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AGENDA

Committee	PUBLIC PROTECTION COMMITTEE
Date and Time of Meeting	TUESDAY, 6 MARCH 2018, 10.30 AM
Venue	COMMITTEE ROOM 1 - COUNTY HALL
Membership	Councillor Jackie Parry (Chair) Councillors Murphy, Goddard, Hudson, Jacobsen, Lancaster, Mackie, Robson, Taylor, Wood and Williams

1 **Apologies for Absence**

To receive apologies for absence.

2 **Declarations of Interest**

To be made at the commencement of the agenda item in question, in accordance with the Members' Code of Conduct.

3 **Minutes** (*Pages 1 - 4*)

To approve as a correct record the minutes of the previous meeting.

4 **Taxi Drivers of Cardiff: Application for Recognition** (*Pages 5 - 50*)

Davina Fiore

Director Governance & Legal Services

Date: Wednesday, 28 February 2018

Contact: Graham Porter, 029 2087 3401, g.porter@cardiff.gov.uk

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

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PUBLIC PROTECTION COMMITTEE

6 FEBRUARY 2018

Present: County Councillor Jackie Parry(Chairperson)
County Councillors Goddard, Hudson, Jacobsen, Lancaster,
Mackie, Robson and Williams

17 : APOLOGIES FOR ABSENCE

Apologies were received from Councillors Murphy, Taylor and Wood

18 : DECLARATIONS OF INTEREST

No declarations of interest were received.

19 : MINUTES

The minutes of the meetings held on 7 November and 5 December 2017 and 9 January 2018 were approved by the Committee as a correct record and were signed by the Chairperson.

20 : APPROVAL OF MTC 33 DUAL CAMERA CCTV SYSTEM IN HACKNEY
CARRIAGE AND PRIVATE HIRE VEHICLES LICENSED BY CARDIFF
COUNCIL

Members were advised that an application was received from Alan Jones of Matrix Telematics for approval to install the MTC33 Dual Camera CCTV system in Hackney Carriages and Private Hire Vehicles in Cardiff. The Committee received a report and Members were asked to determine the application.

The Committee was asked to note that the authority has approved a number of CCTV systems for use in vehicles in Cardiff. At its meeting on 7 July 2009 Members resolved to grant delegated authority to the Chief Strategy Planning and Environment Officer and the Operational Manager (Licensing and Public Protection) to approve CCTV systems. However, these positions no longer exist within the authority and therefore Members were asked to further consider granting delegated authority to the Head of Shared Regulatory Service and the Operational Manager Neighbourhood Services to approve CCTV systems for use in hackney carriage and private hire vehicles in the future.

The Committee received a presentation from Alan Jones of Matrix Telematics and Colin Brody of Contact Radio, the approved suppliers for the system in South Wales. Members were provided with an overview of the CCTV system, its technical specifications and its compliance with Data Protection legislation. Members were also shown video footage from vehicles involved in road traffic incidents which had the CCTV system installed.

The Committee discussed the merits of the application and sought clarification on a number of points including the control of and access rights to video footage and the merits of the mandatory use of CCTV in all hackney carriage and private hire vehicles.

RESOLVED – That:

- (1) The MTC 33 Dual Camera CCTV system be approved for installation in hackney carriages and private hire vehicles in Cardiff;
- (2) The Head of Shared Regulatory Service and the Operational Manager Neighbourhood Services be granted delegated authority to determine applications for CCTV systems for use in hackney carriage and private hire vehicles in the future.

The meeting terminated at 11.00am

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**

Agenda No.

PUBLIC PROTECTION COMMITTEE: 6th March 2018

Report of the Head of Shared Regulatory Services

TAXI DRIVERS OF CARDIFF (TDC); APPLICATION FOR RECOGNITION

1. Background

1.1 An association of private hire & hackney carriage drivers called the Taxi Drivers of Cardiff (TDC) has requested that they be acknowledged by the licensing authority as an authorised body representing licensed private hire & hackney carriage drivers in Cardiff.

2. Details.

2.1 An application has been received requesting recognition of the TDC as an association representing licensed drivers in Cardiff. The association is newly formed and has produced a copy of its constitution, which is attached as Appendix A.

2.2 The Committee is requested to determine the application. Members of the Association have been requested to attend the meeting to provide further information.

3. Trade Representation

3.1 The application by the TDC is the second formal application for recognition of a representative body to be considered by the authority, the first was the Union of Taxi Drivers in 2011, however this association no longer exists.

3.2 It is difficult to get a consensus view from the trade as it is comprised of many individuals who have their own views on the way the industry operates. In an attempt to engage with the trade the authority has over the years attempted to promote the establishment of representative organisations. This has largely been on an informal basis and currently most communication is done through the quarterly Cardiff Taxi Driver Forums.

3.3 Recognition as a properly constituted representative trade organisation would ensure that the organisation is:

- Able to make proposals to the authority on changes or amendments to licensing policy.

- Entitled to be consulted on proposals on changes or amendments to licensing policy.
- Provided with advance details of draft Public Protection Committee reports for comment.

4. Consultation.

4.1 The draft reports were made available for comments in the Licensing Offices at Sloper Road and City Hall to enable interested parties to make comments. Additionally draft copies of the reports were sent to trade representatives and were published on the Licensing Web Pages.

4.2 Seven objections were received as a result of the consultation, two of these objections are identical but submitted by different named licensed drivers. Full details can be found in Appendix B, but the main points of objection are:

- a. That the **TDC do not represent all drivers** - it is unclear how many they represent and the objectors allege they are just a small number of private hire drivers and not representative of the Trade. Some objectors feel that the name ‘Taxi Drivers of Cardiff’ is therefore misleading as not truly representative.
- b. There are **no details of how the steering group have been elected**, and it is alleged that meetings are held in secret
- c. It is alleged that the **group are ‘anti-Uber’**
- d. There are allegations that members of the group are **displaying ‘TDC’ posters** in their vehicles that breach current licensing conditions
- e. The TDC constitution mentions that the steering group must be members of the GMB Union and **members will be ‘actively encouraged’ to join the GMB**. This implies that the group must have the same views/interests as the GMB which may not necessarily be the in the interests of the taxi trade.

5. TDC Response to Consultation Representations

5.1 TDC have provided a response to the consultation representations in Appendix C. The responses to the main points of the objections that are outlined in paragraph 4.2 above are summarised below:

- a. In response to “**the TDC do not represent all drivers**” – the TDC have acknowledged that they do not represent every driver but have not specified how many drivers they currently represent.

- b. In response to the **election of the steering group** – the TDC have confirmed that following a meeting that approximately 50 drivers attended, the 3 members of the steering group were elected. An organising committee was formed of 10-12 drivers to assist the steering group. There are no further details of the frequency of the elections or details of the voting process. It is stated that an annual AGM will take place in August.
- c. In response to the allegations that the group is ‘anti-Uber’ – the TDC have stated that they are not anti-Uber they are ‘*anti the legislation that allows Uber to operate the way they do*’. In addition the TDC have provided 2 documents that are petitions published regarding cross border hire.
- d. In response to allegations that members of the group were **displaying TDC posters** that do not comply with the Council’s vehicle conditions, the TDC have confirmed that they have distributed these posters for drivers to display in their vehicles. The Licensing Section has advised that these posters should not be displayed as they do not comply with the current conditions. Only essential authorised notices such as no smoking signs, the fare tariff and CCTV signs are permitted to be displayed.
- e. In response to comments concerning the **required membership to the GMB**, the TDC have confirmed that they have taken on board these comments and have ‘*adjusted the constitution accordingly*’.

5.2 The TDC have stated in their response that ‘*TDC is about uniting drivers –the major issues facing are three fold*’

- *Cross border hiring*
- *The number of licenses being issued*
- *Driver exploitation*

It should be noted that the first 2 issues are not within the control of the licensing authority and a consequence of national legislation, it is unclear what is meant by ‘driver exploitation’ and whether this would come under the remit of the licensing authority.

5.3 In summary the TDC have stated:
‘*TDC was created to form unity amongst as many taxi drivers as possible, initially to fight against one particular companies [sic] treatment of its drivers. It’s now moved onto much more important issues (at the same time not ignoring the reason the group was formed in the first place)..... With the Welsh Assembly Government taking control of Taxi and Private Hire Licensing it is imperative that drivers [sic] voices are heard and we believe that TDC are in the best place to do so.*’

6. Legal Implications

- 6.1 When the Council is formulating licensing policy in relation to the hackney carriage or private hire trades it is desirable to consult with members of the Trade. It is not always practicable to consult with individual licensees and sometimes members of the trade may find it easier to speak through representative bodies. Consultation through representative bodies can therefore be extremely useful, but obviously the Council would expect those bodies to act responsibly in carrying out such a role.
- 6.2 As indicated in paragraph 3.1, this is the second formal application for recognition from a representative body. Whatever the outcome, it is not suggested that the existing arrangements for consultation should be diminished.

7. Financial Implications.

- 7.1 There are no financial implications arising directly from the report.

8. Recommendation

- 8.1 That the application by the TDC for recognition as a representative organisation for licensed drivers in Cardiff be considered.

Dave Holland
Head of Shared Regulatory Services

7th February 2017

This report has been prepared in accordance with procedures approved by Corporate Managers.

Background Papers: None

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TAXI DRIVERS of CARDIFF
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ARTICLES OF ASSOCIATION

THE CONSTITUTION OF THE

Taxi Drivers of Cardiff

Hackney Carriage and Private Hire

Trade Association

MEMORANDUM OF ASSOCIATION

The Constitution of the Taxi Drivers of Cardiff

Association Name and Situation

The name of the association is the "Taxi Drivers of Cardiff" herein known as "TDC"; it will be situated within the district of Cardiff, Wales.

Objects and Powers of the Association

The objects of the association are;-

1. In keeping with the highest standards of service to the general public and with the purpose that each of its members may earn a deserved success through his or her efforts within this industry, the objects of the association are:-
 - a) To carry out important activities in the common interests of all its members
 - b) To cultivate acquaintance, fellowship, cooperation, goodwill and a professional spirit among its members, facilitate and exchange of ideas and methods, recognise and honour their exceptional services and achievements and as it may effect their interests, further the efficiency of service to the general public;
 - c) To promote the study of the service, aid in the maintenance of fair competition and advise in the enactment of just, equitable and constructive legislation;
 - d) To foster the continuity of the association, assist its members in all and every way possible and encourage the development of younger members;
 - e) To gather, organise, keep on file and diffuse information, facilitate research in all functions of the licensed hackney carriage business and acquire and maintain pertinent material thereto;
 - f) Through the proper operation of the association and integration of the creative forces at its command, to act or co act with others, especially local authorities and national government, in the improvement of the economic, social and civic values of the licensed hackney carriage trade;
 - g) To protect the vested interests of its members and secure the living standards and welfare of all who are engaged in the industry.

2. In order to achieve any of the objects above the Association may;
 - a) Conduct meetings for its members
 - b) Raise funds by any means, obtain donations and grants from any persons or organisations and the holding of money raising events of any kind;
 - c) Open or operate one or more bank accounts
 - d) Although membership of TDC is free at the point of entry, there will be meetings held where admission will be charged to cover costs. All communication will be conducted electronically to limit costs;
 - e) TDC will foster strong links with the GMB and will actively encourage every member to join the GMB;

ARTICLES OF ASSOCIATION OF Taxi Drivers of Cardiff

Objects

1. The association is established for the objects set out in the memorandum of association.

Members

2.
 - a) The elected Steering Group are the first members of the association.
 - b) Membership is open to all persons, that hold a current Cardiff County Council Hackney Carriage/Private Hire Drivers license. And must support the objectives of the association.
 - c) A person who wishes to become a member must email the association with proof that they hold a current Cardiff County Council Hackney Carriage/Private Hire Drivers license, their full name and contact details. TDC email is taxidriversofcardiff@gmail.com it is the members own responsibility to ensure TDC has an up to date email address so that they can be contacted.

Resignation of Members

3. A member may at any time resign from membership of the association by giving written notice via email.

Subscriptions

4. Membership of The Association is free, charges will be made to cover costs of meetings etc. The reason we are not charging a subscription is so we can encourage every member to join the GMB Trade Union, they can and do offer members full legal protection, something we as a trade organisation cannot.

Annual General Meeting

5. Annual general meetings will be held in the month of August each year; the elected steering group must contact each and every member via email within 21 days prior to the AGM advising them of such meeting.

Business of Annual General Meetings

6. The business of the Annual General Meeting is:
 - i. The consideration of accounts, balance sheets, report's of the elected steering committee.
 - ii. Any other business included in the notice calling the meeting.
 - iii. The election of the elected steering group.

Extraordinary General Meetings

7. All general meetings other than the Annual General meeting and any monthly meeting will be called an Extraordinary General Meeting.
 - a) The elected Steering Group may call Extraordinary General Meetings whenever they think fit.

Member's right to requisition meetings

8. A member may call a meeting subject to the following provisos
- a) To call an extraordinary general meeting a member must do so via email with not less than one-tenth of the voting members.
 - b) The requisition must state the purpose of the meeting and must be signed by the members serving the requisition. It must be given to a member of the elected committee.
 - c) The steering group must within 7 days after such requisition being served, give notice to members of the extraordinary general meeting. The date of the meeting must be not more that 10 days after the requisition.
 - d) If the steering group does not call a meeting within the specified period, the members who requisitioned may themselves call a meeting.

Notice of General Meetings

9. A notice of a general meeting must specify the date, time and place of the meeting and whether the meeting is an Annual General Meeting or an Extraordinary General Meeting.
- a) Members will be notified via email of the meeting.
 - b) A member who attends the meeting is deemed to have received notice of the meeting and its purposes whereof.
 - c) The accidental omission to give notice of a meeting to a member or a person, who has not received the notice, does not invalidate the proceedings at that meeting.

Quorum at Meetings

10. No business may be transacted at any general meeting unless a quorum is present. The quorum is 15 persons who are entitled to attend and vote. The persons who are entitled to vote are:
- a) Any person who has voting rights
 - b) The association does not permit vote by proxy.
 - c) If at any time a quorum isn't present the elected committee may decide to adjourn the meeting

Chairing the Meeting

11. The meeting will be chaired by a member of the Steering Group. If no member of group wishes to chair the meeting the members present will elect one of their numbers to chair the meeting.

Voting

12. A resolution put to the vote at meetings shall be deemed on a show of hands unless a poll is duly demanded.
- a) The chairperson or any two members may demand a poll. The poll must not be made later than the declaration of a result by the show of hands.
 - b) If a poll is demanded there are no set rules that will be made to apply, the chairperson may decide such at the meeting.

Chairman's Casting Vote

13. If equal votes are cast both for and against an ordinary resolution, the chairperson is entitled to a second or casting vote, in addition to the other votes they may have.

Written Resolutions

14. Resolutions must be sent to the TDC email address prior to the issuing of notices for the meeting. The members wishing to back the resolutions, (first and second), must be prepared to discuss the resolution at the meeting. Failure to do so will lead to the resolution being dropped.

Voting Rights

15. The association has a policy of one member, one vote, regardless of the number of licenses they represent. Drivers may vote on all aspects and resolutions.

Constitutional Voting Arrangements

16. The constitution of the association may only be changed by a two-thirds majority vote.
17. The constitution of the association may only be changed at general meetings.

Election of Steering Group

18. The Steering Group is elected at general meetings.
19. The Steering Group will consist of no less than 4 members and no more than 9.
20. The Steering Group must give up their time on behalf of the membership
21. Be committed and accountable to their membership
22. Have a good knowledge and understanding of the current law, legislation and licensing conditions
23. The Steering Group are elected for a period of one year only, the current Steering Group consists of:-
 - Paul O'Hara
 - Keith Shackell
 - John Whittingham
 - Sean Worrell

Powers and Duties of the Elected Committee

24. The Steering Group will manage the business of the association.
25. The elected Steering Group shall carry out any resolutions made at general meetings or other meetings.
26. The elected Steering Group may at its discretion arbitrate in disputes between association members, if both members agree.

Delegation of Powers by the Committee

27. The Steering Group may delegate their powers to sub committees set up by the association.
28. The Steering Group may retake these powers from the sub committee at any time they see fit.

Conflicts of Interest

29. All association members and elected members must declare interest in items which may concern them and that they can affect by being present when the matter is discussed and vote. Failure to declare interest will lead to suspension of membership until the membership decides what action can be taken. The chairman is free to decide if such member may attend the aforesaid meeting.

Miscellaneous

30. The association is a non-profit making association.
31. The association may set up sub committees to organize various functions and association activities.

Association Policy

Association Aims and Objectives

TO PROTECT AND ADVANCE THE INTERESTS OF IT'S MEMBERS

TO ACTIVELY CAMPAIGN AGAINST CROSS BORDER HIRING

TO ACTIVELY CAMPAIGN FOR A CAP ON LICENSES ISSUED

**TO WORK WITH AUTHORITIES AND COMPANIES TO IMPROVE CONDITIONS FOR DRIVERS, AND TO
END DRIVER EXPLOITATION**

TO RAISE THE STANDARDS AND REPUTATION OF TAXI DRIVERS IN CARDIFF

Appendix B – Details of Objections

1. Received 7/1/18

I have been made aware that an organisation known as Taxi Drivers Cardiff, also known as TDC have made an application to be formally recognised as an official trade body representing all Taxi drivers, both Hackney and Private Hire, licensed by Cardiff City Council. I would like to formally lodge my objections against this application being approved.

TDC do not represent all Cardiff taxi drivers as they claim. They hold a strong anti-Uber stance and on numerous occasions have stated a desire to see Uber's operating licence with drawn. Such action would have an adverse effect on hundreds of Cardiff Private Hire driver, as well as most possibly some Cardiff Hackney Drivers who may well utilise the platform Uber provide outside Cardiff City boundaries. It is impossible for any organisation to harbour a desire for an operator to no longer operate, when that operator provides work for hundreds of people it claims to represent. By hoping Uber no longer operate in the city, they are also hoping hundreds of Cardiff Private Hire drivers lose their source of income. This is the exact opposite of what an organisation who represents a group of people are meant to do. One one hand TDC claim to represent all Cardiff taxi drivers, and seek better pay and conditions for them, whilst at the same time hoping to inflict unemployment and poverty on hundreds of Cardiff Taxi drivers.

Additionally, in the last few months TDC distributed too, and encouraged its members to display posters in there hackney carriages and private hire vehicles that were not in accordance with Cardiff Councils policy on advertising in and on Hackney Carriages and Private Hire vehicles, thus contravening Council policy. Many of these posters are still on display, despite council instructions that they are removed.

An organisation that so willing flouts council regulations, and makes false claims of representation should not be classified as an official trade body. Therefore I believe the application should be turned down.

Infact given some of the vitriol spouted on social media and actions aimed at Uber drivers, by some of its members is little more than discrimination. In my opinion this organisation is more akin to a hate group than a trade body, who, if council resources allowed, should rather be investigated for discrimination that granted trade body status.

2. Received 8/1/18

It has been brought to my attention that Taxi Drivers of Cardiff are applying for recognition by the council.

I'd like to object to this for the reasons followed

1. Not a single member of this supposed private hire and hackney association has ever been elected to represent us. No voting has ever taken place to my knowledge
2. They have expressed a passion to rid uber from Cardiff, an operator who I currently work with as well as many other cardiff licensed drivers do and enjoy. They provide a means for me to support myself and family and people who want to take that away are not representing cardiff drivers at all.
3. They conduct secret meetings with a few select drivers. How are drivers supposed to express their opinions when they conduct themselves in this manner.
4. The opinions of four drivers hardly represents the almost 2000 cardiff licensed drivers.
5. They encourage drivers to display illegal sized signs warning the public that's only cardiff plated cars are safe to take them. This is a false statement. Cars from Newport have the standards we have the same insurance etc how does that make them not safe ??
6. They currently all work for dragon Taxi's. Their views would be completely biased to other operators in the city. If an application should be made it should be made up of drivers from all companies.
7. Dragon Taxi's themselves have admitted in court that they have taken money from drivers without their consent. The way dragon manipulate people and drivers I'd be weary that this is infact themselves trying new tactics to keep drivers Happy.
8. The named person on the application has infact a criminal record or if this has cleared a past history for violence. Someone who I'd deem not 'fit and proper' to run an association.
9. On many occasions in general conversations via social media and WhatsApp groups if any driver have expressed a different opinion regarding the trade to those named on the application they have been removed from the groups. What is the purpose of an association if they treat drivers with opinions in this manner

3. Received 18/12/17

The biggest concern would be that this group does not actually represent drivers. I would say that they should represent at least 10 to 15% of Cardiff drivers (approx 200 to 300) to gain recognition and have a voice on important items that effect the trade. We cannot have a minority trying to force their views on a much bigger system. If they have the drivers, my concerns are muted.

They need at the very least confirmation of membership to ascertain if this group truly do represent driver's interests and views. We should not just accept a list of names. Signed documents of intent which identify TDC acting as a driver's proxy are required and this should be cross referenced against the licencing database to ensure these individuals do exist and do have licences in Cardiff.

Numerous driver's regularly state that this group does not represent them.

You do not want to open the door for another _____ with militant views.

If TDC do have the numbers to warrant recognition then there articles of association need to change as they are discriminatory toward any driver that does not want to be registered with the GMB Union. All drivers should have a chance at being elected not just ones which are GMB members. This suggests that you must have the same views as the GMB to manage the interests of the TDC. All GMB associated policies should be removed from the document because drivers are self-employed so a union cannot act for them, but also this set up forces drivers to become members to have a real say in the running of TDC which is improper to do.

4. Received 7/1/18

Further to my previous emails and after much consideration I have decided to log my objection to TDC or taxi drivers of Cardiff being recognised as a representative of taxi drivers by the council.

Although I believe they do have good intentions I don't think that they truly stand for all drivers, they have become an anti Uber group and nothing more.

Despite being given evidence against dragon taxis no action has been taken yet numerous attempts have been made to get action taken against Uber. Also there has been no vote to determine leadership.

I personally was removed due to my disagreement of where their focus should be. I am still a licensed taxi driver.

Although I am not a fan of Uber at all I believe that dragon taxis are far more of a threat and unfortunately I feel that TDC are protecting them from scrutiny of their actions whether knowingly or not.

5. Received 8/1/18

I have been made aware that an organisation known as Taxi Drivers Cardiff, also known as TDC have made an application to be formally recognised as an official trade body representing all Taxi drivers, both Hackney and Private Hire, licensed by Cardiff City Council. I would like to formally lodge my objections against this application being approved.

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Additionally, in the last few months TDC distributed too, and encouraged its members to display posters in there hackney carriages and private hire vehicles that were not in accordance with Cardiff Councils policy on advertising in and on Hackney Carriages and Private Hire vehicles, thus contravening Council policy. Many of these posters are still on display, despite council instructions that they are removed.

An organisation that so willing flouts council regulations, and makes fales claims of representation should not classified as an official trade body. Therefore I believe the application should be turned down.

Infact given some of the vitriol spouted on social media and actions aimed at Uber drivers, by some of its members is little more than discrimination. In my opinion this organisation is more akin to a hate group than a trade body, who, if council resources allowed, should rather be investigated for discrimination that granted trade body status.

6. Received 29/12/17 (from 2 named drivers, and also claims to be from 'other Uber drivers who wish to remain anonymous')

I wish to comment regarding the application by TDC to be recognised as an official representative body of taxi drivers and private hire drivers in Cardiff.

1. Firstly, without trying to sound picky, I feel the name adopted is misleading. Taxi drivers (of Cardiff) are not private hire drivers and many of my fellow private hire driver colleagues assume that this group is only for Cardiff hackney drivers.

Indeed, I believe the vast majority in this group to be actually private hire drivers rather than taxi drivers.

2. This group is not representative of those who work in the trade, private hire and hackney. This group was first formed in a Tesco car park in October 2016 with about 40 drivers attending all of whom were Dragon ph drivers and who were angry with their treatment from Dragon, especially since Veezu took over in 2015.

There are very few, if any, drivers within this group from Premier, Capital, Uber or the other smaller firms.

3. The leadership of this group is unelected and, in just over a year of TDC's existence there has been three different leadership incarnations, two of which were a coup d'etat. The second coup d'etat was admist allegations of racism.

The first leadership was elected by a show of hands at that first Tesco meeting but they were simply later ejected by some drivers who then assumed control.

There has been no vote put to the members to elect leaders since that first meeting, who were displaced anyway. This strikes as more a dictatorship.

4 These unelected leaders then pursue their own interests, mainly verbally attacking Uber AND Uber drivers via social media, and any driver who opposes this is then expelled from their group.

Two of the current leaders, and , are particularly vocal in their abuse and one only need to check "Cardiff Taxi Drivers Group" on Facebook which is a public forum. Uber, and Uber drivers, are described as "scum" "parasites" and other, these are the more polite abuses.

TDC also have a private group doing the same. Whether they like it or not, Uber are a licensed operator in Cardiff as are their Cardiff licensed drivers and there are now hundreds of registered Cardiff licensed drivers with Uber, probably taking them to the second largest firm in Cardiff.

Uber drivers had to create their own Facebook group due to this in-fighting "Uber Drivers Of Cardiff".

Therefore, Uber drivers licensed by Cardiff will never get representation by TDC.

5 It appears all four of the leaders are ph drivers with Dragon. I believe TDC's constitution, to be truly representative of licensed Cardiff Drivers should hold free elections to ALL drivers within Cardiff and there should be 5 positions, one from each of Premier, Capital, Dragon, Uber and another for the smaller firms.

Drivers just now believe TDC to be a mouthpiece and management appeasers for Veezu/Dragon and very unhealthy for the trade, and frankly dangerous.

6 I believe the last meeting of drivers was way back in May where only a few drivers attended. This group initially gathered momentum until the bitter leadership in-fighting and their focus away from drivers problems with one particular operator to just attack Uber, the very place disgruntled ex Dragon drivers moved to.

I'd say TDC have very few members now anyway and any figures of driver numbers claimed by TDC would be historic.

7 To conclude, many of us believe TDC to be just a total mess of a few drivers led by unelected individuals whose sole aim is to destroy Uber and the loss therefore of hundreds of Uber drivers jobs.

It would be totally irresponsible and inappropriate that the council give this group any official sanction without further investigation of just what they claim to represent and how they have elected those to lead.

7. Received 27 February 2018

The most important item to address is if this group does actually represent a significant population of taxi and private hire drivers in Cardiff. The driver community in Cardiff is very large and diverse and is comprised of many different communities. Does TDC actually represent all of these communities and can they actually talk on all of their behalf for the benefit of all drivers. If they can not, then recognition should not be approved.

It must also be stressed that we should not just accept a list of drivers or copies of their plates/badges etc. A written contract for each driver with signatures confirming the driver's association to the group is required.

The TDC grant access to their closed facebook group by way of a copy of the driver's badge being sent to the administrator. Drivers are naturally curious and therefore would provide this to "see what is going on", this does not constitute support of the TDC, only written and signed confirmation from the driver should constitute their support of this group.

1. Received 7/1/18

I have been made aware that an organisation known as Taxi Drivers Cardiff, also known as TDC have made an application to be formally recognised as an official trade body representing all Taxi drivers, both Hackney and Private Hire, licensed by Cardiff City Council. I would like to formally lodge my objections against this application being approved.

TDC do not represent all Cardiff taxi drivers as they claim. They hold a strong anti-Uber stance and on numerous occasions have stated a desire to see Uber's operating licence with drawn. Such action would have an adverse effect on hundreds of Cardiff Private Hire driver, as well as most possibly some Cardiff Hackney Drivers who may well utilise the platform Uber provide outside Cardiff City boundaries. It is impossible for any organisation to harbour a desire for an operator to no longer operate, when that operator provides work for hundreds of people it claims to represent.

By hoping Uber no longer operate in the city, they are also hoping hundreds of Cardiff Private Hire drivers lose their source of income. This is the exact opposite of what an organisation who represents a group of people are meant to do. On one hand TDC claim to represent all Cardiff taxi drivers, and seek better pay and conditions for them, whilst at the same time hoping to inflict unemployment and poverty on hundreds of Cardiff Taxi drivers.

Additionally, in the last few months TDC distributed too, and encouraged its members to display posters in there hackney carriages and private hire vehicles that were not in accordance with Cardiff Councils policy on advertising in and on Hackney Carriages and Private Hire vehicles, thus contravening Council policy. Many of these posters are still on display, despite council instructions that they are removed.

An organisation that so willingly flouts council regulations, and makes false claims of representation should not be classified as an official trade body. Therefore I believe the application should be turned down.

In fact given some of the vitriol spouted on social media and actions aimed at Uber drivers, by some of its members is little more than discrimination. In my opinion this organisation is more akin to a hate group than a trade body, who, if council resources allowed, should rather be investigated for discrimination that granted trade body status.

RESPONSE

TDC has never, could never and will never claim to represent EVERY taxi driver in Cardiff. The saying goes "you can't please all of the people all of the time"

The taxi trade is, historically, very fragmented - TDC are trying to unite as many drivers as possible but we are realistic enough to know that TDC will never represent 100% of licensed Cardiff drivers.

We ARE NOT anti Uber, what we are is anti the legislation that allows Uber to operate the way they do, we have no issues whatsoever with Uber working in Cardiff. But we are actively campaigning against 'cross border hiring' which allows drivers licensed by authorities other than Cardiff to work here.

Yes we have distributed posters for drivers to display in their cars, they are non obtrusive and are not offensive in any way, they do not name any company and they merely highlight our campaign to stop 'cross border taxis'

2. Received 8/1/18

It has been brought to my attention that Taxi Drivers of Cardiff are applying for recognition by the council.

I'd like to object to this for the reasons followed

1. Not a single member of this supposed private hire and hackney association has ever been elected to represent us. No voting has ever taken place to my knowledge
2. They have expressed a passion to rid uber from Cardiff, an operator who I currently work with as well as many other Cardiff licensed drivers do and enjoy. They provide a means for me to support myself and family and people who want to take that away are not representing Cardiff drivers at all.
3. They conduct secret meetings with a few select drivers. How are drivers supposed to express their opinions when they conduct themselves in this manner.
4. The opinions of four drivers hardly represents the almost 2000 Cardiff licensed drivers.
5. They encourage drivers to display illegal sized signs warning the public that's only Cardiff plated cars are safe to take them. This is a false statement. Cars from Newport have the standards we have the same insurance etc how does that make them not safe ??
6. They currently all work for dragon Taxi's. Their views would be completely biased to other operators in the city. If an application should be made it should be made up of drivers from all companies.
7. Dragon Taxi's themselves have admitted in court that they have taken money from drivers without their consent. The way dragon manipulate people and drivers I'd be weary that this is infact themselves trying new tactics to keep drivers Happy.
8. The named person on the application has infact a criminal record or if this has cleared a past history for violence. Someone who I'd deem not 'fit and proper' to run an association.
9. On many occasions in general conversations via social media and WhatsApp groups if any driver have expressed a different opinion regarding the trade to those named on the application they have been removed from the groups. What is the purpose of an association if they treat drivers with opinions in this manner

RESPONSE

TDC has evolved from a meeting called back in October 2016, it was called by a member of the current organising committee- John Whittingham (more commonly known as Max Whittingham) (IMAGE#1) initially it was just drivers from Dragon Taxis but it has evolved since then to encompass drivers from any company – INCLUDING UBER

Approximately 50 drivers attended and three of those drivers where elected to represent the rest. Among the trio was Max Whittingham - (IMAGE#2) An organising committee was formed consisting of 10-12 drivers to help and assist the 3 representatives. The 3 other named members of today's TDC steering group were involved in that.

We have no involvement at all with Dragon Taxis management (although all 4 do currently drive for them) they have absolutely no say and no influence on what TDC do.

TDC is about uniting drivers – the major issues facing drivers are three fold

- *Cross Border Hiring*
- *The number of licenses being issued*
- *Driver exploitation*

If a driver is not on board with our aims and objectives, then he is removed from TDC groups as occasionally issues are discussed that only concern TDC members. There are other 'open' groups for taxi drivers across social media.

The named person on the application that the objector says has a history of violence and a criminal record is, Paul O'Hara. He has appeared before the public protection committee on two occasions . Once for his initial application in

2005, where after explaining his past discrepancies was deemed a fit and proper person to hold a license and again in 2011 after an incident that never had no relation at all to the taxi trade and the job he does. Once again he was deemed fit and proper. The offences were in fact, public order offences and NOT violent offences.

3. Received 18/12/17

The biggest concern would be that this group does not actually represent drivers. I would say that they should represent at least 10 to 15% of Cardiff drivers (approx 200 to 300) to gain recognition and have a voice on important items that effect the trade. We cannot have a minority trying to force their views on a much bigger system. If they have the drivers, my concerns are muted.

They need at the very least confirmation of membership to ascertain if this group truly do represent driver's interests and views. We should not just accept a list of names. Signed documents of intent which identify TDC acting as a driver's proxy are required and this should be cross referenced against the licencing database to ensure these individuals do exist and do have licences in Cardiff.

Numerous driver's regularly state that this group does not represent them.

You do not want to open the door for another with militant views. If TDC do have the numbers to warrant recognition then there articles of association need to change as they are discriminatory toward any driver that does not want to be registered with the GMB Union. All drivers should have a chance at being elected not just ones which are GMB members. This suggests that you must have the same views as the GMB to manage the interests of the TDC. All GMB associated policies should be removed from the document because drivers are self-employed so a union cannot act for them, but also this set up forces drivers to become members to have a real say in the running of TDC which is improper to do.

RESPONSE

We take on board the objections regarding membership of the GMB and have adjusted the constitution accordingly. We are willing to make our membership list available to the Council only and will not publish the list publicly due to data protection.

4. Received 7/1/18

Further to my previous emails and after much consideration I have decided to log my objection to TDC or taxi drivers of Cardiff being recognised as a representative of taxi drivers by the council.

Although I believe they do have good intentions I don't think that they truly stand for all drivers, they have become an anti Uber group and nothing more.

Despite being given evidence against dragon taxis no action has been taken yet numerous attempts have been made to get action taken against Uber. Also there has been no vote to determine leadership.

I personally was removed due to my disagreement of where their focus should be. I am still a licensed taxi driver.

Although I am not a fan of Uber at all I believe that dragon taxis are far more of a threat and unfortunately I feel that TDC are protecting them from scrutiny of their actions whether knowingly or no

RESPONSE

Once again we are NOT anti Uber, we have no issue with Uber operating in Cardiff. We are anti the legislation that allows Uber to operate the way they do.

Regarding this persons issues with Dragon Taxis, its common knowledge that Dragon/Veezu have recently been involved in legal proceedings with a former driver. At two separate hearings the verdict went in Dragon/Veezu favour although we believe this person has appealed.

We're not sure what this person expects from TDC?

We do not charge any sort of subscription for membership, so have no capital.

We do not have any sort of legal backing (which is why we encourage drivers to join the GMB to take advantage of the benefits, including legal cover they provide)

Does this person want us to actively campaign for the immediate removal of Dragon Taxis operating license? (Something the majority of drivers are against) And in doing so affect approximately 750 Cardiff licensed drivers??

Our view on the legal proceedings is/was to wait on the verdicts of the legal professionals.

5. Received 8/1/18

I have been made aware that an organisation known as Taxi Drivers Cardiff, also known as TDC have made an application to be formally recognised as an official trade body representing all Taxi drivers, both Hackney and Private Hire, licensed by Cardiff City Council. I would like to formally lodge my objections against this application being approved.

TDC do not represent all Cardiff taxi drivers as they claim. They hold a strong anti-Uber stance and on numerous occasions have stated a desire to see Uber's operating licence with drawn. Such action would have an adverse effect on hundreds of Cardiff Private Hire driver, as well as most possibly some Cardiff Hackney Drivers who may well utilise the platform Uber provide outside Cardiff City boundaries. It is impossible for any organisation to harbour a desire for an operator to no longer operate, when that operator provides work for hundreds of people it claims to represent. By hoping Uber no longer operate in the city, they are also hoping hundreds of Cardiff Private Hire drivers lose their source of income. This is the exact opposite of what an organisation who represents a group of people are meant to do. On one hand TDC claim to represent all Cardiff taxi drivers, and seek better pay and conditions for them, whilst at the same time hoping to inflict unemployment and poverty on hundreds of Cardiff Taxi drivers.

Additionally, in the last few months TDC distributed too, and encouraged its members to display posters in there hackney carriages and private hire vehicles that were not in accordance with Cardiff Councils policy on advertising in and on Hackney Carriages and

Private Hire vehicles, thus contravening Council policy. Many of these posters are still on display, despite council instructions that they are removed.

An organisation that so willingly flouts council regulations, and makes false claims of representation should not be classified as an official trade body. Therefore I believe the application should be turned down.

In fact given some of the vitriol spouted on social media and actions aimed at Uber drivers, by some of its members is little more than discrimination. In my opinion this organisation is more akin to a hate group than a trade body, who, if council resources allowed, should rather be investigated for discrimination than granted trade body status.

RESPONSE

AGAIN – WE ARE NOT ANTI UBER

We have attached screenshots from 2 petitions published online, one by Paul O'Hara before TDC came into existence and another by TDC to the National Assembly Government (IMAGE#3) (IMAGE#4) At no point have we asked in any petition for the removal of Ubers license.

We have also attached links to three separate responses we made to the petitions committee at the Welsh Assembly at their behest.

AGAIN we did not ask for Ubers license to be revoked in either.

6. Received 29/12/17 (from 2 named drivers, and also claims to be from 'other Uber drivers who wish to remain anonymous')

I wish to comment regarding the application by TDC to be recognised as an official representative body of taxi drivers and private hire drivers in Cardiff.

1. Firstly, without trying to sound picky, I feel the name adopted is misleading. Taxi drivers (of Cardiff) are not private hire drivers and many of my fellow private hire driver colleagues assume that this group is only for Cardiff hackney drivers. Indeed, I believe the vast majority in this group to be actually private hire drivers rather than taxi drivers.

2. This group is not representative of those who work in the trade, private hire and hackney. This group was first formed in a Tesco car park in October 2016 with about 40 drivers attending all of whom were Dragon ph drivers and who were angry with their treatment from Dragon, especially since Veezu took over in 2015. There are very few, if any, drivers within this group from Premier, Capital, Uber or the other smaller firms.

3. The leadership of this group is unelected and, in just over a year of TDC's existence there has been three different leadership incarnations, two of which were a coup d'etat. The second coup d'etat was amidst allegations of racism. The first leadership was elected by a show of hands at that first Tesco meeting but they were simply later ejected by some drivers who then assumed control. There has been no vote put to the members to elect leaders since that first meeting, who were displaced anyway. This strikes as more a dictatorship.

4 These unelected leaders then pursue their own interests, mainly verbally attacking Uber AND Uber drivers via social media, and any driver who opposes this is then expelled from their group. Two of the current leaders, and , are particularly vocal in their abuse and one only need to check "Cardiff Taxi Drivers Group" on Facebook which is a public forum. Uber, and Uber drivers, are described as "scum" "parasites" and other, these are the more polite abuses. TDC also have a private group doing the same. Whether they like it or not, Uber are a licensed operator in Cardiff as are their Cardiff licensed drivers and there are now hundreds of registered Cardiff licensed drivers with Uber, probably taking them to the second largest firm in Cardiff. Uber drivers had to create their own Facebook group due to this in-fighting "Uber Drivers Of Cardiff". Therefore, Uber drivers licensed by Cardiff will never get representation by TDC.

5 It appears all four of the leaders are ph drivers with Dragon. I believe TDC's constitution, to be truly representative of licensed Cardiff Drivers should hold free elections to ALL drivers within Cardiff and there should be 5 positions, one from each of Premier, Capital, Dragon, Uber and another for the smaller firms. Drivers just now believe TDC to be a mouthpiece and management appeasers for Veezu/Dragon and very unhealthy for the trade, and frankly dangerous.

6 I believe the last meeting of drivers was way back in May where only a few drivers attended. This group initially gathered momentum until the bitter leadership in-fighting and their focus away from drivers problems with one particular operator to just attack Uber, the very place disgruntled ex Dragon drivers moved to. I'd say TDC have very few members now anyway and any figures of driver numbers claimed by TDC would be historic.

7 To conclude, many of us believe TDC to be just a total mess of a few drivers led by unelected individuals whose sole aim is to destroy Uber and the loss therefore of hundreds of Uber drivers jobs. It would be totally irresponsible and inappropriate that the council give this group any official sanction without further investigation of just what they claim to represent and how they have elected those to lead.

RESPONSE

The term 'TAXI' is generic. Every driver licensed by Cardiff County Council is dual badged. Meaning they can drive both Hackney AND private hire vehicles. So in effect we are ALL taxi drivers.

AGAIN- initially the group was formed due to drivers being upset with the way Dragon Taxis treated their drivers, it has evolved into something much bigger. The group's leadership HAS had many incarnations. The only constant has been Max Whittingham.

From the early days there was always going to be differences of opinions in the way the group should move forward. A minority wanted to just concentrate on just ONE single issue and that was taking Dragon to court and potentially ruining them. The majority wanted to open dialogue with management and to campaign for legislative change and on much wider issues. Obviously the majority won the day and we moved forward in an organised and professional manner.

The racism charge that is being levelled at the steering group is nothing of the sort. From the outset it was decided that TDC would not have one figurehead as a chair. The reason being was twofold - to avoid one person being singled out by management, and so one single person was not there to be shot at by drivers. One gentleman took it upon himself to go away from that and saw himself as a leader of sorts, he also took it upon himself to send unsolicited emails to management without it being passed by the rest of the group . In short he was impossible to work with. He was not asked to leave due to the colour of his skin!

We have indeed expelled a member from the group due to his blatant racism (IMAGE#5) TDC is open to any Cardiff driver whatever the colour of his/her skin or whatever god he/she worships. Racism has no place in society and no place in TDC

SUMMARY


TDC was created to form unity amongst as many taxi drivers as possible, initially to fight against one particular companies treatment of its drivers. It's now moved onto much more important issues (at the same time not ignoring the reason the group was formed in the first place)

These objections could well have been written with the same pen. They are obviously from former member's of TDC with a grudge against the current steering group and an even bigger grudge against Dragon Taxis . What they fail to grasp is, if they joined TDC they could then nominate each other to be elected onto the steering group at our first AGM in August. This is not a dictatorship if they get enough support then they can organise things!

The current incumbents (one of which WAS elected) want to form a trade organisation that benefits Cardiff drivers, and all will be putting themselves up for election at the AGM. It's these drivers that have made TDC into the well organised and professionally run organisation you see today.


With the Welsh Assembly Government taking control of Taxi and Private Hire Licensing it is imperative that drivers voices are heard and we believe that TDC are in the best place to do so.

IMAGE#1

 **Max Whittingham**
Guys we all need to arrange a date all get together meet at said place in city somewere and get a plan of attack because drivers are the ones who are losing
Let meet monday tell as many drivers as we can tesco car park pengam green monday cmon guys i will be there 3pm any one want to join me ????????

1 y Like Reply 1

IMAGE#2

 **Paul O'Hara** ▶ **Taxi Drivers Of Cardiff (drivers only)**
25 Oct 2016 · Cardiff · 6

Things need to be done professionally if the management and are to take us seriously.
EVERYTHING in writing so it can be traced.
Also needed is our aims and objectives and authorisation from us that the 3 who were elected yesterday actually has a mandate from the rest of us to represent them.
No good turning up at the first meeting and just saying 'oh we represent the drivers.' they'll just say where's your proof that you represent all these drivers??
I've quickly produced this if you all agree we I can print a load off and at the next meeting get everyone's paw print on there. **Thomas Stirling Max Whittingham Bill Lewis**

13:21 83%

DRAGON DRIVERS ASSOCIATION.docx

DRAGON DRIVERS ASSOCIATION

We, the undersigned, have formed the DRAGON DRIVERS ASSOCIATION. Our aims and objectives are to work together with the management and owners of Dragon Taxis for improved working conditions for the drivers and improved standard of service for the customer. Thus ensuring a successful business for the owners of Dragon Taxis. We have voted the following three drivers to represent The Association in ongoing discussions with management. They are:-

Bill Lewis
Thomas Stirling
Max Whittingham

NAME	SIGNATURE	DRIVER NUMBER

License in Cardiff.

Paul O'Hara Cardiff, United Kingdom



The City of Cardiff is being flooded with hundreds of uncheckable, unenforceable Hackney and private hire vehicles from all over the country working on the Uber platform.

These cars and drivers do not conform to the high standards laid down by Cardiff County Council designed to keep the travelling public safe.

There have also been vehicles not on the UBER platform illegally plying for hire, hiding behind the fact so many 'alien' cabs are in the City.

Local enforcement officers in Cardiff have absolutely no authority over these 'alien' cars working in OUR city. They can't even check to see if they have the relevant insurance required to drive a Hackney or private hire.

It is now time for Cardiff County Council to review Uber Britannia Ltd operators license, and insist they conform and strictly adhere to the undertaking to only use Cardiff licensed vehicles and drivers.

Petition Closed

426 supporters
74 needed to reach 500

Share on Facebook

Add a personal message (optional)
Cardiff County Council: Review Uber...

Post to Facebook

Send an email to friends

Send a message via WhatsApp

Tweet to your followers

[https://www.change.org/...](https://www.change.org/)
Tap and hold the link to copy it

Embed

e-Petition: Put an end to the Cross Border and Sub-contracting Taxi Licensing loophole.

“

We call on the National Assembly for Wales to urge the Welsh Government, in the context of its consultation into the reforms of the taxi licensing laws, to put a stop to the 'cross border' and 'sub-contracting' loophole in the law which means hundreds of out of town taxis and private hire vehicles descend on Cardiff to work Private Hire.

There are enough Cardiff licensed vehicles to cover the City without the need for these cars from as far afield as London, Merseyside, the Midlands etc. As well as from neighbouring authorities like Newport, the Vale and RCT etc. There have even been vehicles not working on any platform, illegally plying for hire, hiding behind the fact so many 'alien' cabs are in the City.

Many of these vehicles have NO markings on them, making a mockery of the standards set by Cardiff County Council for vehicles licensed by themselves, including highly visible livery and local street knowledge. Alas it will be only matter of time before a vulnerable person jumps into a non licensed car with catastrophic results.

We urge the Welsh Government to ensure that the only Taxis and Private Hire vehicles allowed to work in Cardiff are those licensed by Cardiff County Council. This is to ensure public safety and to ensure that Cardiff isn't saturated with even more cars than what is needed which if allowed to continue will see even more congestion and pollution in our Capital. It will also give existing drivers licensed by Cardiff a chance to earn something approaching a living wage.

”



Taxi Drivers of Cardiff ► Taxi Drivers Of Cardiff (drivers only)



19 Dec 2017 •

This group was created to form unity amongst drivers in Cardiff.

It doesn't need people trying to drive a wedge between different nationalities.

It doesn't matter what colour you are, where you're from or what god you do or don't worship - if you're a Cardiff licensed driver and want a united fleet of taxi drivers then you're welcome here.. If you're a racist you're not!!



has been deleted from the group and blocked.

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We don't want this to be an 'anti-Uber' rant but there's no disguising the fact that it is Uber that primarily take advantage of the cross-border and sub-contracting loophole in the law. We brought this petition because of the legislation that allows Uber to work in the way they do.

We're sure that these laws were brought in with the best of intentions and would probably work well in rural areas where taxis are more scarce.

As in other major cities, the laws do not work in Cardiff!

There are currently 2271 Hackney carriage/Private Hire drivers licensed by Cardiff County Council, it works out at one licensed driver per 150 people in the City. There is absolutely no need for any more taxis in Cardiff.

The knock on effect of these laws has seen a proliferation of 'out of town' cars from as far afield as Sefton in Merseyside, Rochdale, London, Gloucester, Bristol as well as neighbouring authorities – RCT, Newport, Merthyr, the Vale etc. They literally do come from all corners of this country to work in Cardiff.

There have also been vehicles not working on any platform illegally plying for hire, hiding behind the fact so many 'alien' cabs are in the City.

Many of these vehicles have NO markings on them making a mockery of the high standards fought for over many years including highly visible livery and local street knowledge. Alas it will be only matter of time before a vulnerable person jumps into a non licensed car with catastrophic results.

Local enforcement officers are powerless to check these out of town mini cab and drivers credentials. Relying on the Police is also a non starter – they just pass the buck saying it's the responsibility of the local enforcement team.

Another worry is these cars pay insurance for hire and reward (presuming they have it) at a rate based on the area they are licensed in. What if a major claim was made for an incident in Cardiff where they were predominantly operating? Would there be an issue of paying out if the cab was meant to be working in a quiet rural location and was on a far lower insurance premium?

Another issue is that when a Hackney Carriage licensed outside Cardiff, working in the City for Uber, illegally ply for hire. The insurance is then invalid. We have actual examples of RCT Hackney cabs illegally plying for hire in Cardiff.

One driver actually picked up at the National Express coach station – without being booked – and went to London whilst not being insured.

A second driver was plying for hire outside student accommodation in Cardiff – offering to take passengers without pre-booking. Once again uninsured if he picks up.

As this is now an issue Nationally where cabs working on these types of modern apps are travelling miles to operate as they cannot make a living in their licensing areas because of the greed of the operators signing up as many cars as possible despite limited demand.

As the Rotherham cases and others have shown the law needs to be tightened not loosened as the last Governments two hastily added clauses to the Deregulation bill unfortunately did.

Also a Sat nav is no substitute for local knowledge and indeed is distracting specially in an Urban situation where pedestrians, cyclists and other road users need the cab drivers 100 percent attention. As you are aware many postings have been on line of cars from out of areas travelling along pavements, one way streets in wrong direction and even up steps where the driver has not been paying attention.

The law needs to be changed, so every journey either starts OR finishes in the area the vehicle AND driver is licensed and not miles away, this will ensure the local officers have the resources to ensure the safety of the passenger and the general public.

TAXI DRIVERS of CARDIFF

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Since the initial meeting of the Petitions Committee we have received replies to enquiries concerning Intended Use Policy and Cross Border hiring from Rhondda Cynon Taf and Newport City Licensing Departments. Intended use is when a council asks an applicant where they intend to use their taxi, if they state that it's predominantly away from that licensing area the council in question would refuse the application.

The two Authorities in question are responsible for the highest number of cars working predominantly in Cardiff

Their replies highlight the urgent need to put a stop to Cross Border hiring.

Rhondda CynonTaf confirmed that they currently operate an Intended Use Policy and that they have recently undertaken a joint exercise with Cardiff County Council Licensing Officers.

The following is an extract from the email received from RCT

"I can confirm that Rhondda Cynon Taf County Borough Council currently operate an "Intended Use" policy which states that Hackney Carriages licensed with this Authority would be expected to trade primarily within the area of Rhondda Cynon Taf.

However, as a result of complaints concerning drivers of RCT licensed vehicles plying for hire in the area of Cardiff, Licensing Enforcement Officers have recently carried out joint enforcement exercises with their Cardiff counterparts.

Regarding instances where complaints have been received concerning a specific vehicle, enquiries have been made with the proprietor's insurance provider to bring this matter to their attention."

As can be seen from the email RCT Council acted on receipt of complaints received so have obviously accepted that there is a problem. Whilst they have informed Insurance Companies of the situation they do not appear to have taken any direct action to suspend or revoke licenses.

Latest information shows that 77 RCT Vehicles were licensed at a Cardiff address. Averaging out the annual cost of a drivers badge and taxi plate at £187 per car based on current RCT charges this results in income of £14,399 paid to RCT from cars registered to Cardiff addresses.

Newport City Council have informed us that they do not operate an Intended Use Policy in any form. This has obviously had a huge part to play in the unbelievable number of Newport cars working predominantly in Cardiff as it has created a free for all.

The following is an extract from the email received from Newport City Council Licensing :

"Afternoon,

Newport City Council does not currently have an 'Intended Use Policy', we view a 'Intended Use Policy' does not work in practice as we have multiple operators who complete work outside the borough, example of this would be airport contracts and school contracts, most of which are not completed in area. We understand that some boroughs have implemented this policy to prevent companies like Uber operating. In theory this could be implemented, in practice this would unfairly penalise and place unfair restrictions on operators.

Best Regards,

Mr Llyr Roberts

Swyddog Trwyddedu/ Licensing Officer

This response was extremely worrying for a number of reasons: They have not grasped the concept that if a journey were to start or finish inside their Licensing Area that wouldn't infringe any Intended Use Policy. Also of concern is that they have seen fit to actually name Uber and made vague accusations that other authorities have implemented Intended Use Policies to prevent Uber from operating. Surely there is no unfair penalty to any Bona Fide Operator whose business is based in Newport and whose cars operate predominantly within the area.

Maybe there is a clue in the fact that latest figures show 122 Newport Licensed cars registered to Cardiff postal addresses. That figure will significantly grow due to the fact that Newport are currently experiencing a huge amount of applications for licenses, so much so that due to the high demand the next available knowledge test to obtain a Newport license is the end of January 2018.

Using the current figures the income from a drivers badge and plate is £249 per car per annum. A total of £30,378 collected from Newport plated cars registered in Cardiff.

Therefore it can be seen that, as well as being a problem for Cardiff drivers who find their work being eroded by out of town cars, RCT and Newport Councils benefit financially to the detriment of Cardiff.

When adding Merthyr (at last count 15) and Transport for London (at last count 74) to those from RCT and Newport there are 288 "out of town" cars registered to Cardiff addresses. At current rates the cost of a drivers badge and taxi plate in Cardiff is £135. So Cardiff County Council are missing out on £38,880 that they would have collected had the cars been licensed in their home area.

These are figures from just four authorities, and where the license holder actually resides in Cardiff. There are, no doubt, many more drivers that actually live in the area that they are licensed yet travel to Cardiff to work. Equally there are other authorities cars that are frequently seen working in Cardiff, further depressing the earning potential of local drivers in what is already an area with severe vehicle overcapacity.

Other Councils are therefore reaping the financial benefits of licensing cars whilst not having to fund the regulation of the vehicles.

Cardiff on the other hand is losing a substantial sum of money and having to deal with the problems associated with large numbers of out of town cars.

As we stated in our first response we don't want this to be an 'anti-Uber' rant, we welcome the competition another operator brings to the City, it also offers local drivers more choice with another operator BUT there's no disguising the fact that it is Uber that primarily take advantage of the cross-border and sub-contracting loophole in the law. We brought this petition because of the legislation that allows Uber to work in the way they do.

TAXI DRIVERS of CARDIFF



We call on the National Assembly for Wales to urge the Welsh Government, in the context of its consultation into the reforms of the taxi licensing laws, to put a stop to the 'cross border' and 'sub-contracting' loophole in the law which means hundreds of out of town taxis and private hire vehicles descend on Cardiff to work Private Hire.

There are enough Cardiff licensed vehicles to cover the City without the need for these cars from as far afield as London, Merseyside, the Midlands etc. As well as from neighbouring authorities like Newport, the Vale and RCT etc. There have even been vehicles not working on any platform, illegally plying for hire, hiding behind the fact so many 'alien' cabs are in the City.

Many of these vehicles have NO markings on them, making a mockery of the standards set by Cardiff County Council for vehicles licensed by themselves, including highly visible livery and local street knowledge. Alas it will be only matter of time before a vulnerable person jumps into a non licensed car with catastrophic results.

We urge the Welsh Government to ensure that the only Taxis and Private Hire vehicles allowed to work in Cardiff are those licensed by Cardiff County Council. This is to ensure public safety and to ensure that Cardiff isn't saturated with even more cars than what is needed which if allowed to continue will see even more congestion and pollution in our Capital. It will also give existing drivers licensed by Cardiff a chance to earn something approaching a living wage.

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