

LICENSING COMMITTEE

Date: Tuesday 21 March 2023

Time: 5.30 pm

Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Sharon Sissons, Democratic Services Officer (Committees) on 01392 265115 or email sharon.sissons@exeter.gov.uk

Entry to the Civic Centre can be gained through the rear entrance, located at the back of the Customer Service Centre, Paris Street.

Membership -

Councillors Foale (Chair), Warwick (Deputy Chair), Asvachin, Ellis-Jones, Holland, Mitchell, K, Newby, Oliver, Parkhouse, Rees, Snow, Vizard, Wood and Wright

Agenda

Part I: Items suggested for discussion with the press and public present

1 **Apologies**

To receive apologies from Committee members.

2 **Minutes**

To approve and sign the minutes of the meeting held on 31st January 2023.

(Pages 3 -
6)

3 **Declarations of Interest**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item.

Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

4 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

To pass the following resolution:

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for item 6, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of

Part I of Schedule 12A of the Act.

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) 1976 AND TOWN AND POLICE
CLAUSES ACT 1847**

5 Exeter Licensed Vehicle Mystery Shopping December 2022

To consider the report of the Service Lead – Environmental Health and
Community Safety.

(Pages 7 -
18)

Part II: Item suggested for discussion with the press and public excluded

6 Exeter Licensed Vehicle Mystery Shopping December 2022 - Survey Results

To consider the report of the Service Lead – Environmental Health and
Community Safety.

(Pages 19
- 30)

**Individual reports on this agenda can be produced in large print
on request to Democratic Services (Committees) on 01392
265115.**

LICENSING COMMITTEE

31 January 2023

Present:

Councillor Bob Foale (Chair)

Councillors Warwick, Asvachin, Ellis-Jones, Holland, Mitchell, K, Newby, Oliver, Parkhouse, Rees, Snow, Vizard, Wood and Wright

Also present:

Service Lead - Environmental Health & Community Safety, Legal Advisor, Apprentice Solicitor and Democratic Services Officer (SLS)

8 **Minutes**

The minutes of the meeting held on 24 October 2022 were taken as read, approved and signed by the Chair as correct.

9 **Declarations of Interest**

No declarations of interest were made by Members.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

10 **Licensing Fees and Charges for 2023/24**

The Licensing Committee received the annual report for the proposed licensing fees and charges for 2023/24. The Committee had a statutory responsibility to set fees for the year which related to the cost of performing the various Licensing functions. Members were referred to appendices attached to the report, which listed all the fees levied by the Licensing Authority. The Service Lead - Environmental Health & Community Safety explained that Appendix A summarised the Council's powers to set its fees in respect of licensing applications, and any limitations on those powers, and Appendix B listed all the fees levied by the Licensing Authority as of last year and the proposed fees for 2023/24. He highlighted the additional charge for the classification of films by the Licensing Authority with the Licensing team using the British Board of Film Classification (BBFC) formula to review material and issue the classification certificate.

The Service Lead - Environmental Health & Community Safety responded to the following Members' comments –

- the Council had reached the limit of the chargeable levy, under Section 18 of the Gambling Act, as set by the Government. It was noted that some fees and charges were fixed locally within the working legislative framework, but charges under the Licensing Act 2003, where there was no ability to change, were also included in the overall schedule.
- any representations raised regarding the fees and charges would be reported back to the Licensing Committee at the meeting in March.
- the approach to licensing applications had an impact on the Licensing team, with, for example, more temporary event notices being requested rather than a permanent change to a licence, which may still require investigation.

- a film classification was generally required for publicly broadcast films and a charge made to view. The review included the issue of a classification certificate.
- film classification was a statutory function, which had been carried out by the licensing team for some time and the charge reflected the time taken by the team to view and allocate the classification to the film. It was not the intention for this charge to preclude or have any impact on organisations or individuals with a protected characteristic for the opportunity to take part in film making, but rather just a recovery of costs.

RESOLVED that the proposed Fees and Charges for the period from 1 April 2023 to 31 March 2024 be approved, as set out in Appendix B of the report.

11 Introduction of Taxi Penalty Points Scheme

The Service Lead - Environmental Health & Community Safety presented a report on the proposed introduction of a Taxi Penalty Points Policy for Exeter City Council and consultation with the taxi trade. Following the introduction by Government of the Statutory Taxi and Private Hire Vehicle Standards in July 2020, a working group was set up to consider a number of elements of the guidance, including whether to introduce a points based disciplinary system at Exeter City Council. A draft policy had been developed with the aim of improving the levels of compliance with licensing regulations and requirements, to help raise standards, improve safety and enhance the protection of members of the public affected by the actions of licensed drivers, operators and vehicle proprietors. The penalty points system would bridge the gap between more serious matters, but help to maintain standards.

A Member of the working group referred to their research, which included consideration of similar policies operating in Leeds and Newcastle, as well as liaising with the Taxi Forum and Licensing colleagues. If the policy was adopted it would offer a further structured forum to deal with matters.

The Service Lead - Environmental Health & Community Safety confirmed that a ten week period of consultation would take place with the Hackney Carriage and Private Hire trade, with a report, including a summary of the responses, to be made to the Licensing Committee in July, before approval at Council.

In response to questions by Members, the Service Lead - Environmental Health & Community Safety explained:-

- the working group had considered the points scale used by a number of local authorities;
- the Licensing Sub-Committee would be able to use the points scheme as a response and action to individuals appearing before them including for minor infringements;
- the points system could be used in conjunction with other existing legislation;
- in respect of item 31 on the schedule there was a guidance on food and drink in the vehicle which also included the driver and in that respect was about maintaining a professional appearance, and in respect of item 59, by way of points the Licensing Sub-Committee allows the opportunity for a driver or operator to appeal;
- a report on a mystery shopping exercise of the taxi experience in the city would be presented to Members in due course;
- in respect of items 9 and 12, the distinction of action in respect of vehicles being used without a valid MOT certificate and a lapsed MOT was made;

- although not prescriptive, items 46 and 47 would capture driving standards;
- contributions, including observations from Members to the consultation, were welcomed; and
- an opportunity to receive feedback on drivers was discussed;

The Legal Advisor highlighted that any individual could be brought before a Licensing Sub-Committee, but that did not preclude other action being taken.

RESOLVED that Licensing Committee:-

- (1) approve the draft proposed Penalty Points Policy as contained in Appendix A; and
- (2) endorse and authorise that the proposals are put out to public consultation to run from 20 February 2023 until 30 April 2023 (10 weeks).

The meeting commenced at 5.30 pm and closed at 6.45 pm

Chair

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REPORT TO LICENSING COMMITTEE

Date of Meeting: 21st March 2023

Report of: Service Lead – Environmental Health and Community Safety

Title: Exeter Licensed Vehicle Mystery Shopping December 2022

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 The purpose of this report is to inform the Licensing Committee of the results of the Mystery Shopping exercise carried out in December 2022 to ensure Exeter City Council licensed vehicles are compliant with regulations and conditions.

2. Recommendations:

2.1 The Licensing Committee are requested to note the report.

3. Reasons for the recommendation:

3.1 As part of a mystery shopping exercise, private hire and hackney carriage vehicles in Exeter were test purchased.

3.2 A mystery shopping exercise offers a snapshot of the customer experience and helps to improve the levels of compliance with licensing regulations and requirements and to help raise standards, improve safety and enhance the protection of members of the public affected by the actions of licensed drivers, operators and vehicle proprietors.

4. What are the resource implications including non-financial resources?

4.1 Officer time will be required to enforce infringements discovered during the operation and to prepare files for legal proceedings.

5. Section 151 Officer comments:

5.1 There are no financial implications contained in the report.

6. What are the legal aspects?

6.1 The 'mystery shopper' exercise forms part of the Council's enforcement function in accordance with the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847.

7. Monitoring Officer's comments:

7.1 This report raises no issues for the Deputy Monitoring Officer.

Simon Copper – Deputy Monitoring Officer

8. Report details:

8.1 A series of mystery shopper test purchases were commissioned by Exeter City Council, in December 2022. The surveys encompassed hire of Hackney Carriages from ranks in Exeter and hire of pre-booked Private Hire Vehicles by mobile app, telephone and at booking offices. Test purchases were undertaken from Thursday the 8th December to the early hours of Sunday 11th December 2022.

8.2 An overview of observations is presented as Appendix A to this report. Details of each test purchase undertaken are also presented in a separate table set out at Agenda Item 6 as a Part 2 item. This is because the report contains information of individuals who could be identified

8.3 The availability of hackney carriages from ranks appeared to be slightly lower than during previous surveys. Passenger waiting at ranks appeared to be significantly higher than observed during previous surveys.

8.4 Choice of private hire operators was much more restricted than those available during previous surveys. Apple Taxis were the only operator to consistently offer availability for immediate hire. The number of hires which could be undertaken through Apple Taxis was limited, in order to mitigate the risk of hiring the same vehicle on multiple occasions within a short period of time.

8.5 The time hackney carriages spent waiting at ranks appeared to be shorter than during previous surveys, with queues of hackney carriages at ranks occurring less frequently than during previous surveys.

8.6 The number of private hire vehicles seen within the city centre appeared to be lower than observed during previous surveys.

8.7 Most of the hackney carriage test purchases were for short distance journeys. Some drivers were clearly unhappy with undertaking short distance hires. No drivers refused to undertake the hires outright, however, six of the drivers hired during the test purchases added extra charges on the meter, without apparent justification.

8.8 One driver when asked to undertake a short distance hire, attempted to consolidate passengers wishing to travel to multiple destinations, in a single hackney carriage trip, against the wishes of the operative undertaking the test purchases.

8.9 Relatively few private hire vehicles were able to be approached in order to attempt to hire without pre-booking. The majority of those which were approached, refused the attempt. However, one waiting private hire vehicle did accept a hire without pre-booking.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 The appropriate and robust enforcement of taxi and private hire legislation and conditions will contribute to a healthy and safe city, and lend support to a robust, business friendly economy.

10. What risks are there and how can they be reduced?

10.1 None from this report

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In noting this report no potential impact has been identified on people with protected characteristics as determined by the Act because: because

11.4.1 The report is for information only

12. Carbon Footprint (Environmental) Implications:

12.1 No direct carbon/environmental impacts arising from the recommendations.

13. Are there any other options?

13.1 None considered report is for information only.

Director David Bartam

Author: Nigel Marston – Principal Licensing Officer

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

Vector Transport Consultancy report on test purchasing carried out in December 2022.

Contact for enquires:
Democratic Services (Committees)
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Exeter Licensed Vehicle Mystery Shopper Surveys

December 2022

1.1 Background

A series of mystery shopper test purchases were commissioned by Exeter City Council, in December 2022. The surveys encompassed hire of Hackney Carriages from ranks in Exeter and hire of pre-booked Private Hire Vehicles by mobile app, telephone and at booking offices. Test purchases were undertaken from Thursday the 8th December to the early hours of Sunday 11th December 2022.

Details of each test purchase undertaken are presented in tables at the end of this paper. An overview of observations is presented in the body of the paper.

In addition to the legitimate hires of private hire vehicles, attempts were made to hire private hire vehicles, without pre-booking. These attempts were made to test the drivers' adherence to the licensing requirements, that all hires of private hire vehicles need to be pre-booked.

Licensed vehicle provision in Exeter presents some logistical constraints when undertaking test purchases. A key requirement of undertaking such tests is that drivers should not become suspicious that a test purchase campaign is being undertaken. If operatives are seen hiring hackney carriages from the same rank frequently, within a short timeframe, then such unusual behaviour may be noticed by drivers. Similarly, frequent hires of private hire vehicles through the same operator may be likely to be noticed. Booking software typically logs phone numbers, dates, times, origins and destinations for hires. When a telephone booking is made, with a private hire operator, the software typically presents [to the booking office personnel] previous origins and destinations and hire dates, associated with the number used to make the booking. Consequently, frequent hires using the same phone number could potentially raise suspicions.

Within Exeter, there are typically two taxi ranks operational during the day, on Sidwell Street and at St David's Railway Station. At night, a third rank on Fore Street becomes operational. In addition, there is a marked taxi rank on Queen Street. This rank space was rarely used and was often full of parked vehicles. However, hackney carriages did also wait on other locations on Queen Street, from time to time.

Two operatives undertook the test purchases. For much of the time, between hires, the operatives were on the lookout for waiting private hire vehicles which could be approached, in order to attempt a hire which had not been pre-booked.

1.2 Hackney Carriage test purchases.

Two surveyors undertook the mystery shopper test purchases. Test purchases were primarily undertaken from taxi ranks in Exeter. In addition, attempts were made to order Hackney Carriages via a mobile app called Ola cabs. The test purchases were undertaken at a variety of times of day, to test service during day time and at night. As mentioned earlier in the report, it is important to avoid alerting the trade that a mystery

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shopping survey is being undertaken, in order to sample normal levels of service. If drivers on a rank spot the same person or people undertaking multiple trips over a short period of time, then they may wonder why. If the observation is discussed with other drivers, they may be alerted to a potential mystery shopper survey. In order to mitigate the risk of surveyors being recognised or remembered, test purchases were spread amongst different ranks and spread over time. In addition to the Hackney Carriage test purchases, similar test purchases were undertaken using Private Hire Vehicles. The Private Hire Vehicle test purchases were undertaken during periods in between Hackney Carriage test purchases, in order to increase the time between Hackney Carriage test purchases and hence reduce the risk of discovery.

When test purchases were undertaken the Hackney Carriage vehicle license number was recorded and used to check whether the same Hackney Carriage was present at the rank for subsequent test purchases. By avoiding undertaking a test purchase when a previously sampled Hackney Carriage was present on the rank, close to the first position on the rank, the risk of raising suspicion was mitigated. On occasions when previously surveyed Hackney Carriages were further back on the rank, the risk was judged to be low and sample purchases undertaken. This approach necessitated waiting near the ranks, at times, out of sight from the drivers, until previously sampled vehicles had moved from the front positions at the ranks. As the survey progressed and the number of samples increased, the chance of encountering previously sampled vehicles increased.

The scope of the test purchases also included making attempts to hire private hire vehicles without pre-booking, by approaching waiting vehicles. Much of the time spent by operatives was spend walking around potential locations where private hire vehicles would typically wait between hires. Attempts to hire private hire vehicles without pre-booking were made from time to time as opportunities presented themselves.

At the Sidwell Street rank, passenger queues were commonplace during the period of test purchases, as passengers waited for hackney carriages to arrive at the rank.. At other times, hackney carriages waited at the rank for passengers to arrive. Typically, when hackney carriages were waiting at the rank, the queue of vehicles would vary from one to six vehicles.

At the St David's Station rank, passenger queues formed from time to time. At other times, queues of up to around eight vehicles would typically form, waiting for passengers to arrive.

In the evening and late night periods, the Fore Street rank came into operation. This rank was well used on Thursday, Friday and Saturday nights and had a high turnover of vehicles and was used for several test purchases. At this rank, passenger queueing was extensive at times.

A total of 31 Hackney Carriage test purchases were made over the three days.

Test purchases of hackney carriages included short distance journeys. Several of these test purchases incurred an extra 50 pence or £1.00 charge added to the meter. All of the test purchases which incurred these extra charges were undertaken by an operative travelling alone. No reason was offered for the extra charges on these journeys.

One hire undertaken from the St David's Station rank, was undertaken by a driver who asked where other people waiting at the rank were travelling to. The driver attempted to force multiple people to use the same hackney carriage for multiple destinations.

Some drivers either didn't have a driver identification badge on display, or the badge couldn't be read from the rear passenger seats. One meter was difficult to see as it was low down in front of the gear lever.

Some of the Hackney Carriages sampled had a fares table on display.

1.3 Private Hire Vehicle Shopper Surveys

A series of Private Hire Vehicle test purchases were undertaken.

Booking attempts were made with a series of Private Hire operators listed online in Yellow Pages and Thomson Local web sites. Several of the operators listed in the online directories were no longer in operation. Almost all of those which were in operation, didn't have any vehicles available for immediate hire, when contacted, during the periods when test purchasing was undertaken. It is possible that the journeys which were attempted were too short to tempt the private hire operators contacted, resulting in the response that there were no vehicles available.

The liveries on display on private hire vehicles seen passing on the streets in Exeter, were dominated by Apple Taxis Exeter. Occasionally, one of the private hire vehicles from other operators were seen in Exeter. However, it was clear that the private hire market in Exeter was dominated by Apple Taxis. Apple taxis had two booking offices in operation in Exeter. One at St David's Station and one on South Street. Both booking offices were used to undertake hires of private hire vehicles.

In addition to booking attempts made by telephone, web site and app bookings were also attempted. Ola and Uber have mobile apps which offer the opportunity to book licensed vehicles in Exeter. On several occasions, attempts were made to book licensed vehicles using these apps.

The Ola app offers the opportunity to choose either a private hire vehicle or a hackney carriage. The estimated fare for each option is presented as a range with upper and lower estimates provided.

During previous test purchase campaigns undertaken in Exeter, both the Ola and Uber apps would typically display the locations of several vehicles which were logged in to the systems. During the December 2022 test purchases, neither app displayed vehicles logged into the system. The Uber app offered estimated fares for use of a "Local Cab". In such circumstances, Uber offers the proposed journey to local private hire operators, rather than to vehicles logged into the Uber system. The fare estimate for a Local Cab was typically several times the expected level for a directly booked fare with a local private hire operator.

Attempts were made to book hires on both the Ola and Uber apps. Neither app was able to provide any vehicles to undertake any hires. Ola was tried for both private hire vehicles and for hackney carriage vehicles. Neither type of licensed vehicle offered any availability.

1.4 Hire of Private Hire Vehicles without pre-booking

A significant component of the test purchase campaign was to test whether private hire drivers were willing to undertake a hire without that hire having been pre-booked through the booking office. Such hires are not allowed for this type of licensed vehicle. Normally, such hires are undertaken by a passenger approaching a waiting private hire vehicle or flagging down a passing vehicle and hiring the vehicle directly through a conversation with the driver.

Attempts to hire a waiting private hire vehicle, without pre-booking were made, when opportunity arose, throughout the survey. At times, locations where private hire vehicles may be seen waiting, were visited for the specific purpose of attempting a hire, without pre-booking.

Several waiting vehicles were approached and attempts made to hire the vehicles. One private hire vehicle accepted a hire without pre-booking. All the other private hire vehicles approached refused the hire attempts.

Details of which vehicles had been approached and the results of these approaches are reported in detail under separate cover.

1.5 Availability Narrative

A narrative overview of the test purchases is provided below.

Thursday 8th December 2022

Commence test purchases at 13:40

Survey work commenced with the operatives walking around the locations where it was felt that private hire vehicles were most likely to be found waiting between hires. This included along Queen Street, Bailey Street, Paris Street, South Street and St David's Station. This initial patrol was used for orientation and review of availability of both private hire vehicles and hackney carriages at the ranks.

The Apple taxis app was used to display available hackney carriages. Between 14:00 and 17:00 there were generally between 2 and 6 vehicles showing on the app. Mostly, these vehicles were located in non-central locations.

No private hire vehicles were spotted waiting at any of the locations visited.

Passenger queues were present at both the Sidwell Street and St David's Station ranks. At Sidwell Street, based on the observed arrival rate of hackney carriages to the rank, the wait times were in excess of 30 minutes on two occasions that the rank was visited.

At the St David's Station rank, there were more hackney carriages visiting the rank, however, passenger demand was high and passenger queue wait times were estimated to be in excess of 30 minutes. At the Apple Taxis office at St David's Station, at 15:10, there was a queue of 15 people outside the office, plus additional people waiting in the waiting room.

With little opportunity to hire a private hire vehicle without pre-booking and lengthy wait times for hackney carriages, operatives ceased attempts to hire licensed vehicles at 17:00, in order to try again later.

At 19:30, observation and hire attempts recommenced. There were few licensed vehicles observed along Queen Street, either on journeys or waiting.

From 19:50 to 20:50 the Uber and Ola apps were also used to attempt to hire licensed vehicles. On repeated attempts, the Ola app timed out after five minutes of seeking a driver to accept a hire. Both private hire and hackney carriage hires were tried using the Ola app. None were accepted by drivers. The Uber app was used to attempt hires from Paul Street to St David's Station, a journey which would normally cost less than £10 if

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pre-booked through a booking office. For some hire attempts, Uber estimated the cost for a local cab as from £22.30 to £23.30. On some occasions, the Uber app offered to attempt to secure a booking with a local cab, without any price estimate. No attempts at Uber hires were successful.

From 20:30, there was increased presence of private hire vehicles, some of which were spotted waiting. Some private hire vehicles were approached, but they all refused the attempted hire.

There were hackney carriages present at the ranks from 21:00 and increased availability of private hire vehicles. Some hackney carriage and pre-booked private hire trips were undertaken from 21:00 to 23:00. At this time of night, only Apple Taxis had any availability for immediate hire.

Late night rank hires were undertaken to either suburban locations or hotels. The probability of obtaining a return hire back to the city centre from suburban locations was low. Therefore, hires were undertaken by one of the operatives, who was then picked up by the other operative, by car and returned to the city centre for subsequent hires.

By 23:00, it was becoming difficult to hire hackney carriages which had not already been hired, or which were not present when another hackney carriage had been hired recently from the same rank. Therefore, in order to reduce the risk of detection, hires of hackney carriages were discontinued.

From 23:00, further observations were undertaken at potential locations where private hires may be approached for hire without pre-booking. However, the vehicles seen did not dwell after dropping off passengers and didn't wait long before picking up passengers who appeared to have pre-booked hires.

Virtually all private hire pickups observed at this time were by Apple Taxi liveried vehicles. Observations ceased at 00:30.

Friday 9th December 2022

At 12:00 operatives walked to the most likely locations where private hire vehicles would be expected to wait between bookings.

From 12:50, test purchases were undertaken by hackney carriages and private hire. As the afternoon progressed, the queues of passengers at both Sidwell St and St David's Station ranks grew steadily. Hackney carriages rarely had to wait at the ranks for passengers. In order to undertake hackney carriage test purchases, the passenger queues had to be joined. This required care to be taken that if a hackney carriage which had previously been sampled, was boarded, an appropriate destination was given, which didn't contradict or repeat an earlier destination using the same hackney carriage. By 16:40, more than 50% of the hackney carriages visiting the ranks had been sampled, so staff took a break, before resuming purchases later.

At 19:50, test purchases resumed with a tour around potential locations for hiring a private hire vehicles without pre-booking. At 20:20 the Apple Taxis app was showing no vehicles available. The Ola and Uber apps were tried for availability and neither could fulfil any hires.

Test purchases of hackney carriages were undertaken, the availability at both the St David's Station rank and the Sidwell Street rank was limited and operatives had to join passenger queues and wait for hackney carriages to arrive at the ranks.

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Between hackney carriage hires, in order to avoid spending too much time waiting around taxi ranks, locations were checked for the availability of waiting private hire vehicles.

At 21:17 a private hire vehicle waiting on Queen Street, outside Café Nero was approached and asked to take the operative to the Premier Inn hotel near St David's Station. The driver accepted the hire.

By 21:30, the availability of hackney carriages at the ranks had increased. Further test purchases and approaches to waiting private hire vehicles were undertaken until 22:50. At 22:50 the operatives took a break.

At 23:40, work resumed with a tour of potential locations to hire private hire vehicles without pre-booking.

At 00:40 it was decided to undertake a series of short distance hires from ranks, with one operative using a car to return the second operative to the ranks. The number of hackney carriages which were available at the ranks was limited and extended periods were spent waiting near the Sidwell Street rank until recently sampled hackney carriages had left the rank. By 02:40, more than 50% of hackney carriages visiting the Sidwell Street rank had previously been sampled. With one more day of test purchasing to be undertaken, it was felt that the risk of discovery and hence jeopardising future test purchases was high. Test purchases ceased at 02:40.

Saturday 10th December 2022

Test purchases commenced at 12:30 with visits to potential locations where private hire vehicles may be waiting. From 13:20, test purchases were undertaken from the Sidwell Street rank to Topsham at the edge of the Exeter City Council administrative area. Owing to difficulty arranging a pre-booked return trip, the second operative drove to the destination to pick up the operative who undertook the hire.

From 15:50 to 16:20 short distance test purchases were undertaken. From 16:20 the operatives took a break.

At 19:00 test purchases resumed. Short distance test purchases and attempts to hire private hire vehicles without pre-booking were undertaken until 22:30.

From 22:30 a car was used to visit locations where private hire vehicles may be waiting. Locations visited included the Quay. There were few private hire vehicles in any of the locations. One private hire vehicle was seen waiting at The Quay. When an operative walked towards the waiting vehicle (having got out of the car out of sight of the private hire vehicle), the vehicle left before the operative reached it.

One short distance test purchase from the St David's Station rank was undertaken shortly after midnight. The operative waited in the passenger queue and in turn, boarded a hackney carriage which arrived at the rank. The driver of the hackney carriage was told that the operative wanted to go to the Hotel Du Vin. The driver accepted this and then asked the operative "where are these guys going?" referring to two more people who had joined the passenger queue. The operative explained that he didn't know as these people were not with him. The driver opened the window and asked the waiting passengers where they were going. When told the destination, the driver offered to take these additional two passengers as well and drop off the operative en-route. The operative declined, as he didn't know the people waiting. The operative got out of the

hackney carriage and let the waiting two people take the hackney carriage. The operative took the next arriving hackney carriage from the St David's Station rank to the Hotel Du Vin. The driver of that hackney carriage undertook the hire with no issues.

The ranks at Fore Street and Sidwell Street were visited. However, passenger queues had grown significantly at both ranks. Observations at the ranks indicated that the majority of hackney carriages visiting both ranks had previously been sampled. Estimates of passenger waiting time in the queues exceeded 50 minutes, based on the number of people waiting and the arrival frequency of hackney carriages. Rather than wait in the passenger queues, further visits to potential private hire waiting locations were undertaken. However, no waiting private hire vehicles were observed. At 01:30 the test purchase operation was concluded.

1.6 General observations

Vector Transport Consultancy have undertaken several test purchase campaigns in Exeter. Compared with previous surveys, the choice of private hire operators appears to be significantly reduced in 2022. In the past, Apple Taxis were a dominant company, with some other operators running smaller fleets in competition. The dominance of Apple Taxis appears to have increased in 2022. The general level of availability for immediate hire offered by Apple appeared to be very good. However, the scope for undertaking private hire test purchases, without becoming noticed by drivers was limited by the dominance of this single provider.

The level of hackney carriage availability at the ranks appeared to be lower during the 2022 test purchase campaign than during previous test purchase campaigns. Passenger queueing at the taxi ranks was more commonplace during the 2022 test purchase campaign, than during previous years.

During previous test purchase campaigns, the availability of licensed vehicles which could be booked by mobile app was relatively high. These included Ola, Uber and other apps associated with local operators. During the 2022 test purchase campaign, only the Apple Taxis app appeared to be effectively operational.

Both Uber and Ola charge drivers a fee for each hire booked through the app. Use of the apps by drivers may be worthwhile if the drivers have high wait times between bookings. However, if drivers generally have a short wait time between hires, they may not need to accept bookings through these apps and hence can avoid paying additional fees associated with using the apps to obtain bookings.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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