

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.

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