

Best wishes

Elizabeth Reather
Chair, Leeds Cycling Campaign