

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**FIRST WITNESS STATEMENT OF MATTHEW GEORGE BOXALL**

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I, Matt Boxall , Head of Public Protection at City of York Council, Hazel Court Eco Depot, York. YO10 3DS, make this statement in support of an application for a review of a private hire operator's licence, namely that of Mohammed Iqbal, Ingleby Manor, Crosswell Park, Ingelby Barwick, Stockton on Tees TS17 5BE t/a York Cars.

1. I declare that the contents of this my statement are true and correct to the best of my knowledge and belief. I make this statement in the knowledge that it will be used in the proceedings.
2. The information provided in this witness statement is within my own knowledge, and/or records held by the City of York Council unless expressly stated otherwise.
3. By way of background, I am the Head of Public Protection and I have been in this role since January 2015.
4. Council records show that Mr Iqbal has been licensed by the City of York Council as a private hire operator since 20 October 2016. His current licence was issued on 29 April 2019, following a change of name from 'York and Ebor Cars' to 'York Cars' and is due to expire on 19 October 2021.
5. The Council records show that York Cars have 154 licensed drivers and 134 licensed vehicles.
6. I exhibit as **Exhibit MB1** a copy of Mr Iqbal's current private hire operator's licence.
7. I exhibit as **Exhibit MB2** Mr Iqbal's standard operating conditions with which he/York Cars must comply whilst operating.

8. Under section 62(1) of the Local Government Miscellaneous Provisions Act 1976, a licence may be suspended or revoked for:-
  - (a) 'any offence under, or non-compliance with, the provisions of this Part of this Act'
  - (b) 'any conduct on the part of the operator which appears to the district council to render him unfit to hold an operator's licence'
  - (c) ... or  
'any other reasonable cause'.
9. The City of York Council's Taxi Licensing Policy states at paragraph 39.2 that the 'objective of licensing private hire operators is to ensure the protection of the public who will be using the operators premises and the vehicles and drivers arranged through them'.
10. For reasons that will become apparent, it is also important to consider the requirements for anyone wishing to be licenced by the City of York Council as a *driver* under the Taxi Licensing Policy. Any such person has to fill out an application form, pay a fee and pass a number of 'checks' to satisfy the Council that they are a 'fit and proper person' to hold a drivers licence. These include checks on their personal identity and driving licence, an enhanced Disclosure and Barring Service check for any previous convictions/warnings, an observed 'driving assessment', and in some cases a medical examination. Applicants must also attend a 'Safeguarding and Knowledge training day' which is organised by the City of York Council's Workforce Development Unit and pass a 'safeguarding and knowledge test' at the end of that session. The subjects in the training day/test include child and adult safeguarding, equalities/disability awareness, customer care, routes of the city including our pedestrian zone and local licensing conditions. The questions are 'multiple choice', and the pass mark is 26 out of 30 (86.67%).
11. On 21 May 2018, Members of the Licensing and Gambling Committee approved a series of additional steps to help drivers prepare to meet the required standard and pass the 'Safeguarding and Knowledge test', these included:-
  - i) Providing an example test on the website
  - ii) Providing a list of places/landmarks included in the tests

- iii) Upon finding a suitable training provider, provide an additional training course on routes and licensing to help improve performance in that respect.
12. The above have all now been introduced. Mr Michael Dunn, from York Cars, spoke at the meeting of his concerns about the cost and high failure rate of the safeguarding and knowledge test and urged Members to introduce the measures outlined above.
13. The report I prepared for the 21 May 2018 Committee meeting I exhibit as **Exhibit MB3**.
14. The Minutes of the 21 May 2018 Committee meeting I exhibit as **Exhibit MB4**.
15. The safeguarding and knowledge tests run monthly. The Council's Workforce Development Unit have on occasions put on additional tests to help meet the demand. An applicant is allowed a total of six attempts to pass the test.
16. Council records show that as of 24 March 2020, 263 applicants have taken the Safeguarding and Knowledge test since November 2017 when the new format started. Of the 263, 99 applicants passed the test first time (37.6%), and a further 40 applicants passed following a re-sit. The total percentage of the 263 applicants who have passed the test as of 24 March 2020 is 52.9%.
17. Returning to Mr Iqbal's position, on or around the 8 November 2019, I became aware that 'York Cars' had been licensed by City of Wolverhampton Council as a private hire operator.
18. I later found out that it was in fact company called '34 Cars Ltd' that had been licensed by another authority as a private hire operator. Mr Iqbal is recorded with Companies House as the sole director of that company (since 13 June 2014), and the company's registered business address is 4 Blossom Street, York, YO24 1AJ.
19. I exhibit as **Exhibit MB5** the Companies House information for 34 Cars Ltd.
20. Around that same time my attention was drawn to a York Cars post on Facebook, and a York Cars advertisement.
21. I exhibit as **Exhibit MB6** that Facebook post.

22. I exhibit as **Exhibit MB7** that advertisement.
23. On 12 November 2019 I attended a taxi association meeting in York. Mr Iqbal and his son Billy attended that meeting. After the meeting I spoke to them both about the Wolverhampton operator's licence, and how they planned to operate. They told me that they were subcontracting bookings and they were satisfied that it was lawful to do so. I raised with them the content of the Facebook post exhibit MB6. I pointed out to them that the City of York Council were one of the authorities in the country to have refused to grant an operator's licence to Uber, and that Wolverhampton had granted an operator's licence to Uber. Also the Facebook post was not consistent with conversations he and I had had in the past regards Uber, when Mr Iqbal had stated to me that he didn't have an issue with Uber but that he regarded them as healthy competition. I asked them not to blame City of York Council.
24. Around the 4<sup>th</sup> December 2019 I was informed that a vehicle with York Cars door signage and their York phone number was working in York with a Wolverhampton licence plate. The Council's Licensing Manager, Lesley Cooke, wrote to Mr Iqbal seeking an explanation as to how they were complying with the Local Government (Miscellaneous Provisions) Act.
25. I exhibit that letter from Lesley Cooke dated 4 December 2019 as **Exhibit MB8**.
26. A reply was received from David Wilson of A to Z Licensing on behalf of Mr Iqbal on 13 December 2019. In the letter Mr Wilson explained how Mr Iqbal 'had difficulty recruiting enough drivers to meet the demand... for taxis' and 'In an attempt to increase supply, which will improve service provision.. my client has no commercial alternative but to license with another authority in the hope of being able to meet customer demand'. The letter went on to explain how Mr Iqbal, through his Autocab system, was 'subcontracting' work to the Wolverhampton licensed vehicles/drivers.
27. I exhibit that 13 December 2019 letter from David Wilson as **Exhibit MB9**.
28. I am aware of Mr Iqbal's argument that he is not able to get enough York Cars drivers licensed by the Council to meet demand from customers. Representations have been made to me on this point in a variety of ways

including emails, telephone calls and in meetings, by among others Mr Iqbal, his son Billy Iqbal, and Michael Dunn. The issue frequently stated is that the applicant drivers were unable to pass the Council's 'safeguarding and knowledge test'. I have always been of the opinion that it is not appropriate to lower the standard but to help drivers achieve the necessary standard – hence the recommendations in Exhibit MB3.

29. On 19 December 2019, Lesley Cooke replied to Mr Wilson's letter of 13 December 2019, asking for more details about how York Cars accepts and distributes / allocates bookings.
30. I exhibit that 19 December 2019 letter from Lesley Cooke as **Exhibit MB10**.
31. On 24<sup>th</sup> December 2019, a response was received from David Wilson on behalf of Mr Iqbal. In it he explained that the Autocab system used by York Cars automatically accepted bookings and dispatched the work to their drivers. He said that Mr Iqbal 'only invites and accepts electronically subcontracted bookings at York Cars (Wolverhampton) from York Cars (York). He added that the system had been audited by City of Wolverhampton officers on Friday 20 December 2019 and 'found everything to be legal and in order'.
32. I exhibit that 24 December 2019 letter from David Wilson as **Exhibit MB11**.
33. On making further enquiries, it became apparent to me that York Cars has no business presence in Wolverhampton. It is my opinion that York Cars are not undertaking any fares / journeys in Wolverhampton.
34. On 30<sup>th</sup> December 2019 I became aware of a news article on the Minster FM Website under the headline 'York private hire taxi firm under fire from other cabbies'
35. In the article, Billy Iqbal from York Cars was interviewed regards their decision to apply to City of Wolverhampton Council for an operator's licence. He explained that they had 'chosen to license in Wolverhampton due to the process being quicker, more efficient and up to 50% cheaper'. 'With these being local York residents, they know their way around York'. 'We are doing this in protest at York Council doing nothing about the out of town vehicles over the last four years'. 'It is also a protest against the

continued use of 'restrictive licensing practices' which hinder us from meeting the forever growing demand that we face as a company.'

36. I exhibit that Minster FM Website article as **Exhibit MB12**.
37. I was extremely surprised by this article, and the account given by Billy Iqbal given that the discussions we had and I knew it didn't reflect their true position on Uber.
38. I exhibit as **Exhibit MB13** a table showing how the Council's taxi fees compared with other Council's fees in 2019-20.
39. I wrote to Mr Wilson on 23 January 2020, and amongst other things, asked for details of the drivers licensed to drive for York Cars by Wolverhampton Council. I sent a copy of the letter to Mr Iqbal.
40. I exhibit that 23 January 2020 letter as **Exhibit MB14**.
41. On 2 February 2020 I received a reply from Mr Wilson, which included, amongst other things, a list of the names of drivers as requested. There were 10 driver names provided. I was also invited to attend a 'face to face' meeting with York Cars.
42. I exhibit that 2 February 2020 letter from David Wilson as **Exhibit MB15**.
43. I applied to City of Wolverhampton Council for a list of the names of all their licensed private hire drivers.
44. The names of the licensed drivers provided both by Mr Wilson and Wolverhampton Council were checked against the list of drivers on our system as having sat the local safeguarding and knowledge test. The Council system showed that four drivers licensed by City of Wolverhampton Council and working for York Cars had failed the Council's local safeguarding and knowledge test. There were two possible matches, although one has found not to be relevant so there were five in total.
45. Shortly before the 5<sup>th</sup> February 2020 I was made aware that the Council had received an application for a private hire operator's licence for a business trading as 690 taxis. I was told that the named applicant was a relative of Mr Iqbal, and that a Licensing Officer had telephoned the number on the 690 taxis website and it had 'gone through to York Cars'. Furthermore, I was shown a record of an email written to York Cars the previous year about this website, and another under the name of Street

Cars, warning them to obtain an operator's licence for the two businesses or take them down.

46. I exhibit the email text from the Council records as **Exhibit MB16**.
47. It is a criminal offence to operate i.e. 'make provision for the invitation or acceptance of a booking' in a controlled district (such as the City of York) without an operator's licence under the Local Government (Miscellaneous Provisions) Act 1976.
48. There is no record on the Council system of an operator's licence ever having been issued in the names of 690 Taxis at Wigginton Road, York. YO32 2RJ, or Street Cars (Street Cars & Taxis) at 14 Redeness Street, York YO31 7UU.
49. I looked at the websites [www.690taxisyork.co.uk](http://www.690taxisyork.co.uk) and [www.streetcars-taxis.co.uk](http://www.streetcars-taxis.co.uk) and I asked my colleague to 'capture' them.
50. The [690taxisyork.co.uk](http://690taxisyork.co.uk) 'home page' states that they are the '#1 taxi firm in York', the 'location page' and gives the Wigginton Road address, and a 'service update' page and contains a post by a 'Muhammad Iqbal' (sic) in which he says the offices are located at Wigginton Rd address and that they are 'operating 24/7 every day of the year'.
51. I exhibit the [690taxisyork.co.uk](http://690taxisyork.co.uk) screenshots as **Exhibit MB17**.
52. The [streetcars-taxis.co.uk](http://streetcars-taxis.co.uk) website states 'We are a brand new York Taxi Company operating in York City', it gives the Redness Street address and a number of 'testimonials'. It is unclear to me whether these were genuine testimonials from passengers who had travelled with an unlicensed operator, genuine testimonials from passengers who had travelled with a different company who is a licensed operator or they were not genuine testimonials.
53. I exhibit the [streetcars-taxis.co.uk](http://streetcars-taxis.co.uk) screenshots as **Exhibit MB18**.
54. On the 5 February 2020 I instructed Council colleagues to order a taxi using the details advertised on [690taxisyork.co.uk](http://690taxisyork.co.uk) and [streetcars-taxis.co.uk](http://streetcars-taxis.co.uk). My colleagues reported to me that both journeys had been fulfilled by a York Cars licensed vehicle and driver.
55. On 7 February 2020 I rang the telephone numbers advertised on [690taxisyork.co.uk](http://690taxisyork.co.uk) and [streetcars-taxis.co.uk](http://streetcars-taxis.co.uk). Both calls were answered

by 'York Cars'. My colleague Nigel Woodhead was present when both calls were made.

56. On 7 February 2020 I wrote to Mr Wilson and asked for the addresses and dates of birth of the drivers I suspected may have failed the Council's safeguarding and knowledge tests, I reported to him the events of 5 February 2020, and asked for an appointment to be arranged so that I could attend the York Cars offices in person.
57. I exhibit that 7 February 2020 letter as **Exhibit MB19**.
58. On 14 February I received a response from Mr Wilson in which he provided the addresses and dates of birth as requested. In relation to the 690 Taxis and Street Cars websites, he said that they were used until the Council advised that a new operator's licence would be required for each trading style, whereupon York Cars ceased promoting the two websites and pursued the sale of the trading names, but to no avail. An appointment to visit was arranged for 28 February 2020.
59. I exhibit that 14 February 2020 letter from David Wilson as **Exhibit MB20**.
60. I asked my colleagues in the Workforce Development Unit to check the names against the addresses held on their records to see if they matched.
61. This confirmed that of the 11 drivers known to be working in York under a City of York Council driver's licence, 5 had failed to pass the Council's safeguarding and knowledge test.
62. On 28 February 2020 I visited York Cars Office as arranged, I was accompanied by my Council colleague Angela Ruane. There we met Mr Iqbal, Mr Billy Iqbal, Mr Dunn and Mr Wilson. I was shown how the Autocab system works, amongst other things including being shown details of the demand for journeys/missed jobs and 'no shows' on a date I had chosen. I looked though the complaint file at the York office which included some compliments. I asked about the customer reviews on the Street Cars website, and Mr Iqbal said that they were not customers of York Cars.
63. On 3 March 2020 I sent a letter to Mr Wilson with a summary of my meeting with his client on 28 February 2020, and asked for some points of clarification. I attached copies of extracts from the whois.com website relating to 690taxisyork.co.uk and streetcars-taxis.co.uk. These extracts



showed that 690taxisyork.co.uk was registered on 4 January 2019 and was last updated on 4 January 2020, and streetcars-taxis.co.uk was registered on 10 January 2017 and was last updated on 9 January 2020.

64. I exhibit that 3 March 2020 letter to David Wilson as **Exhibit MB21**.
65. On 11 March 2020 I received a response from Mr Wilson. It stated that York Cars (at least Mr Dunn) knew that drivers who had failed the Council's test had applied to City of Wolverhampton Council to obtain a licence, and that York Cars 'sponsored' them to do so. It was said that the 690taxisyork.co.uk and streetcars-taxis.co.uk domain had been renewed by the website provider, and that Mr Iqbal was unable to confirm whether the testimonials on streetcars-taxis.co.uk were or were not from York Cars passengers. Attached to the letter was a legal Opinion from Mr Gerald Gouriet QC confirming his view that the actions of Mr Iqbal and York Cars were lawful.
66. I exhibit the 11 March 2020 letter from David Wilson as **Exhibit MB22**.
67. I exhibit the Opinion of Mr Gerald Gouriet Q.C. as **Exhibit MB23**.
68. Having considered all of the information above it is my opinion that Mr Iqbal is not a 'fit and proper' person to hold a private hire operator's licence from the City of York Council for the following reasons:-
  - i.) Mr Iqbal obtained a private hire operator's licence from City of Wolverhampton Council with no intention of undertaking any private hire business within their unitary authority boundary. His intention was solely to enable York Cars drivers to apply there to be licensed as private hire drivers and by-pass our provisions. We know at least five of these drivers had failed to pass the Council's safeguarding and knowledge test. This wilful circumvention of the Council's licensing regime, which is focussed on public safety, is in itself a perfectly good reason not to licence him under it.
  - ii.) Mr Iqbal, and his son Billy, publicly blame the Council for his scheme, stating amongst other things that it is 'a protest' over the Council's perceived inaction over Uber and out of town licensed drivers working in York. However, this is not consistent with his representatives explanation for the scheme, namely that it is borne out of and justified by the business needs of York Cars who 'had

difficulty recruiting enough drivers to meet the demand... for taxis' and 'In an attempt to increase supply, which will improve service provision.. my client has no commercial alternative but to license with another authority in the hope of being able to meet customer demand' as well as the position that he and his colleagues have previously stated to me.

- iii.) Mr Iqbal operated two other trading names '690 Taxis' and 'Street Cars' without an operator's licence. His operator's licence only permits him to trade under the name of York Cars. He knew that a different trading name would require a new operator's licence as in April 2019 as he changed his own licence from York and Ebor Cars to York Cars. Furthermore, he knew – because he was told and says he acted upon it – that he had to obtain a licence for these businesses or stop using the website. The steps he claims to have taken i.e. to ask the website host to take the websites down were ineffective as officers were able to take a journey using information obtained from both websites after that date. Either he did not take the action he said he had done, or he did not check to ensure that the websites had been taken down. He then paid for both website domains to be renewed in January this year and continued to benefit from them. It is a criminal offence to make provision for the invitation or acceptance of bookings without an operator's licence.
- iv.) The streetcars-taxis.co.uk testimonials are either fake, from another operator or are genuine and demonstrate that Street Cars was unlawfully operating without a licence. It is concerning to me that Mr Iqbal is unable to confirm where any of those streetcars-taxis.co.uk testimonials originate from – especially as he keeps records of customer compliments - and these website testimonials potentially mislead customers and members of the public.
- v.) All of the above indicates to me that there may be an issue with his honesty and integrity and undermines the 'protection of the public' objective which the licensing of operators is designed to achieve. This gives a reasonable cause to believe that Mr Iqbal is not 'fit and proper' to hold a private hire operators licence

**I BELIEVE THAT THE FACTS STATED IN THIS WITNESS STATEMENT ARE TRUE.**

*MGSac*

Signed:

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27 October 2020

Dated:

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**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
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**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/1**

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This is the **Exhibit MB/1** referred to in the statement of Matthew George Boxall  
dated 27 October 2020.



## **CITY OF YORK**

### **PRIVATE HIRE VEHICLE OPERATOR'S LICENCE NO. 52/2016**

**THE COUNCIL OF THE CITY OF YORK, under the terms and conditions of the Local Government (Miscellaneous Provisions) Act 1976 and of every other Act or authority given or vested in them for that purpose, do hereby licence**

**NAME: MR MOHAMMED IQBAL**

**ADDRESS: INGLEBY MANOR, CROSSWELL PARK, INGLEBY BARWICK,  
STOCKTON-ON-TEES, TS17 5BE**

**T/A: YORK CARS**

**to act as an operator of private hire vehicles operating from a booking office at 4 ODEON BUILDINGS, BLOSSOM STREET, in the City of York, from 20 OCTOBER 2016 until 19 OCTOBER 2021, subject to all the provisions of the said Acts, such byelaws as may be in force and such conditions relating to the operation of private hire vehicles as are attached to this licence.**

**This licence is not limited to the number of vehicles which may operate from the booking office.**

**Dated: 29 APRIL 2019**

**Reason for Issue – Change of company name**

**For and on behalf of the Director of Economy and Place**

**There is a right of appeal to a Magistrates' Court against the conditions of this licence within twenty-one days of it's issue.**

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
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**EXHIBIT MB/2**

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This is the **Exhibit MB/2** referred to in the statement of Matthew George Boxall dated  
27 October 2020.

**Private Hire Operators' Licence Conditions**

1. All applicants are required to complete an application form and are reminded that it is an offence to knowingly or recklessly make any false statement or omit relevant information.
2. The Booking Office premises of a Private Hire Operator shall be approved by the Council and shall conform to all Planning Regulations and other legal requirements in respect of business premises. Details must be provided of where vehicles will be parked when waiting for bookings. In the event that it is found that the Booking Office is operating without all necessary planning consents or in breach of planning conditions, the Private Hire Operator's licence will be deemed suspended until planning consent is obtained.
3. The current Private Hire Operators licence must be displayed at the business premises to which the licence relates in a prominent position at all times in view of the general public with the exception of such times as the licence is presented to the Council for amendment.
4. The licensed Operators shall have in force a Public Liability Insurance policy providing a minimum of £2,000,000 indemnity in respect of any one incident where there is public access to a booking office. This policy will be produced to the Council annually.
5. The licensed Operators, who have employees, shall have in force an Employers Liability Insurance policy complying with the Employers Liability (Compulsory Insurance) Act 1969 covering death or personal injury arising out of any incident during the course of a person's employment. This policy will be produced to the Council annually.
6. During the currency of the licence, the Operator shall notify the Council in writing within 7 days of any temporary change of residence which is for a period in excess of 21 days.
7. The licensed Operator shall inform the Council within 14 days of any change of the partners or Directors of the company, or any change on the Secretaryship or Chairmanship thereof.
8. Each Operator, when disposing of any business interest, shall within 14 days give notice in writing to the Council that the business registered in his/her name has terminated.

9. The licensed Operator must notify the Council and nominate a responsible person to take responsibility on an interim basis if they are absent from the business for 15 days or more.
10. The licensed Operator will ensure that the Council has his/her most up to date contact details, including a mobile telephone number and email address. There should also be a generic email address for the company.
11. The licensed Operator shall keep a record for a period of not less than 36 months, of all the hackney carriage/private hire vehicle licence number, plate number, registration number and make and model of all hackney carriages/private hire vehicles operating from his/her office. Such records shall be sent to the Council annually and be available at all reasonable times for inspection by the Council.
12. The licensed Operator shall keep a record for a period of not less than 36 months, of all the hackney carriage/private hire driver's licence number, badge number, personal identity code name or number and name and address of each driver operating from his/her office. Such records shall be sent to the Council annually and be available at all reasonable times for inspection by the Council.
13. The licensed Operator shall make sure that hackney carriage/private hire vehicles and driver's operating from his/her office have had their licence renewed by the Council.
14. The licensed Operator shall display in a prominent position visible to customers visiting his premises at his place of business a list of fares and booking fees chargeable by the Operator. The Council shall be supplied with an up to date list of fares within 14 days of any changes made.
15. The licensed Operator will ensure that the licence issued by the Department of Trade and Industry for all radio equipment used is current and valid. All equipment must only be used on the frequencies stipulated in the D.T.I. licence and the licensed Operator must allow the Council access to inspect all equipment and D.T.I. licenses.
16. The licensed Operator shall keep and maintain at all times for a period of not less than six months, a record of hiring showing the particulars of every booking of a hackney carriage/private hire vehicle, including any booking accepted at the request of another Operator.

The record must be kept in the form of a log sheet or computer database detailing  
in particular:-



- a) The date and time of each booking
- b) The name and address of the hirer (if known)
- c) The dates, time and place of the commencement of each hiring d)

The destination

- \*e) The vehicle licence number and the name of the driver
- f) For booking transferred to another operator, details of that operator and information detailed in point 'e' above

(\* This information may be given by reference to an incorporated code)

All records shall be maintained and kept up to date at all times, and shall be available for inspection at all reasonable times, without notice, by an Authorised Officer, the Police or DVSA. For the purpose of further investigation, records may be removed from the premises if so required or copied.

- 17. The licensed Operator shall keep a register of complaints by the public for a period of not less than 12 months.
- 18. Upon receiving a complaint or allegation regarding any person licensed by the Council in relation to the following matters:
  - a) sexual misconduct, sexual harassment or inappropriate sexual attention
  - b) racist behaviour
  - c) violence
  - d) dishonesty
  - e) breaches of equality

the licensed Operator shall report it immediately to the Council when the taxi licensing office is open.

- 19. The licensed Operator is not permitted to accept bookings forwarded by their private hire drivers.
- 20. Private hire operators must provide the Council with a current table of fares, including mileage fare chart.

21. If used, private hire operators must make sure all meters and PDA systems are calibrated to the correct fare scale.
22. The licensed Operator shall provide a prompt, efficient and reliable service to members of the public at all times, ensuring that when a private hire vehicle has been hired to be in attendance at an appropriate time and place, that vehicles shall, unless delayed, attend punctually at that time and place.
23. The licensed Operator remain accountable for service delivery even upon the transfer of a booking to another licensed Operator.
24. The maximum number of vehicles that may operate from the licensed Private Hire Booking Office are detailed on this licence, this number will not be exceeded without prior written notification to the Council.

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**EXHIBIT MB/3**

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This is the **Exhibit MB/3** referred to in the statement of Matthew George Boxall  
dated 27 October 2020.



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## Gambling, Licensing & Regulatory Committee

28 May 2018

Report from the Assistant Director – Planning and Public Protection

### Taxi driver training update

#### Summary

1. This report provides Members with an update on the safeguarding and knowledge training/testing for new taxi drivers, as well as the training for existing taxi drivers as requested at this Committee meeting on 13 November 2017. Please note that in this report, the terms 'taxi driver' and 'taxi' are used as a generic term to include both hackney carriage and private hire drivers/vehicles.

#### Recommendations

2. That Members note the contents of this report and approve Option 2 in respect of providing additional assistance – particularly in respect of 'local' knowledge - to potential taxi drivers.

Reason: To ensure that knowledge of the local area and conditions is not a barrier to people who are otherwise 'fit and proper' applying and helping to drive up standards through increased competition.

#### Background

3. The background to the new training and testing was set out in the report before this Committee on 13 November 2017.
4. To recap, new applicants currently participate in a full day of training and are required to pass a test administered by the Council's Workforce Development Unit. There is a charge of £80 for this course, set on a cost recovery basis. The charge includes the cost of the trainer, venue, materials and light refreshments. The training and test covers the following subject areas

- Disability Awareness;
  - Child and Adult Safeguarding;
  - Sexual Exploitation;
  - Equality Awareness;
  - Customer Service;
  - Legislation and Byelaws;
  - York's Pedestrian Zone awareness.
5. If the applicant fails the knowledge test they may 're-sit' up to five times (so completing six tests in total). An applicant has the choice of either completing the full day training/test again (£80) or re-sitting the test only (£25.00). Under the City of York Council's Licensing policy, if an applicant fails the sixth knowledge test, the application will be refused on the grounds of 'insufficient geographical knowledge to properly carry out a service as a licensed driver'.
6. Existing taxi drivers are required to demonstrate their knowledge of 'safeguarding, equalities and customer service' before their licence renewal or risk not being considered a 'fit and proper person' to hold a licence. To assist in this process, the Workforce Development Unit are running a 'half day' training programme for drivers to attend. The cost of this course to drivers is £40, again set at a cost recovery rate. At the end of the training there is a 'quiz' to check drivers understanding but there is no pass/fail. Licensing Officers will accept a certificate of attendance at this course as evidence that an applicant has sufficient knowledge of these areas. However, drivers may also be able to demonstrate this in other ways – each application will be considered on its merits.

## **Test for new applicants**

### **Multiple choice format**

7. Since the last report, there has been one change to the format of the test for new applicants i.e. a number of the questions, including the route and licensing conditions questions, have been made 'multiple choice'. This decision was taken by officers, on the advice of the course provider, in order to remove the element of discretion in marking (the trainer marks the initial test, and a number of different officers mark the re-sits). This ensures the

test/marking is consistent and fair for all applicants. A 'multiple choice' format is common in taxi driver testing.

### Test results

8. Table 1 shows the number of tests taken and the results including percentage passing (achieving 26 or more out of 30 – 86.6%), and those 'near passes' i.e. those scoring over 21. Please note, in order to ensure we are comparing 'like with like', these results are based on the tests which follow the full day course only – they do not include figures from 're-sit test only papers' i.e. where no pre-training is given. All figures are up to 25 April 2018.

**Table 1 – No. of tests takes and results (following one day course)**

Date	Total tests	Total Pass (26+)	Total Fail	25/30	24/30	23/30	22/30	21/30
07.11.17*	13	4 (30.8%)	9	0	2	0	0	1
06.12.17*	14	3 (21.4%)	11	0	2	1	2	0
16.01.18	8	2 (25%)	6	3	0	1	0	0
15.02.18	7	2 (28.6%)	5	0	1	1	1	1
21.02.18	9	2 (22.2%)	7	0	2	3	0	0
15.03.18	9	4 (44.4%)	5	0	2	0	1	0
25.04.18	12	5 (41.6%)	7	1	1	2	0	2
Total no of tests taken	72	22 (30.6%)	50	4	10	8	4	4
Total passed if lower pass rate applied				26 (36.1%)	36 (50%)	44 (61.1%)	48 (66.7%)	52 (72.2%)

\*Not multiple choice

9. It can be seen that the current overall pass rate is 30.6%, and the success rate varied (regardless of whether or not a multiple choice format was used). Unsurprisingly, if the pass rate was reduced it would

increase the number of passes accordingly. On current figures, the pass rate would need to be lowered to 21 out of 30 to achieve a pass rate approaching 77% (that was being achieved under the 20 question test in place between 29 September 2017 and 18 October 2017).

10. Table 2 shows the percentage of questions answered correctly in the different areas of the test. To pass, an applicant needs to score on average 86.6% in each section.

**Table 2 – Questions answered correctly (one day course)**

	Safeguarding (marks out of 7)	Equalities (marks out of 4)	Customer Service (marks out of 4)	Routes (marks out of 10)	Licence conditions (marks out of 5)
Mean score	5.7 (81.4%)	3.3 (82.5%)	3 (75%)	6.2 (62%)	3.1 (62%)
Median score	7	4	4	8	3
Target for pass	6-7	3-4	3-4	8-9	4-5

11. It can be seen that the route and licensing condition questions are the ones which applicants find most challenging.

Table 3 shows the number of *people* taking the tests and the number of attempts taken.

**Table 3 – No of people taking tests and results**

	No of people	No of people passed		
Full day (£80)	68	21		
Full day re-sit (£80)	3	1		
CYC Re-sits (£25.00)	21	11		
Total	68	33 (48.5%)		
	No of people	No of people passed	No of people not passed	No of people not re-sitting (to date)
1 <sup>st</sup> attempt	68	21	47	24
2 <sup>nd</sup> attempt	23	5	18	4
3 <sup>rd</sup> attempt	14	3	11	3
4 <sup>th</sup> attempt	8	2	6	1
5 <sup>th</sup> attempt	5	2	3	3
6 <sup>th</sup> attempt	N/a	N/a	N/a	N/a

12. The table shows that 33 people (48.5%) have now passed the test, whilst 35 people have either to re-sit or have dropped out of the process altogether. It is not known what their intentions are.

### **Driver identification**

13. It was brought to Officers' attention that new applicants attending the full day course up to 21 February 2018 did not provide proof of their identity to the tutor. This was due to a breakdown in communication between officers and the tutor. Applicants were however required to 'sign in' to the course and a subsequent check on the signatures and handwriting has not identified any issues of concern. Applicants are now required to bring proof of their identity to the training. Please note, the re-sits were not affected by this error and neither were other aspects of the application process for which drivers have to provide proof of



identification such as the 'Disclosure and Barring Service' (DBS) previous convictions check.

### **Training for existing taxi drivers (half day training)**

14. As noted above, the 'half day' training for existing taxi drivers on safeguarding and other matters continues to be delivered as approved by Members at the Committee meeting on 13 November 2017.
15. On 24 November 2017, the Council received a petition from taxi driver's entitled 'Petition to remove the £40 fee for safeguarding training' and went on to say that 'the threat of dismissal if the course is not taken or failed was intimidation and victimisation'.
16. This petition was considered as part of a report at the decision session for the Executive Member for Housing and Safer Neighbourhoods on 19 March 2018. The Executive Member for Education, Children and Young People also attended that meeting to consider the report. The Executive members resolved to take no further action in respect of the petition based on the Gambling, Licensing and Regulatory Committee's earlier approval of and planned review (today) of the training.
17. As explained above, in terms of the 'cost' of the course, the £40.00 fee for the half day training session has been set by the Council's Workforce Development Unit. As with the full day course, this fee covers their costs in facilitating the training i.e. the trainer and materials, the room and light refreshments. Annex 2 of this report gives details of the content and cost of similar sessions operated by other Councils in the area. Our fee is slightly higher than the fee charged by Bradford MDC, although there is no 'resit' requirement in our provision. It is also important to stress that we have tried to deliver a 'free package' (for large groups of drivers) in the past but it was universally regarded, including by representatives of the taxi trade, as undeliverable in that format.
18. In terms of the 'requirement' to attend the course, again as has been outlined above, drivers currently have the choice i.e. i) attend the half day training session or ii) otherwise demonstrate their knowledge on safeguarding, equalities and customer service. Any driver who does not comply with these requirements risks not being considered a 'fit and proper person' when they apply to be re-licensed.

## **Consultation**

19. There has been no consultation in respect of this report. The tests are part of the process for the City of York Council to determine whether a person is a 'fit and proper' person to hold a taxi driver licence.

## **Options**

20. Option 1 – Retain the training and test as it is.
21. Option 2 – Retain all the elements of the test and provide further assistance to drivers to meet the required standard – particularly in respect of local routes and conditions.
22. Option 3 - the committee make alternative suggestions.

## **Analysis**

23. Option 1 – will maintain the status quo (as approved on 13 November 2017) and ensure that the Council continues to train and test new applicants on key areas identified in the taxi licensing policy. Existing drivers will be required to attend a training session (or otherwise demonstrate their knowledge) on safeguarding, equalities and customer service before their licence renewal or risk not being considered a 'fit and proper person' to hold a licence. Each application will however be decided on its merits.
24. Option 2 – will be the same as option one except that officers would take a number of additional steps to help new taxi drivers achieve the necessary standard. For the avoidance of doubt, this option is not advocating diminishing the test, it is intended to assist new drivers in meeting the high standards the council requires. Examples of the assistance which could be provided include giving an example of the test in the guidance notes for drivers (not currently provided) and issuing a list of places/landmarks that are included within the tests. These are both steps which other Authorities take. Furthermore,

subject to providing a suitable provider, an additional (optional) training course on routes and licensing conditions could be provided to improve performance in this aspect of the test.

25. Providing additional assistance supports the first principle of 'The Regulators' Code' by which the City of York Council is bound i.e. that 'Regulators should carry out their activities in a way that supports those they regulate to comply and grow'. Furthermore, it supports the Government's approach that 'consumers benefit from competitive markets which deliver better quality goods and services but also greater choice and innovative products and services' (Modernising Consumer Markets: Consumer Green paper, 2018).
26. Option 3 – allows Members to make alternative suggestions. In considering alternative suggestions it may be helpful to note that some Authorities do not require applicants to demonstrate a knowledge of routes and the local area. This is because of the widespread use of satellite navigation systems to guide drivers to their destination, and that in the case of private hire drivers in particular (where journeys are by their nature 'pre-booked') the driver has the opportunity to plan their journey before collecting the customer. Other Authorities consider knowledge of the area, and key land marks, an important element of customer service in particular in tourist economies. Furthermore, knowledge of the local area can be beneficial in times of road closures, heavy traffic or other issues which may not be detected by satellite navigation. It is also worthy of note that there is nothing to prevent Operators introducing additional tests of their own before appointing drivers if they wish.

## **Council Priorities**

27. The provision of a healthy taxi trade supports the council plan of a prosperous city for all, where local businesses can thrive.

## **Implications**

28. The direct implications arising from this report are:
  - (a) **Financial** – there are no financial implications, the taxi courses are provided on a cost recovery basis.
  - (b) **Human Resources (HR)** - There are no HR implications.

- (c) **Equalities** – The training and testing is designed to raise awareness of equalities issue.
- (d) **Legal** –The Local Government (Miscellaneous Provisions) Act 1976 enables Local Authorities to administer licences for Hackney Carriage and Private Hire drivers. The Act provides that a Local Authority shall not grant a licence unless they are satisfied that the applicant is fit and proper person to hold such a licence. There is no definition of the term fit and proper and the Council can apply tests and checks it deems appropriate to establish this.

Any decision made by the Committee in regards to matters of grant, renewal, suspension or revocations of licences and attachment of policies or conditions to individual hackney carriage and private hire licences can be appealed to the Magistrates' Court and from there to the Crown Court.

In terms of challenging policy decisions, claims can also be made by way of a Judicial Review to the Administrative Court in the High Court.

- (e) **Crime and Disorder** – The training and testing is designed to assist drivers in meeting their own legal obligations and the safeguarding of passengers.
- (f) **Information Technology (IT)** - There are no IT implications.
- (g) **Property** - There are no property implications.
- (h) **Other** - There are no other implications.

## **Risk Management**

- 30. Applying the Council's risk scoring criteria, failing to have appropriate training and testing requirements for taxi drivers poses a 'major risk' (large groups of people affected with multiple serious injury) and the likelihood is 'possible'. This gives a risk score of **12** (a yellow risk). Having appropriate training and testing in place, reduces the likelihood to 'unlikely' giving a score of **8** (green risk).

## Contact Details

### Author:

Matt Boxall  
Head of Public Protection  
01904 551528

### Chief Officer Responsible for the report:

Mike Slater  
Assistant Director – Planning and  
Public Protection

**Report Date** 10 May **Approved**  **2018 Specialist Implications**  
**Officer(s) Wards Affected:** All

**For further information please contact the author of the report**

## Background papers

- Gambling, Licensing & Regulatory Committee, 13 November 2017  
Report from the Assistant Director – Planning and Public Protection  
'Taxi Licensing – Review of Driver Training'
- Decision Session – Executive Member of Housing & Safer  
Neighbourhoods, 19 March 2018  
Report of the Corporate Director of Economy and Place  
Petitions – Driver Safeguarding Training and Safeguarding Passengers

## Annexes

Annex 1 - Summary of other Authorities tests and charges

**Annex 1 - Summary of other Authorities tests and charges**

Authority	New Driver Applicant Training	Requirements and Cost	Existing Driver Training	Requirements and Cost
Bradford	<ul style="list-style-type: none"> <li>• Vehicle safety checks</li> <li>• Licensing conditions &amp; compliance</li> <li>• Safeguarding (CSE/Human Trafficking)</li> <li>• Customer service and personal care</li> <li>• Disability awareness</li> <li>• Wheelchair clamping</li> </ul>	<p>Half days training session with a test on each module listed, £30.00, and an additional £15 to re-sit each module failed. Applicants must pass each module to progress their application.</p>	<ul style="list-style-type: none"> <li>• Vehicle safety checks</li> <li>• Licensing conditions &amp; compliance</li> <li>• Safeguarding (CSE/Human Trafficking)</li> <li>• Customer service and personal care</li> <li>• Disability awareness</li> <li>• Wheelchair clamping</li> </ul>	<p>Half days training session with a test on each module listed, £30.00, and an additional £15 to re-sit each module failed. Drivers must complete this training once every three years prior to renewal of licence.</p>
Calderdale	<ul style="list-style-type: none"> <li>• Keeping yourself safe and reporting incidents</li> <li>• Protecting children from child sexual exploitation and other forms of abuse</li> <li>• Drug and alcohol issues</li> <li>• Domestic Abuse</li> <li>• Being an ambassador for Calderdale (customer care and professional</li> </ul>	<p>4 hour training session followed by test. Applicants must pass the test to progress their application. Currently free (this is being reviewed).</p>	<ul style="list-style-type: none"> <li>• Keeping yourself safe and reporting incidents</li> <li>• Protecting children from child sexual exploitation and other forms of abuse</li> <li>• Drug and alcohol issues</li> <li>• Domestic Abuse</li> <li>• Being an ambassador for Calderdale (customer care and professional</li> </ul>	<p>4 hour training session, free of charge – when introduced it was a requirement that it must be completed prior to renewal of licence.</p>

	<p>standards)</p> <ul style="list-style-type: none"> <li>• Disability and access for all (equality)</li> <li>• Understanding Licensing and regulation</li> <li>• Maintaining a safe vehicle</li> <li>• Proficiency in English</li> </ul>		<p>standards)</p> <ul style="list-style-type: none"> <li>• Disability and access for all (equality)</li> <li>• Understanding Licensing and regulation</li> <li>• Maintaining a safe vehicle</li> </ul>	
Kirklees	<ul style="list-style-type: none"> <li>• Disability awareness</li> <li>• Child and adult safeguarding</li> <li>• Equality awareness</li> <li>• Customer service</li> </ul>	<p>2 hours training session followed by a test, £76.50. Applicants must pass the test to progress their application.</p>	<ul style="list-style-type: none"> <li>• Child and adult safeguarding</li> <li>• Sexual exploitation</li> </ul>	<p>half day training session – free – when introduced it was a requirement that it must be completed prior to renewal of licence.</p>
Leeds	<ul style="list-style-type: none"> <li>• Customer care</li> <li>• Hackney carriage knowledge</li> <li>• Literacy and numeracy</li> <li>• Private hire driver <ul style="list-style-type: none"> <li>○ Basic legislation</li> <li>○ Leeds knowledge and Leeds city centre knowledge</li> <li>○ Private hire conditions</li> <li>○ Using a</li> </ul> </li> </ul>	<p>£55 £50 £25 £90</p> <p>£10 New applicants must complete and pass this training to progress their application.</p>	<p>□ Safeguarding</p>	<p>£10 – when introduced it was a requirement that it must be completed prior to renewal of licence.</p>

	reference tool (AZ) □ Safeguarding			
Wakefield	<ul style="list-style-type: none"> <li>• Child and adult safeguarding</li> <li>• Sexual exploitation</li> </ul>	<p>3 hour training session, £22. Knowledge test (routes, locations, conditions, etc) including disability awareness - £26. Applicants must pass the test to progress their application.</p>	<ul style="list-style-type: none"> <li>• Child and adult safeguarding</li> <li>• Sexual exploitation</li> </ul>	<p>3 hour training session, £22. When introduced it was a requirement that it must be completed prior to renewal of licence.</p>



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**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/4**

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This is the **Exhibit MB/4** referred to in the statement of Matthew George Boxall  
dated 27 October 2020.

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Meeting	Gambling, Licensing & Regulatory Committee
Date	21 May 2018
Present	Councillors Lisle (Chair), Funnell (ViceChair), Douglas, Hunter, Looker, Mason, Orrell, Pavlovic, Reid, D Taylor, K Taylor and Wells
Apologies	Councillors Hayes, Mercer and Richardson

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## 16. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests, which they might have in the business on the agenda.

Cllrs Lisle, Mason and D Taylor each declared a personal interest in Agenda Item 4 (Renewal of Sex Establishment Licence), as they both knew the people named in the application as responsible for the management of the premises.

## 17. MINUTES

Resolved: That the minutes of the meeting held on 6 March 2018 be approved, and signed by the Chair as a correct record.

## 18. PUBLIC PARTICIPATION

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme.

Michael Dunn, of York Cars Taxis, spoke on Agenda Item 5 (Taxi Driver Training Update). He outlined the difficulties he faced in recruiting drivers, due to the cost and high fail rate of the test, which had resulted in an influx of out of area drivers, and urged the committee to adopt Option 2 in the report.

## **19. RENEWAL OF SEX ESTABLISHMENT LICENCE**

Members received a report which presented an application to renew a Sex Establishment Licence for a sexual entertainment venue, made under the Local Government (Miscellaneous Provisions) Act 1982, Schedule 3 Control of Sex Establishments, in respect of Upstairs (Mansion), 53-55 Micklegate, York YO1 6LJ.

Officers at the meeting recommended that the matter be adjourned, as an objection to the application had been received from the Police and the applicant had not been informed of today's committee meeting. It was confirmed that an adjournment would not affect the operation of the establishment, as the application had been lodged prior to the expiry of the current licence, which would remain in force until the renewal application had been determined.

Resolved: That this item be adjourned to the next meeting of the committee, on 18 June 2018.

Reason: To enable the applicant to be informed of the date of the committee meeting at which the application will be determined and to attend if they wish.

## **20. TAXI DRIVER TRAINING UPDATE**

Members considered a report which provided an update on the safeguarding and knowledge training and testing for new and existing taxi drivers, as requested by the committee at their meeting on 13 November 2017.

Under existing procedures, new applicants had to undertake a full day of training, costing £80, and pass a test. Existing drivers must demonstrate their knowledge of safeguarding, equalities and customer services. They could do this by undertaking a half day course, at a cost of £40, or in some other way, with each case considered on its merits. The test for new applicants had been changed to a multiple choice format, to make it fairer, as shown in the sample test circulated at the meeting. The

current overall pass rate was 30.6%, with applicants finding the questions on routes and licensing conditions the most difficult. Members considered the following options, as detailed in paragraphs 20-26 of the report:

**Option 1** – maintain the existing procedures.

**Option 2** – as above, but take additional steps to help new drivers achieve the required standards. This was the recommended option.

**Option 3** – Members to make alternative suggestions.

In response to questions from Members, Officers confirmed that:

- The council had no powers to test ‘out of area’ drivers, who were covered by their own local authorities’ procedures
- Face to face testing was preferred to online tests, as the applicant’s identity could be verified and their interaction and language skills judged.
- One to one testing was available for those who had difficulties with writing.
- Applicants were encouraged to read a guidance note, which included details of local driving conditions and byelaws.
- Charges were based on the costs incurred by the training providers.

After a full debate, it was

Resolved: (i) That the contents of the report be noted.

(ii) That Option 2 be approved and the current training and testing procedures be maintained, with additional assistance provided to potential taxi drivers, particularly in respect of ‘local knowledge’.

Reason: To ensure that knowledge of the local area and conditions is not a barrier to people who are otherwise ‘fit and proper’ applying to become taxi drivers and helping to drive up standards through increased competition.

(iii) That Officers consider providing some elements of training and guidance for drivers online.

Reason: To make this information available in a more accessible and cost effective way, where possible.

## **21. URGENT BUSINESS / CHAIR'S REMARKS**

The Chair reported that he had recently attended a regional meeting of Licensing Chairs, at which the issue of appeals procedures had been discussed. York was the only authority with two avenues for appeals; a sub-committee of this committee and the magistrates' courts. He suggested that a report be brought to the committee outlining how these procedures could be harmonised across the region.

Members confirmed that they would like to receive a report on this matter at a future meeting of the committee.

Cllr S Lisle, Chair

[The meeting started at 4.00 pm and finished at 4.50 pm].

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/5**

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This is the **Exhibit MB/5** referred to in the statement of Matthew George Boxall  
dated 27 October 2020.

# Companies House

Companies House does not verify the accuracy of the information filed  
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34 CARS LTD

Company number **09050845**

- [Officers](#)
- [Persons with significant control \(https://beta.companieshouse.gov.uk/company/09050845/persons-with-significant-control\)](https://beta.companieshouse.gov.uk/company/09050845/persons-with-significant-control)

## Filter officers



Current officers

Apply filter

## 1 current officers

---

### **IQBAL, Mohammed**

Correspondence address **Odeon Buildings, 4 Blossom Street, York, England, YO24 1AJ**

Role Active **Director**

Date of birth **March 1970**

Appointed on **13 June 2014**

Nationality **British**

Country of residence **United Kingdom**

Occupation **Director**

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**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/5**

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This is the **Exhibit MB/5** referred to in the statement of Matthew George Boxall dated 27 October 2020.



## **COUNCIL SAYS NO ACTION WILL BE TAKEN AGAINST UBER**

Dear all

Some of you may not be aware of the council meeting held on the 26 th of September in regards to UBER. York city council have decided to take no action against UBER.

The trade has exhausted all options to try and get the council to take action but all attempts have failed.

Due to the councils refusal we have decided to license with another council in protest. This will deprive York Council of the funds. We will be encouraging other private hire companies to

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/7**

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This is the **Exhibit MB/7** referred to in the statement of Matthew George Boxall dated  
27 October 2020.

Boxall, Matthew

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Subject:

FW: Screenshot 2019-11-08 at 13.26.45

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From:

Sent: 08 November 2019 13:32

To: [licensing@york.gov.uk](mailto:licensing@york.gov.uk)

Subject: Fwd: Screenshot 2019-11-08 at 13.26.45

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Sent from my iPhone

Begin forwarded message:

From:

Date: 8 November 2019 at 13:27:08 GMT To:

Subject: Screenshot 2019-11-08 at 13.26.45



Sign in



## Taxi/Private hire mini bus driver

york cars



York



£350 - £800 a week

**YORK CARS TAXIS ARE RECRUITING NEW AND EXISTING WOLVERHAMPTON LICENSED TAXI DRIVERS**

Are you tired of the same old routine, is your current job getting you down?

Do you like being out and about meeting new people in the community?

Do you like driving?

Do you want a job that fits around your life style, kids and family where you can work when you want?

Sent from my iPhone

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/8**

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This is the **Exhibit MB/8** referred to in the statement of Matthew George Boxall  
dated 27 October 2020.



## Directorate of Economy & Place

Michael Slater  
Assistant Director  
Eco Depot  
Hazel Court  
York  
YO10 3DS  
Tel: 01904 551550  
Fax: 01904 553239

Mr M Iqbal  
York Cars  
4 Odeon Building  
Blossom Street  
York  
YO24 1AJ

Ask for: Lesley Cooke  
Direct Line: 01904 552422  
Email: lesley.cooke@york.gov.uk  
Our Ref: LJC/041219-York Cars

4 December 2019

Dear Mr Iqbal

### **Local Government (Miscellaneous Provisions) Act 1976**

I write with regards to the operation of private hire vehicles within the City of York authority area. It has been brought to our attention that a vehicle licensed by City of Wolverhampton Council is operating in York displaying York Cars door signage along with a York phone number.

We are aware that you have applied for and have been granted a private hire operator's licence by Wolverhampton Council, and that you are advertising for private hire drivers licensed with Wolverhampton Council with the intention to undertake private hire work in York.

Can you please clarify in writing how you, as a licensed operator with the City of York and the City of Wolverhampton Council's, are complying with the legal requirements of Part 2 of the above Act.

Can you also clarify if you are operating private hire vehicle in Wolverhampton.

As private hire vehicles licensed by Wolverhampton, displaying York Cars door signage, are now operating in York I would appreciate a written response to this letter by Christmas Eve.

Yours sincerely



Lesley Cooke  
Licensing Manager



**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/9**

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This is the **Exhibit MB/9** referred to in the statement of Matthew George  
Boxall dated 27 October 2020.

Lesley Cooke  
Licensing Manager  
Public Protection  
Economy & Place  
York City Council  
Eco Depot  
Hazel Court  
York  
YO10 3DS

Our Ref: DBW / York Cars  
Your Ref: LJC / 041219 – York Cars  
Date: 13 December 2019  
Please ask for: David Wilson

**Sent by email only to:**  
**[lesley.cooke@york.gov.uk](mailto:lesley.cooke@york.gov.uk)**

Dear Miss Cooke,

### **Local Government (Miscellaneous Provisions) Act 1976, Part II**

I have been consulted by Mohammed Iqbal of York Cars with regards to your letter to him, dated 4 December 2019, requesting a written response in connection with the subcontracted use of a City of Wolverhampton Council private hire vehicle by York Cars.

As you are aware, because of the way in which the private hire trade operates in the City, my client has difficulty recruiting enough drivers to meet the demand it has for taxis. In an attempt to increase supply, which will improve service provision to those living in, working in and visiting the City, my client has had no commercial alternative but to license with another authority in the hope of being able to meet customer demand.

In that regard, as you are aware, my client applied to and was granted a private hire operator's licence by the City of Wolverhampton Council, but only after that council requested and, I assume, received information from the City of York Council that satisfied it that my client is a fit and proper person to be licensed by it too.

Having consulted with me before going down this road, my client was, of course, fully aware of the legal requirements of sections 55, 55A, 55B and 56 of the Local Government (Miscellaneous Provisions) Act 1976 to which I assume you are referring when asking my client to clarify in writing how he is "complying with the legal requirements of Part 2 of the above Act".

**Website:**

www.a2zlicensing.co.uk

**Email:**

enquiries@a2zlicensing.co.uk

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**Company details and registered office:**

a2z Licensing (David Wilson) Ltd

9 The Stables, Wynyard, Billingham TS22 5QQ

Registered in England and Wales Company No: 11830848

**Director:**

David B Wilson Cert HELL, MLoL, MBII.tp

All bookings are invited and accepted by my client at the premises of York Cars in accordance with the law and the conditions of the private hire operator's licence granted by the City of York Council.

Once a booking is accepted and input into the Autocab booking and dispatch system operated by my client, the system either dispatches the booking to a City of York Council licensed private hire vehicle and driver or, if none is available or a City of Wolverhampton Council licensed private hire vehicle and driver are closer to the customer's pick-up address, the system electronically subcontracts the booking to my client's Wolverhampton operation and then dispatches the booking to that City of Wolverhampton Council licensed private hire vehicle and driver.

My client unreservedly accepts that the City of York Council is entitled to inspect booking records held pursuant to the City of York Council private hire operator's licence and accordingly I enclose a copy of the records relating to the bookings accepted on 9 December 2019 by my client in York and subcontracted to the Wolverhampton operation.

In the event that the Council requires technical information about how the Autocab system works, I am afraid that neither my client nor I can provide this, neither of us having the requisite technical knowledge. However, I am sure that, subject to the Council not asking for commercially sensitive information, Autocab would be pleased to satisfy the Council that its system complies with the legal requirements, as the High Court found the iCabbi system to comply in *Milton Keynes Council v Skyline Taxis & Private Hire Ltd and Sokhi* [2017] EWHC 2794 (Admin).

As you will appreciate, once a booking is subcontracted to an operator in another local authority area, the booking records relating to receipt of that subcontracted booking and dispatch of vehicle and driver are records capable of being inspected by the council that issued that private hire operator's licence or the police.

If the City of York Council wished to inspect any of my client's Wolverhampton booking records, my client would, of course, be prepared to release such information to the Council, so long as doing so complied with the requirements of the GDPR (General Data Protection Regulations) and the Data Protection Act 2018.

I trust this letter addresses all matters the Council wanted to have addressed to its satisfaction, but should anything herein require clarification, please do not hesitate to contact me.

Yours sincerely,



**David B Wilson**

Licensing Consultant

Consulting Editor, Paterson's Licensing Acts 2015-20

Contributing Author and Consulting Editorial Board Member, LexisPSL

Email: [david.wilson@a2zlicensing.co.uk](mailto:david.wilson@a2zlicensing.co.uk)

Mobile: 07794 776383

Global Search Results

Pickup Due	Pickup	Destination	Name	Booked By Company	Booked Time	At Time Subcontracted/ Accepted & Dispatched	Completed Company	By
09/12/2019 15:10	[REDACTED]	[REDACTED]	[REDACTED]	YORK CARS	09/12/2019 14:40	09/12/2019 15:01	YORK CARS WOLVERHAMPTON	
09/12/2019 15:35	[REDACTED]	[REDACTED]	[REDACTED]	YORK CARS	09/12/2019 13:19	09/12/2019 15:31	YORK CARS WOLVERHAMPTON	
09/12/2019 16:00	[REDACTED]	[REDACTED]	[REDACTED]	YORK CARS	09/12/2019 14:02	09/12/2019 15:53	YORK CARS WOLVERHAMPTON	
09/12/2019 18:29	[REDACTED]	[REDACTED]	[REDACTED]	YORK CARS	09/12/2019 18:29	09/12/2019 18:29	YORK CARS WOLVERHAMPTON	
09/12/2019 19:03	[REDACTED]	[REDACTED]	[REDACTED]	YORK CARS	09/12/2019 19:03	09/12/2019 19:14	YORK CARS WOLVERHAMPTON	
09/12/2019 20:00	[REDACTED]	[REDACTED]	[REDACTED]	YORK CARS	09/12/2019 12:53	09/12/2019 19:50	YORK CARS WOLVERHAMPTON	
09/12/2019 20:47	[REDACTED]	[REDACTED]	[REDACTED]	YORK CARS	09/12/2019 20:47	09/12/2019 20:47	YORK CARS WOLVERHAMPTON	

Record count: 7

Record count: 7

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/10**

---

This is the **Exhibit MB/10** referred to in the statement of Matthew George  
Boxall dated 27 October 2020.



## Directorate of Economy & Place

Michael Slater  
Assistant Director  
Eco Depot  
Hazel Court  
York  
YO10 3DS  
Tel: 01904 551550  
Fax: 01904 553239

Mr D B Wilson  
A2Z Licensing  
9 The Stables  
Wynyard  
Billingham  
TS22 5QQ

Ask for: Lesley Cooke  
Direct Line: 01904 552422  
Email: lesley.cooke@york.gov.uk  
Our Ref: LJC/191219-York Cars

19 December 2019

Dear Mr Wilson

### **Local Government (Miscellaneous Provisions) Act 1976**

I write further to your letter dated 13 December 2019, which was a response to my letter of 4 December to Mr M Iqbal, York Cars, 4 Odeon Building, Blossom Street, York. Within your letter you state that you have been consulted by Mr Iqbal, and responded to my letter on his behalf.

Within your response you state that details of accepted bookings are input into the Autocab booking and dispatch system, this system either dispatches the booking to a City of York licensed vehicle/driver or if none is available or a City of Wolverhampton licensed vehicle/driver are closer to the customer pick-up address, the system electronically subcontracts the booking to my client's Wolverhampton operation and then dispatches the booking to the City of Wolverhampton licensed vehicle/driver. Can you please clarify how:

1. York Cars (York) Autocab booking and dispatch system knows that a City of Wolverhampton vehicle/driver is the closer vehicle;
2. how the City of Wolverhampton licensed operate accepts the sub-contracted booking; and
3. how the City of Wolverhampton licensed vehicle/driver is dispatched?

You state that you and your client cannot provide technical information with regards to how the Autocab system works. I have some knowledge of these type of booking/dispatch system, therefore, I assume that as your client has purchased this system someone employed by him has been trained with regards to operating and maintaining the system, knowing how the system takes and records different types of bookings, as well as the different ways a vehicle/driver can be dispatched?

In my letter of the 4 December I asked Mr Iqbal to clarify if he is operating private hire vehicles in Wolverhampton. You have not provided a response to this question, can you or your client please clarify is your client taking books and undertaking journey's in Wolverhampton?



We are aware of the requirements of GDPR and the Data Protection Act 2018. As you will be aware your client, as well as any drivers or vehicle proprietors licensed by City of Wolverhampton could give consent for details/records to be released to City of York or any other licensing authority if a request is made. They can also share information to comply with a legal requirement. We are aware of the conditions of licence for private hire operators licensed by City of Wolverhampton, condition 2.2 states:

‘Where an operator accepts a sub-contracted fare from an operator licensed in another Licensing Authority area, then within reason, the operator must comply with requests for records of that fare from authorised officers of the Licensing Authority from the area in which the original booking was taken.’

I would appreciate a written response to this letter by 10 January 2020.

Yours sincerely

A solid black rectangular box used to redact the signature of Lesley Cooke.

Lesley Cooke  
Licensing Manager

Cc: Mr M Iqbal, York Cars, 4 Odeon Building, Blossom Street, York, YO24 1AJ

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

---

**EXHIBIT MB/11**

---

This is the **Exhibit MB/11** referred to in the statement of Matthew George  
Boxall dated 27 October 2020.

Lesley Cooke  
Licensing Manager  
Public Protection  
Economy & Place  
York City Council  
Eco Depot  
Hazel Court  
York  
YO10 3DS

Our Ref: DBW / York Cars  
Your Ref: LJC / 191219 – York Cars  
Date: 24 December 2019  
Please ask for: David Wilson

**Sent by email only to:**  
**lesley.cooke@york.gov.uk**

Dear Miss Cooke,

### **Local Government (Miscellaneous Provisions) Act 1976, Part II**

Further to previous correspondence in this matter, in particular your letter dated 19 December 2019, I shall attempt to answer your further questions on behalf of Mr Iqbal.

In relation to your below numbered questions, my client answers as follows:

**(1) [How does the] York Cabs (York) Autocab booking and dispatch system know that a City of Wolverhampton vehicle / driver is the closer vehicle?**

My client cannot explain the “how” in technical terms, but can state that the system can ‘see’ all vehicles of all fleets operated by my client, before it decides whether to dispatch a City of York licensed vehicle / driver or to subcontract a booking to York Cars (Wolverhampton).

For the avoidance of doubt, whilst I adopt your “York Cars (York)” and “York Cars (Wolverhampton)” designations, I should make clear that this is one business / legal entity, so we do not have a situation in which data might have been unlawfully shared between two different businesses / legal entities.

**(2) How [does] the City of Wolverhampton licensed operator accept the sub-contracted booking?**

**Website:**

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**Email:**

[enquiries@a2zlicensing.co.uk](mailto:enquiries@a2zlicensing.co.uk)

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9 The Stables, Wynyard, Billingham TS22 5QQ  
Registered in England and Wales Company No: 11830848

**Director:**

David B Wilson Cert HELL, MIoL, MBII.tp

Again, my client cannot answer this technical question with a technical answer. The acceptance is an automated process that takes place electronically between the computer systems of York Cars (York) and York Cars (Wolverhampton), which both run the Autocab booking and dispatch system.

The computer systems connect via the internet.

**(3) How the City of Wolverhampton licensed vehicle / driver is dispatched?**

Regrettably, this question also calls for a technical answer, which my client is unable to give. My client does not know how the York Cars (York) system dispatches a booking to a City of York licensed vehicle / driver – it just does so! The York Cars (Wolverhampton) system does the same in relation to City of Wolverhampton licensed vehicles / drivers.

As I am sure you are aware, Autocab is the largest supplier of booking and dispatch systems in the world, not just the UK. Its system is used by more taxi / private hire operators in the UK than any other system and it has developed technology that enables operators with multiple fleets licensed by multiple local authorities to legally subcontract electronically between those offices. Many of my clients with multiple fleets use the Autocab system and it has already been subjected to scrutiny by many local authorities, all of whom have concluded that the system facilitates legal subcontracting between multiple licensed private hire offices of a single operator. Shortly after the Deregulation Act 2015 was enacted I met with the Chief Executive of Autocab and later with software developers to explain what the law required, because many of my clients required Autocab to develop its system to provide this functionality in a way that complied with the law.

I also provided advice to iCabbi, because I have clients that use that booking and dispatch system and they too needed the iCabbi system to be developed to facilitate electronic subcontracting that complied with the law. As referred to in my previous letter, the iCabbi subcontracting arrangements have been subject to, and passed, judicial scrutiny in *Milton Keynes Council v Skyline Taxis & Private Hire Ltd and Sokhi* [2017] EWHC 2794 (Admin).

To further expand on and to respond to the questions and comments you pose in the third paragraph of your letter, I should start by saying that my client relies upon Autocab to maintain the system in just the same way, I imagine, that the Council has an IT Department or an external IT Contractor to maintain its computer systems. Whilst the Council might reasonably expect you and your colleagues to be able to use certain software applications, such as MS Word, it would not expect you to be able to put things right, if your computer were to crash.

My client and his staff have, of course, been trained in the use of the Autocab booking and dispatch system, but their interaction with the system has not changed as a result of their being a second fleet operated by York Cars (Wolverhampton), because they are still only accepting bookings as York Cars (York) and inputting them into the system.

Certain individuals have been trained to extract information from the system and are authorised by my client to do so. Such reports include that which accompanied my letter of 13 December 2019 and the more extensive version, which I enclose herewith, which also shows the details of the vehicle / driver to which a subcontracted booking was dispatched by York Cars (Wolverhampton).

My client provides the further report, despite the Council having failed to explain on what legal basis it thinks it is entitled to ask for, and my client entitled to provide, the requested information. Condition 2.2 of the City of Wolverhampton private hire operator licence conditions only requires an operator to act reasonably, which is not the same as requiring an operator to provide information it would be illegal to provide. In the absence of any statement from the Council in this regard, it is assumed the Council's request is made pursuant to its regulatory function, as the hackney carriage and private hire licensing authority for the City of York, under the Data Protection Act 2018, section 15 and Schedule 2, paragraph 7.

With regards to the question posed in the fourth paragraph of your letter of 19 December 2019, I had thought the original version of this question, which constituted the fourth paragraph of your letter of 4 December 2019, had been answered by my letter of 13 December 2019. However, in answer to your expanded question, my client only invites and accepts electronically subcontracted bookings at York Cars (Wolverhampton) from York Cars (York). However, as my client is now also part of the largest national network of private hire companies, customers booking with York Cars (York) can now book journeys in most towns and cities anywhere in the country to undertake local journeys, such as those exclusively within Wolverhampton or York, or long-distance journeys, for example from Berwick-upon-Tweed to Land's End.

Furthermore, as you may already be aware, your colleagues at City of Wolverhampton Council conducted a full inspection and audit of my client's premises, computer system and record keeping on Friday, 20 December 2019 and found everything to be legal and in order. If you require confirmation of that, I am sure City of Wolverhampton Council will confirm that to be the case and, of course, should they require signed authority from my client to share the result of their inspection with you, Mr Iqbal will be pleased to give his consent.

Once again, I trust this letter addresses all matters the Council wanted to have addressed to its satisfaction, but should anything herein require clarification, please do not hesitate to contact me.

Yours sincerely,

A black rectangular redaction box covering the signature of David B Wilson.

**David B Wilson**

Licensing Consultant

Consulting Editor, Paterson's Licensing Acts 2015-20

Contributing Author and Consulting Editorial Board Member, LexisPSL

Email: david.wilson@a2zlicensing.co.uk

Mobile: 07794 776383

Global Search Results

Pickup Due	Pickup	Destination	Name	Booked By Company	Booked At Time	Time Subcontracted/ Accepted & Dispatched	Completed By Company	Completed By Vehicle No	Completed By Driver No	Comp Price
09/12/2019 15:10				YORK CARS	09/12/2019 14:40	09/12/2019 15:01	YORK CARS WOLVERHAMPTON	24	24	£8.55
09/12/2019 15:35				YORK CARS	09/12/2019 13:19	09/12/2019 15:31	YORK CARS WOLVERHAMPTON	24	24	£4.80
09/12/2019 16:00				YORK CARS	09/12/2019 14:02	09/12/2019 15:53	YORK CARS WOLVERHAMPTON	24	24	£50.00
09/12/2019 18:29				YORK CARS	09/12/2019 18:29	09/12/2019 18:29	YORK CARS WOLVERHAMPTON	24	24	£15.60
09/12/2019 19:03				YORK CARS	09/12/2019 19:03	09/12/2019 19:14	YORK CARS WOLVERHAMPTON	24	24	£5.30
09/12/2019 20:00				YORK CARS	09/12/2019 12:53	09/12/2019 19:50	YORK CARS WOLVERHAMPTON	24	24	£12.45
09/12/2019 20:47				YORK CARS	09/12/2019 20:47	09/12/2019 20:47	YORK CARS WOLVERHAMPTON	24	24	£4.10

Record count: 7

Record count: 7

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/12**

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This is the **Exhibit MB/12** referred to in the statement of Matthew George  
Boxall dated 27 October 2020.

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## York private hire taxi firm under fire from other cabbies



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Published by the Minster FM News Team (/on-air/news-team.php) at 7:02am 30th December 2019.

### A York taxi firm that is licensing its drivers outside of the city has been accused of putting standards and safety at risk.

The Independent Taxi Association says York Cars has started employing drivers from Middlesbrough, who are then sent to Wolverhampton to where the Knowledge test is 'streamlined, and easier to pass.

**Tony Green from the Independent Taxi Association in York:**



"It has to be a worry for everyone involved in taxi industry in York, whether that is in the Hackney or private hire sector.

We have worked hard to raise standards, so to see those possibly undermined by this move from York Cars is concerning.

Effectively what you have is a lot of potential drivers who really do not know the area - do not know the bylaws and routes and have very little understanding of how taxis work in York.

So from a passenger-safety point of view, and from other road-users point of view, I would be concerned."

**But Billy Iqbal from York Cars** believes other taxi and private hire firms have it all wrong:

"Yes we are using drivers and vehicles licensed in Wolverhampton, and under the Deregulation Act 2015 it is legal for us to do so.

We are meeting all laws.

All drivers that are licensed through Wolverhampton Council are local to York.

They have chosen to license in Wolverhampton due to the process being quicker, more efficient and up to 50% cheaper.

With these being local York residents, they know their way around York.

We are doing this in protest at York Council doing nothing about the out-of-town vehicles over the last four years.

It is also a protest against the continued use of 'restrictive licensing practices', which hinder us from meeting the forever-growing customer demand that we face as a company."

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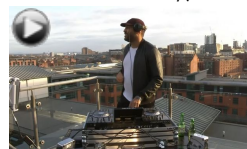
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(/news/showbiz/3088358/coronavirus-the-safe-rave-helping-manchester-cope-with-life-in-lockdown/)

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/13**

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This is the **Exhibit MB/13** referred to in the statement of Matthew George Boxall dated 27 October 2020.

Authority	Operator - 5yr (over 99 cars)	PH driver - 3 yr	PH vehicle	Vehicle test
Bradford	£788	£199	£165/ £240 (over 5 yrs old)	The vehicle licence fee is inclusive of the vehicle test fee.
Calderdale	£1165	£239	£166	£48
East Riding	£1,110	£200	£200(New) £150(Renew)	To book a test the driver needs to contact a testing centre, fees on application.
Hambleton	£435 (New) £415 (Renew)	£205 (New) £180 (Renew)	£340(New) £285(Renew)	The vehicle test fee is up to the garage. A form is issued to the driver and they can go to any VOSA testing station in Hambleton
Harrogate	£1111	£370 (New) £245 (Renew)	£290 (New) £226 (Renew)	£42
Kirklees	£1166	£294.50	£184.39	£48
Leeds	£3,000	£390	£135	£110
Scarborough	£1,850	£267(New) £240(Renew) Inc DBS	£237	£54.85
Selby	(Any no. of vehicles) £266.20	£249.86 (New)/ £111.30 3 yr (Renew)	£192.30	£59.70
Wakefield	£1,450	£476 (New incl DBS) £384/ (Renew)	£266 (New)/ £245 (Renew)	£55
Wolverhampton	£1077 (new 1 year)  £3,140 (renewal 5 year)  *Annual fee available	£59 new 1 year £59 renew 1 year £110 renew 2 year £140 renew 3 year  (DBS/DVLA check £79.49) (£40 Safeguarding and Knowledge test, £15 for immediate resit)  *Annual fee available	£185 (up to 10 yrs old)/ £299 (10 to 12 yrs old)	Annual tests by approved MOT stations

York	£486	£152 – new application fee £153 – new grant 3yrs £227 renew 3 yr (DBS £49) (£80 Safeguarding and Knowledge test – first occasion, £25 re-sit another day)	£183	£64
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**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/14**

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This is the **Exhibit MB/14** referred to in the statement of Matthew George  
Boxall dated 27 October 2020.



Mr D B Wilson  
a2z Licensing,  
9 The Stables,  
Wynyard,  
Billingham  
TS22 5QQ

david.wilson@a2zlicensing.co.uk

Communities &  
Neighbourhoods

Mike Slater  
Assistant Director  
Planning and Public Protection  
Eco Depot  
Hazel Court  
York  
YO10 3DS  
Tel: 01904 551550  
Fax: 01904 553239

Ext: 1528  
Ask for: Matt Boxall  
Email: matthew.boxall@york.gov.uk  
Our Ref: 200120mb1b  
23 January 2020

Dear Mr Wilson

**Mr Mohammed Iqbal - York Cars**  
**'Fit and Proper' private hire operator**

Thank you for your letter to Lesley Cooke dated 24 December 2019 sent on behalf of your client, Mr Iqbal.

As you will be aware, under section 62 of the Local Government (Miscellaneous Provisions) Act 1976, a Local Authority may 'suspend or revoke' an operator's licence for, amongst other things, 'any other reasonable cause'. There is an ongoing requirement to consider whether an operator remains a fit and proper person to hold a licence.

Recent events are leading me to consider this provision in respect of Mr Iqbal's licence, and I would be grateful for his assistance in this.

**Subcontracting**

I note that your client is 'subcontracting' bookings through the Autocab programme. It is clear that the arrangements in place are designed to simply 'fit within the law' rather than an established subcontracting arrangement as was the situation in the Skyline case you refer to.

## **Wolverhampton licensed drivers**

I have the benefit of some history to this matter, and I am aware that for some while Mr Iqbal has been frustrated by a perceived lack of drivers 'passing' through City of York's licensing process. The statements made by his representatives in the press recently show this is still his position.

Unfortunately many applicants fail to complete our process because they are unable to pass the knowledge and safeguarding test we require. I am aware that a number of the applicants unable to pass the test intend/intended to drive for York Cars.

I am concerned that York Cars are encouraging drivers, who are unable to meet our local standards, to obtain a licence from Wolverhampton and drive here regardless. Any such disregard, could naturally call into question whether Mr Iqbal, who holds the licence for York Cars, remains fit and proper to retain an operator's licence from City of York.

We are receiving complaints about the driving standards of Wolverhampton vehicles. These include 'drivers appearing to not know where they are going' and 'reversing down dual carriageways having missed the turning'. These are matters which the process of preparing for and taking our tests are designed to help avoid. Aside from any safety issues, such complaints do not help public confidence in 'taxis' as a means of transportation.

I note that thus far, our discussions around potentially being supplied with the names of the drivers licensed in Wolverhampton who drive with York Cars have been met with resistance. This information would help address our concerns. We require the names of the drivers to check against our records of previous applicants, the booking number you have supplied in respect of one of the drivers does not enable us to undertake the cross-referencing. To that end, please find attached a 'Request for Disclosure of Information' from Nigel Woodhead, Licensing Enforcement Officer. A similar request has been made to Wolverhampton Council in order to help me cross check that I have received the names of all drivers.

Please note that if drivers have not consented to the information being shared, then it can be supplied under the General Data Protection Regulations, under either of the following two provisions. It is not illegal to supply this information as you have previously stated: -



- Legal obligation – as noted above, under section 62 of the Local Government (Miscellaneous Provisions) Act 1976, a Local Authority may ‘suspend or revoke’ an operator’s licence for, amongst other things, ‘any other reasonable cause’. There is therefore an inherent legal obligation on us to be alive to causes which may cast doubt on whether an operator continues to be ‘fit and proper’ to hold a licence.
- Public task - even if you still do not agree that there is a legal obligation to process the information, you can clearly do so as it is ‘necessary to perform a task carried out in the public interest’. It is clearly in the public interest that Mr Iqbal helps us maintain the integrity of the private hire licensing system.

Why is this information necessary?

This information is necessary in order to satisfy ourselves that Mr Iqbal is not disregarding local controls and remains a fit and proper person to be licensed here.

For the avoidance of doubt, there can be no expectation of privacy in respect of the drivers names as it is a requirement under the conditions of licence for a private hire driver licensed by Wolverhampton Council, that licensed drivers are, amongst other things, required to display their badge ‘so that is clearly and distinctly visible’ when working. Furthermore, ‘drivers are expected to comply with reasonable requests from compliance staff authorised in other areas’ (I note this is similar to the standard operator licence conditions). I cannot readily think of a situation in which it would be *unreasonable* to ask a driver for their name.

### **Potential data breach**

It is also noted that whilst your client appears keen to protect the identity of their drivers, we do appear to have been supplied with the names and addresses of customers who have taken journeys in a Wolverhampton vehicle. This information was not however requested. I am concerned that this may be a data breach, and would be grateful for your comments in relation to this matter and what action, if any, your client has taken in relation to this.

## **Website – misleading claims**

Furthermore, I note that on the York Cars website there are references to 'our locally licensed drivers'. Clearly, if drivers from Wolverhampton are routinely dispatched to jobs in the way that you have described then such statements may be misleading and could give rise to an offence under the Consumer Protection from Unfair Trading Regulations 2008.

## **Credit Card Surcharging**

Whilst looking at your client's website it has also come to my attention that there also appears to be a 10% surcharge on bookings made by credit card (5% on bookings over £50). The Consumer Rights (Payment Surcharges) Regulations 2012 as amended prevent such surcharging.

## **What happens next?**

I would be grateful for the following within **7 days (30 January 2020)**

- The full names of the drivers licensed by Wolverhampton to drive with York Cars
- Your comments in respect of whether or not there has been a data breach and what action, if any, your client has taken in relation to this.
- What action your client has taken to ensure the website is not misleading
- What action your client has taken in respect of the credit card surcharges
- If your client is not intending to provide a response to any or all of these points I would be grateful for that clarification.

Please note, for the avoidance of doubt, any information supplied/not supplied will be used as part of my considerations as to whether Mr Iqbal remains a fit and proper person to hold a Private Hire Operators licence with the City of York Council.

Yours sincerely



Matt Boxall

Head of Public Protection

Enclosed Request for information form

CC Mohammed Iqbal, York Cars Taxis, 4 Odeon Buildings, Blossom  
Street, York. YO24 1AJ

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/15**

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This is the **Exhibit MB/15** referred to in the statement of Matthew George  
Boxall dated 27 October 2020.

Matt Boxall  
Head of Public Protection  
Planning and Public Protection  
York City Council  
Eco Depot  
Hazel Court  
York  
YO10 3DS

Our Ref: DBW / York Cars  
Your Ref: 200120mb1b  
Date: 2 February 2020  
Please ask for: David Wilson

**Sent by email only to:**  
**matthew.boxall@york.gov.uk**

Dear Mr Boxall,

**Mr Mohammed Iqbal**  
**York Cars**

Further to your letter dated 23 January 2020 and our subsequent exchange of emails, Mr Iqbal responds through me to the issues raised in the said letter. For convenience, I shall adopt the headings used in your letter.

### **Subcontracting**

The Council's view as to my client's subcontracting arrangements are noted, but not understood. So far as I am aware, every supplier of taxi booking and dispatch system, whether it be iCabbi as in the Skyline case, Autocab as used by my client or any other supplier, has designed a system to "fit within the law", as anything else would be illegal.

### **Wolverhampton licensed drivers**

My client acknowledges that York Cars is the focus of much attention by a minority of the hackney carriage and private hire trade licensed by the City of York Council (in much the same way that Uber was) and that many complaints are being made against their drivers, irrespective of which council they are licensed.

Taking as an example, the allegation that a Wolverhampton driver reversed down a dual carriageway having missed the turning, this was reported to the police who decided not to take any action. My client reported the matter to the City of Wolverhampton Council that concluded there was no evidence upon which it could

**Website:**

[www.a2zlicensing.co.uk](http://www.a2zlicensing.co.uk)

**Email:**

[enquiries@a2zlicensing.co.uk](mailto:enquiries@a2zlicensing.co.uk)

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**Company details and registered office:**

a2z Licensing (David Wilson) Ltd  
9 The Stables, Wynyard, Billingham TS22 5QQ  
Registered in England and Wales Company No: 11830848

**Director:**

David B Wilson Cert HELL, MIoL, MBII.tp

consider taking any action. My client reviewed its GPS vehicle tracking, which does not show the vehicle being reversed on a dual carriageway, although my client accepts that if the vehicle were only to have been reversed a short distance, which would seem inconsistent with the allegation, that would not necessarily be shown by the GPS vehicle tracking. The driver concerned denied reversing on a dual carriageway.

Having regard to the modified request for only the names of City of Wolverhampton licensed drivers and the legal assertions made by you as to the lawfulness of the provision of this information by York Cars, my client is now satisfied that the City of York Council has legitimate reason to make its request and for it (York Cars) to provide the requested information. In the circumstances, please see the enclosed list of City of Wolverhampton Council licensed drivers working for York Cars, together with the dates on which they started.

The driver start dates are supplied in order to demonstrate to the City of York Council that the number of City of Wolverhampton Council licensed drivers are joining in very small numbers a week, which actually equates to only about one driver per week.

As you seem to acknowledge, my client has long asked the City of York Council to provide more tests dates, better training, etc so as to improve the throughput of driver applicants. Whilst other operators, which tend to be owned by licensed drivers, do not want to increase driver numbers, because that would increase competition between them and might drive down prices and improve the service provided to the people who live in, work in and visit York, my client wants to serve the public better and, as a consequence, grow his business.

York Cars is actively engaged in recruiting drivers. Ideally, my client would like to recruit people who are already City of York Council licensed drivers, as they can, quite literally, hit the road running. My client has recruited three people who had already obtained a driver's licence from the City of Wolverhampton Council before ever approaching my client. All other prospective drivers have been told of the process and costs for licensing with the City of York Council and the City of Wolverhampton Council. They are not encouraged to choose one council in preference to the other. As it happens, most of the driver applicants who have proceeded to apply for a driver's licence have applied to the City of Wolverhampton Council, but some have chosen to apply to the City of York Council.

My client refutes, as I am sure the City of Wolverhampton Council would, that its standards are inferior to those applied by the City of York Council. It is acknowledged that there may be differences, but in some regards, the City of Wolverhampton Council's standards may be higher than those of the City of York Council.

If the City of York Council could expand upon its concerns as to any actual or perceived difference between its knowledge test and safeguarding course and those applied by the City of Wolverhampton Council, as a responsible operator, my client would be prepared to look to see if any actual deficiencies can be addressed.

That having been said, the City of Wolverhampton Council course, which is delivered independently by Worcestershire County Council, covers all subjects that are subject to testing whereas the City of York Council training does not.

Many people looking to enter the trade as a taxi driver have not studied for many years, if not decades, and some of them probably did not excel at school, which was when many last undertook any study at all. In my experience, most people prefer to learn in a more structured classroom setting than they could manage independently. The training provided by Worcestershire County Council fully meets those training needs and, with the greatest of regret, it must be said that the City of York Council training does not.

### **Potential data breach**

When providing part and then full booking records, including customers' details, York Cars did not commit any data breach as it was providing information to the City of York Council in response to its request for an explanation as to how it was complying with the legal requirements of Part 2 of the Local Government (Miscellaneous Provisions) Act 1976.

As all bookings are accepted by my client in York, the details of every booking is held by my client as a City of York Council licensed private hire operator and, as a result, every booking record is legally available for inspection by authorised officers of the City of York Council or a police constable.

As Miss Cooke stated in her letter of 19 December 2019, my client "can share information to comply with a legal requirement" and as you and she have stated, the City of York Council seeks answers from my client in relation to its concerns as to whether my client is acting legally and / or remains a fit and proper person.

### **Website – misleading claims**

My client acknowledges that the phrase 'our locally licensed drivers' no longer reflects the true position and has accordingly changed the wording on the website.

### **Credit card surcharging**

York Cars does not and has not charged a surcharge in respect of consumer credit and debit card payments since it became illegal to do so. Even though a surcharge could still be charged in respect of commercial credit and debit cards, York Cars does not levy such a charge.

The out-of-date information published on the York Cars' website in relation to credit card surcharging and locally licensed drivers arises from a failure to update the website.

In the future, whenever a change is made to some aspect of the business, the website will be reviewed to make sure that any changes that need to be made are also made, as I am sure you will appreciate, there is often a tendency to only update a website when something needs adding and to overlook the need to remove out-of-date information.

Once again, I trust this letter addresses all matters the Council wanted to have addressed to its satisfaction, but should anything herein require clarification, please do not hesitate to contact me.

As I trust is self-evident, my client has always wanted and still wants to work with the City of York Council. Contrary to the impression the City of York Council may have formed of my client, it would be his preference to be able to recruit new entrants to the taxi trade and to license them with the City of York Council, not least because that reduces technical and operational costs associated with operating a satellite office, but the evidence is that prospective drivers want to get onto the road as soon as they can, because they are often unemployed and need to secure work, and the City of Wolverhampton Council provides a quicker and cheaper route to becoming licensed, not an inferior route to becoming licensed, as the City of York Council seems, at the very least, to infer.

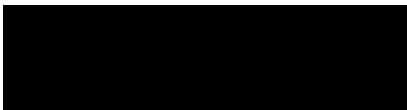
If the City of York Council can improve / extend its training and provide a quicker and slicker licensing process, something more akin to that developed by the City of Wolverhampton Council, even if not as cheaply as the City of Wolverhampton Council, my client would no longer need to offer prospective drivers the quicker and cheaper route to become licensed with the City of Wolverhampton Council.

My client does not believe that he / York Cars is circumventing the City of York Council's driver and / or vehicle licensing standards.

Whilst my client acknowledges that the City of York Council is free to take whatever course of action it thinks is legal and appropriate to take in all the circumstances, my client would hope that even if the Council has any residual concerns, it would engage with him further, possibly in a round the table meeting, in an attempt to resolve this matter to everyone's satisfaction.

I look forward to hearing from you in due course.

Yours sincerely,



**David B Wilson**

Licensing Consultant

Consulting Editor, Paterson's Licensing Acts 2015-20

Contributing Author and Consulting Editorial Board Member, LexisPSL

Email: david.wilson@a2zlicensing.co.uk

Mobile: 07794 776383



**York Cars**

**City of Wolverhampton licensed private hire drivers**

**Start date**

**Driver's full name**

27.11.2019

11.12.2019

13.12.2019

13.12.2019

17.12.2019

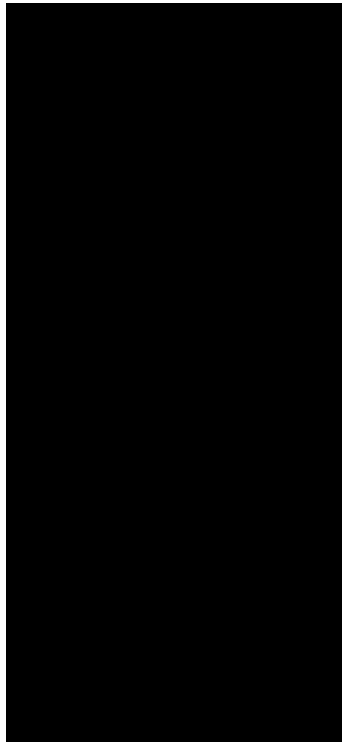
21.12.2019

06.01.2020

21.01.2020

31.01.2020

31.01.2020



**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/16**

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This is the **Exhibit MB/16** referred to in the statement of Matthew George  
Boxall dated 27 October 2020.

Spoke regarding the websites 690taxisyork on Wigginton Road and Street Cars on Redness Street. Both sites are owned Mohammed Iqbal, the Redness Street is York Cars management office and garage. Both are ghost companies set up by Mohammed Iqbal and if customers ring numbers on the web site they are answered at Blossom Street office. Mohammed Iqbal and Billy Iqbal both out of the country at the moment till end of next week.

16/7/19.  
To Michael Down

Good morning Mohammed

It has been brought to my attention that the above company is connected to York Cars. The website links to an address on Wigginton Road though no number mentioned and when you ring the advertised telephone number 690690 its answered by York Cars. 690taxisyork is not a licensed operator with the City of York Council and therefore I suggest that you either license it or remove the website. It is misleading to the public who when ringing would get York Cars. I was also informed of another website advertising a company called Street Cars from your offices in Redeness Street, but I can no longer find the website.

5/8/19.

Regards



**Woodhead, Nigel**

---

**From:** Woodhead, Nigel  
**Sent:** 15 July 2019 15:40  
**To:** [REDACTED]  
**Subject:** FW: 690taxisyork

Pls put on flare for me  
Ta

---

**From:** [REDACTED]  
**Sent:** 15 July 2019 14:26  
**To:** Woodhead, Nigel  
**Subject:** 690taxisyork

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Nigel

Please try giving this number a call. It's York Cars, but advertised under a different number and branded as a different firm. I'm pretty sure this "690taxisyork" firm doesn't hold an operator's licence, and that using their Leeds cars in York will be just as illegal as Uber!

01904690690

<http://www.690taxisyork.co.uk/>

They've got an address on Wigginton Road. No number. Just Wigginton Road.

Apart from encouraging you to use their vehicles for weddings, birthday parties etc, they offer services for, you'll like this one, York Casinos. Now correct me if I'm wrong but I'm pretty certain York doesn't have any Casinos □□□.

They advertise that they are using their Leeds cars too and that they are operating at the high level of Leeds council.

So please keep me posted on this investigation.

Thank you

[REDACTED]

--  
[REDACTED]



## Woodhead, Nigel

---

**From:** Pitcher, Angela  
**Sent:** 04 September 2019 10:30  
**To:** public.protection@york.gov.uk  
**Subject:** Complaint YD17 YHJ

**Categories:** Anna

Mrs [REDACTED]

Journey details - Black Skoda YD17 YHJ 9.05pm – 9.30pm 1<sup>st</sup> September from [REDACTED] Foxwood Lane to Lindsey Avenue using York Cars

The journey started with him wanting to go by the by pass, She said no that's the long way round, She said she heard the locks been put on the doors and he started talking aggressively saying all you white women are the same, She asked him to stop the vehicle and let her out, She felt scared for her safety, He started shouting in another language, She called the operator telling them she wants to get out of the vehicle and another taxi sent out, He was still driving so she handed the phone to him and the operator told him he cannot speak to customers like that, When the journey ended she refused to pay him and told him to not pick any more customers up and he should go home,

She called the operator to complain and she said they could see he was circling a roundabout, She said the operator was not very helpful, She didn't call us straight away as she didn't know she could contact us until a friend told her.

She wants to report it to the police but wants to know if the vehicle has cctv.

Please be aware of the new contact details for the Licensing Section (including Taxis):

- Telephone: 01904 552422
- Email: [licensing@york.gov.uk](mailto:licensing@york.gov.uk)

Angela Pitcher | Licensing Assistant  
t: 01904 552422 | e: [angela.pitcher@york.gov.uk](mailto:angela.pitcher@york.gov.uk)

**City of York Council** | Licensing Services, Public Protection ,  
Economy and Place Directorate, Ecodepot, Hazel Court, York YO10 3DS  
[www.york.gov.uk](http://www.york.gov.uk) | [facebook.com/cityofyork](https://www.facebook.com/cityofyork) | [@CityofYork](https://twitter.com/CityofYork)





## Woodhead, Nigel

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**From:** licensing@york.gov.uk  
**Sent:** 31 December 2019 11:36  
**To:** public.protection@york.gov.uk  
**Subject:** FW: Taxi licence 838 complaint

---

**From:** [REDACTED]  
**Sent:** 30 December 2019 21:33  
**To:** [licensing@york.gov.uk](mailto:licensing@york.gov.uk)  
**Subject:** Taxi liscence 838

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi

On 22nd December I was in Tesco carpark at clifton moor in York. Incidentally whilst looking for a baby space I found myself going the wrong way around the car park and so down the row of car parking spaces nearest the entry to Tesco's supermarket I found three empty spaces and decided to turn my car around, there were absolutely no vehicles coming either way and I was about 30 spaces from the main road into the shopping park.

I reversed into the empty spaces, there were no cars immediately nearby and as I pulled out a taxi driver came down the road from the direction of the entrance road into shopping centre. This driver was doing well in excess of a safe speed in the car park and was determined not to stop despite me already blocking most of the main road of the car park. This taxi driver had no intention of stopping, I was committed to my manouvre and I felt he was about smash into my car at a high speed. He was travelling well in excess of 40mph & carrying a passenger. He did not have the right of way at the time as I was blocking the road already.

I beeped my horn to alert him I was there, that I was in his way & he needed to stop. He braked and swerved around the front of my vehicle, only just squeezing though, he then continued to drive too fast and pulled into the drop off point outside Tesco's main door like it was a pitstop on F1.

I tried to speak to the driver but he refused to acknowledge me and put his hand up to the window.

I called the taxi firm invovled and made an immediate report to them, I advised I would be contacting York Council and they genuinely advised me to report this driver and they said that he should not be exceeding 5mph in a car park.

I was advised today by York Council that I could have called 101 but as it was private property I didn't think this was a matter for the police at the time.

The taxi number was 838. Reg. SF18 KCU. It was a peugeot and was being driven for York Taxis.

21:16



## Woodhead, Nigel

---

**From:** Woodhead, Nigel  
**Sent:** 11 December 2019 14:49  
**To:** 'michaelyorkcars@hotmail.com'  
**Subject:** FW: Dangerous driving taxi incident yesterday

Good afternoon Michael

Can you please see the attached complaint. The concerning bit for me is the 'unsteady on his feet' which is why I am sending you this. Might be one to keep an eye on I will be writing a warning letter

Regards

Nigel

----- Original Message -----

**From:**  
**Sent:** 2019-11-29 11:39:07.74  
**To:** ycc@york.gov.uk  
**Subject:** Dangerous driving taxi incident yesterday

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi,

Yesterday (28/11/19), around 3.15 pm, I experienced a dangerous, possibly, drunken driver of a taxi that nearly knocked me and my mother's dog down. The incident occurred on the corner of Lower Ebor Street and Cherry Street in Clementhorpe, York. I was walking my mother's dog and a taxi from York & Ebor Taxis mounted the footpath at speed as it was turning the corner into Lower Ebor Street. I had to jump out of the way with the dog to avoid being knocked down and the car kept going at speed. The driver clearly had no consideration for what had occurred and the danger involved. I noticed the car stopped further down in Lower Ebor Street and the driver, looking unsteady on his feet, entered either number [REDACTED] Lower Ebor Street. I went and visited the stationary vehicle and obtained the vehicle registration: FV65 HMJ.

It was extremely dangerous, and possibly drunken, driving and would have resulted in injury had I not been quick to move. It was all the more worrying that it was a taxi as well.

I have reported the incident to the Police and they also recommended me to contact York Council as you run Taxi firms.

Yours faithfully,



**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/17**

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This is the **Exhibit MB/17** referred to in the statement of Matthew George Boxall dated 27 October 2020.

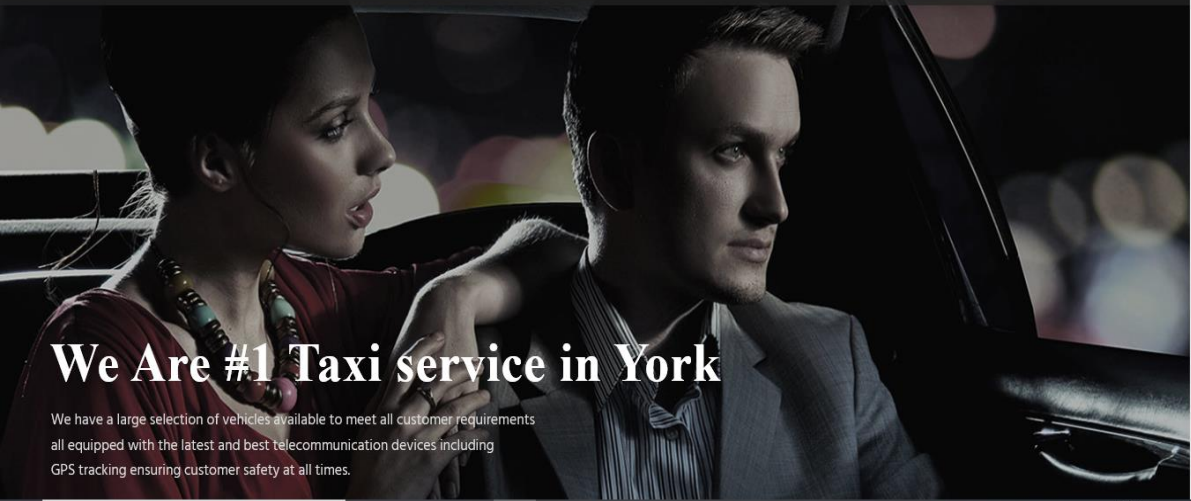
Taxi York | 690 taxis York

file:///E:/Taxi%20-%20York%20Cars/www.690taxisyork.co.uk/index.html

01904-690690 info@690taxisyork.com

**690TAXISYORK**

HOME ABOUT SERVICES LOCATIONS NEWS BECOME A DRIVER CONTACT US



# We Are #1 Taxi service in York

We have a large selection of vehicles available to meet all customer requirements all equipped with the latest and best telecommunication devices including GPS tracking ensuring customer safety at all times.

Type here to search

12:49 29/04/2020

Locations | Taxi York | 65 x


file:///E:/Taxi%20-%20York%20Cars/www.690taxisyork.co.uk/locations/index.html

HOME ABOUT SERVICES **LOCATIONS** NEWS BECOME A DRIVER CONTACT US

# OUR LOCATIONS

We offer you a super VIP experience in middle of York. but more locations with details coming soon.

**690TAXISYORK**



Taxis in york

**CONTACT INFO**

Wigginton Rd, York YO32 2RJ, UK

☎ [01904-690690](tel:01904-690690)

☎ [01904-690690](tel:01904-690690)

✉ [info@690taxisyork.com](mailto:info@690taxisyork.com)

**ABOUT US**

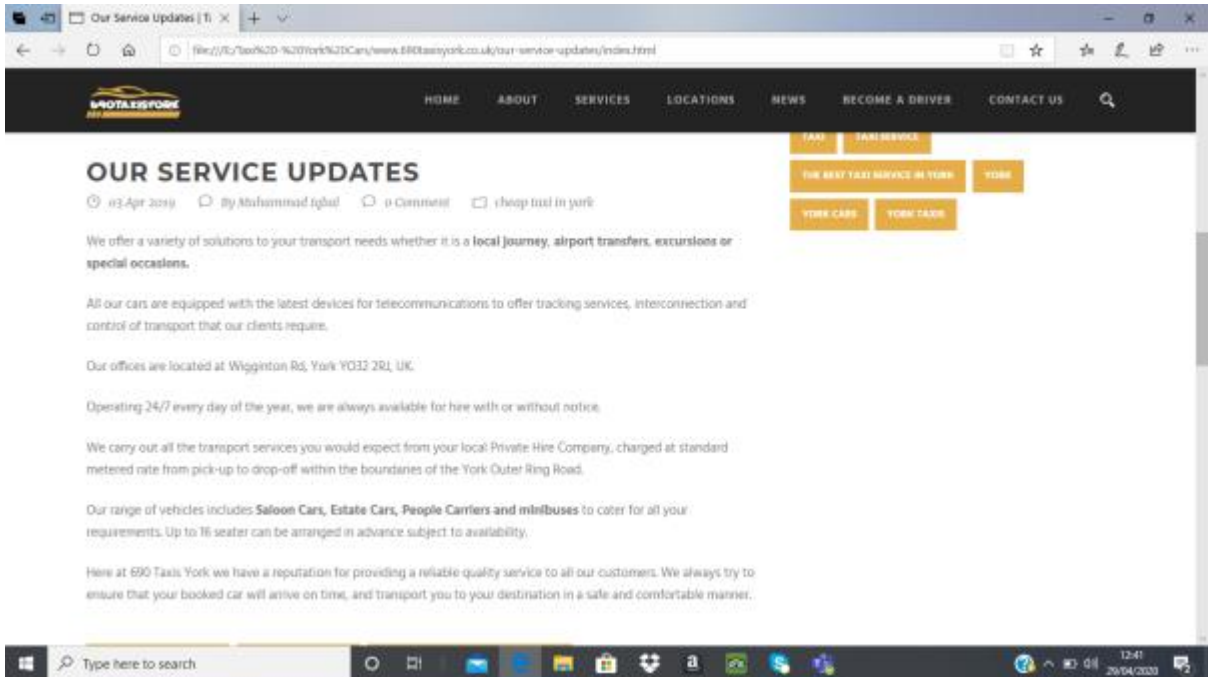
We have a large selection of vehicles available to meet all customer requirements all equipped with the latest and best telecommunication devices including GPS tracking ensuring customer safety at all times.

**USEFUL LINKS**

- > Home
- > About
- > Services
- > Locations

Type here to search

12:53 29/04/2020





**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

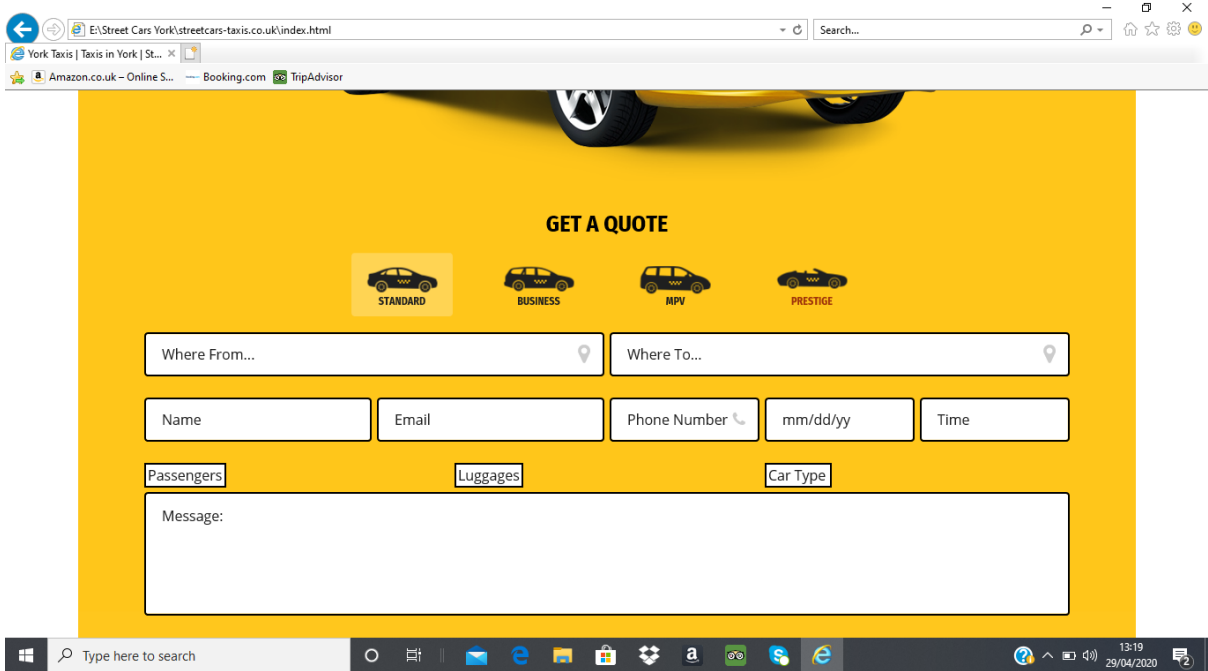
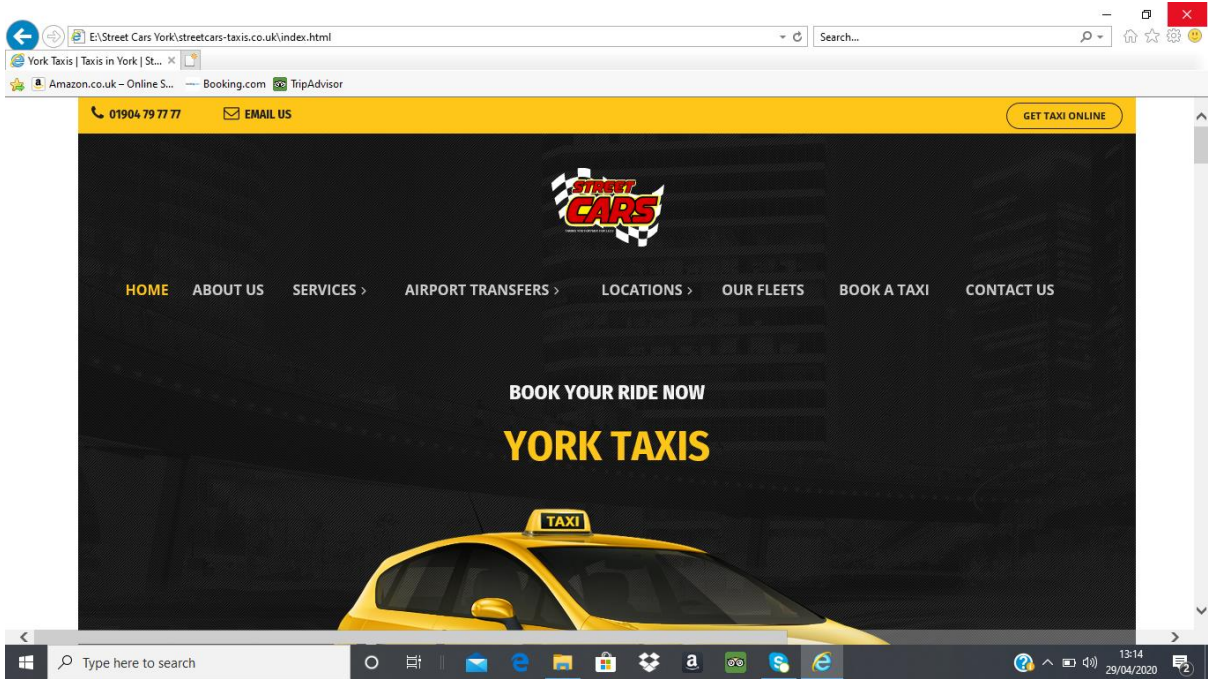
**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

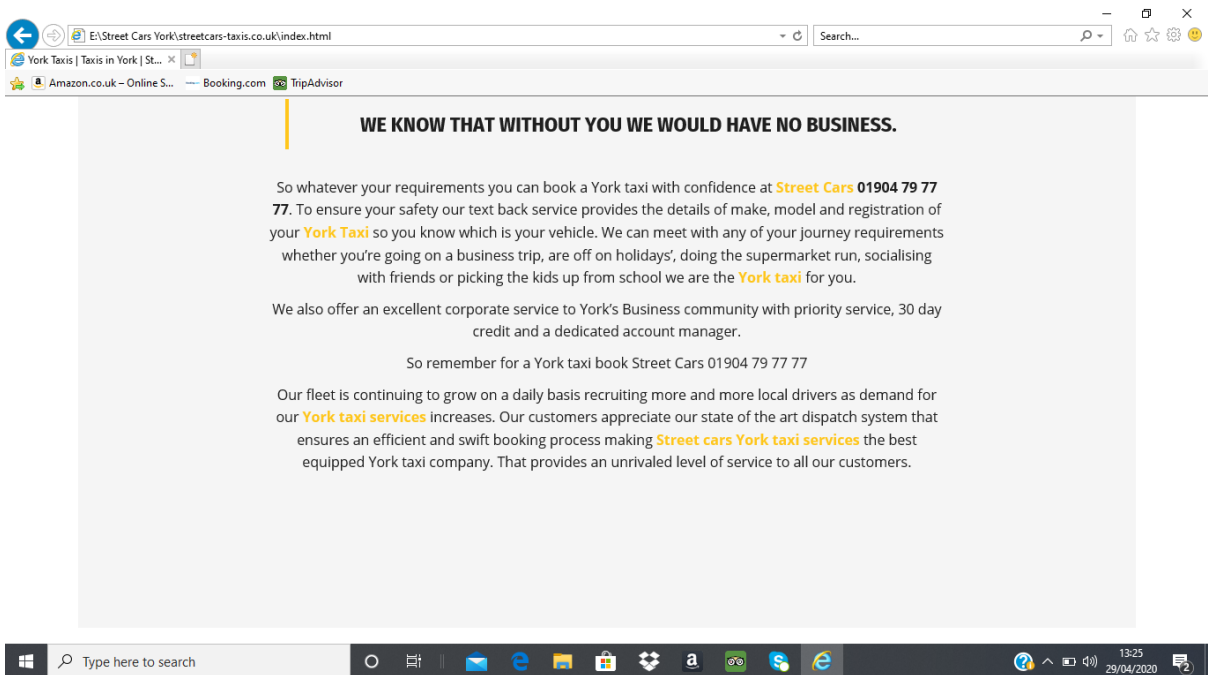
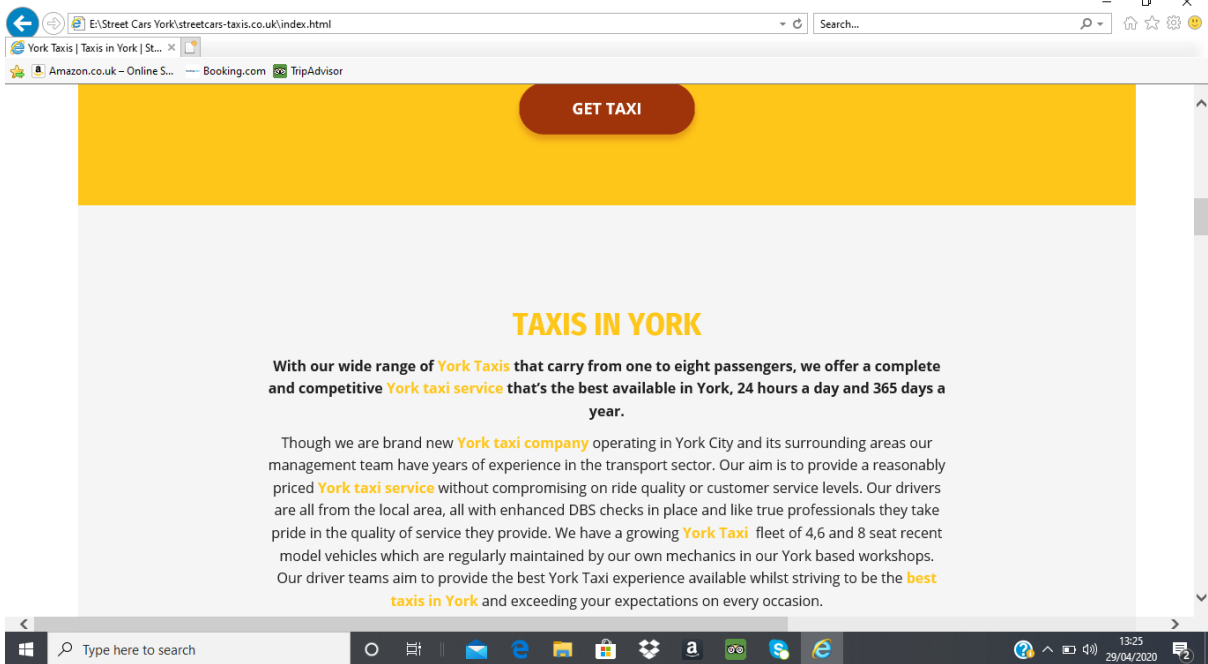
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**EXHIBIT MB/18**

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This is the **Exhibit MB/18** referred to in the statement of Matthew George Boxall dated 27 October 2020.





## OUR SERVICES



### TAXI HIRE YORK

Looking for a reliable and experienced private hire or **taxi service in York City** or its surrounding country side? Then you've come to the right place.

Whether you need a **local taxi in york** or an airport transfer you can expect the same first class taxi service with every booking. That's why we are number one in York City; we only use local, fully vetted drivers that take a pride in providing a quality and professional service. Be assured our aim is always to give a service that meets with your satisfaction 24 hours a day, 365 days a year. We are simply the best; you can always rely on **Street cars** 01904 79 77 77.



### MINIBUS HIRE YORK

Looking for a reliable and experienced private hire or **Minibus taxi hire service in York** City or its surrounding country side? Then you've come to the right place! Whether it's a local taxi or a minibus you can expect the same first-class reliable taxi service on every booking. That's why we are **number one Taxi Firm in York City**; we only use local, fully vetted drivers that take a pride in providing a quality and professional Minibus service. Be assured our aim is always to give a service that meets with your satisfaction 24 hours a day, 365 days a year.

We are simply the best; you can always rely on **Street Cars York** 01904 79 77 77.



### AIRPORT TRANSFERS YORK

From your home, office or hotel we'll get you to or from any UK airport on time and in style. We offer a **Meet and Greet service** for as little as £15 extra it's a little extra security if we're picking up your loved ones at a minimum cost. Once you've experienced our 24/7 hassle-free **York airport taxis transfer** service you'll understand why we are a favourite with regular travellers. Due to the high parking and drop off charges we now incur at all airports we now have no option but to pass these on to customers. Please note however we do keep extra charges to a minimum by checking on flight arrival times to keep parking to a minimum.



### CORPORATE TAXI YORK

Whether you're in York for a short period of time or here on a permanent we are the perfect taxi company for **Business Taxi customers**. We have great experience in providing **first class taxi** transport services for **corporate travellers**. A corporate account ensures a priority service at all times with guaranteed availability 24/7 365 days a year, 30 Day credit facility, fully itemised invoicing and a **dedicated accounts manager**. So whether you're an individual or group we will have the **best taxi solution** tailored for your convenience.



### WEDDING CARS YORK

Getting married? We are the **leading provider of wedding cars in York** with a range of prestige vehicles to choose from including **classic, modern & vintage cars** and **limos**. So for your special day contact Streetcars 01904 79 77 77. Taxis for first class chauffeur driven **wedding car service**.

When your planning your big day call **Street Cars** 01904 79 77 77.



### ONLINE TAXI BOOKING

Why not use our quick and easy **online taxi booking service** simply entering your booking details and submit. Our system will automatically dispatch the nearest available vehicle to the requested pick-up point. So **take control of your bookings** it quick, easy and efficient no waiting in call que's give it a try now. If you want to make a online booking.

## SEE OUR FLEETS



### STANDARD

All our Taxis are clean, well maintained and recent models with smart professional drivers. We have 4 seat saloons, 4 seat estates, 4 to 6 seat mpv's and wheelchair access vehicles available 24 hours a day. Most of our fleets are air-conditioned and as you would expect from Street Cars our drivers keep them all



### BUSINESS

Whether you're taking on a long distance journey or travelling to catch a flight after a tiring day at work, or needing to impress clients then our prestige fleet is what you're looking for. Sit back and let our experienced drivers carry you can relax and ride in comfort and style. To avoid disappointment



### MINIBUS

Our MPV's and mini buses can carry From 6 to 8 passengers and luggage to any destination you wish. It's a cost-effective and convenient means of transportation for groups travelling long or short distances. A Door to Door taxi service for less than the cost of train or coach service! Most of our fleets are air-



### WEDDING CAR

Street Cars have several stunning wedding cars available to hire, including classic, modern & vintage wedding cars and limos. We provide unmarked vehicles with uniformed drivers in a suit, shirt and tie. We can also provide ivory or white ribbons on the cars if required. To avoid disappointment please

clean and tidy, so you can relax, sit back and enjoy the ride. All our drivers have their own card machines so paying by card is never a problem.

please book 24 hours in advance as we cannot guarantee immediate availability. Street Cars 01904 79 77 77 Quality you can rely on.

conditioned and as you would expect from Street Cars our drivers keep them all clean and tidy, so you can relax, sit back and enjoy the ride.

book 24 hours in advance as we cannot guarantee immediate availability. Street Cars 01904 79 77 77 Quality you can rely on.

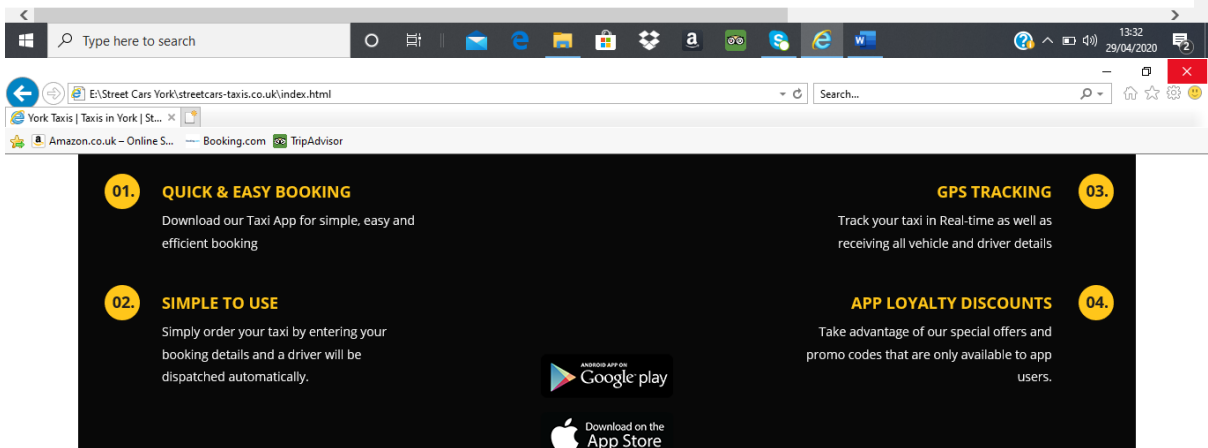
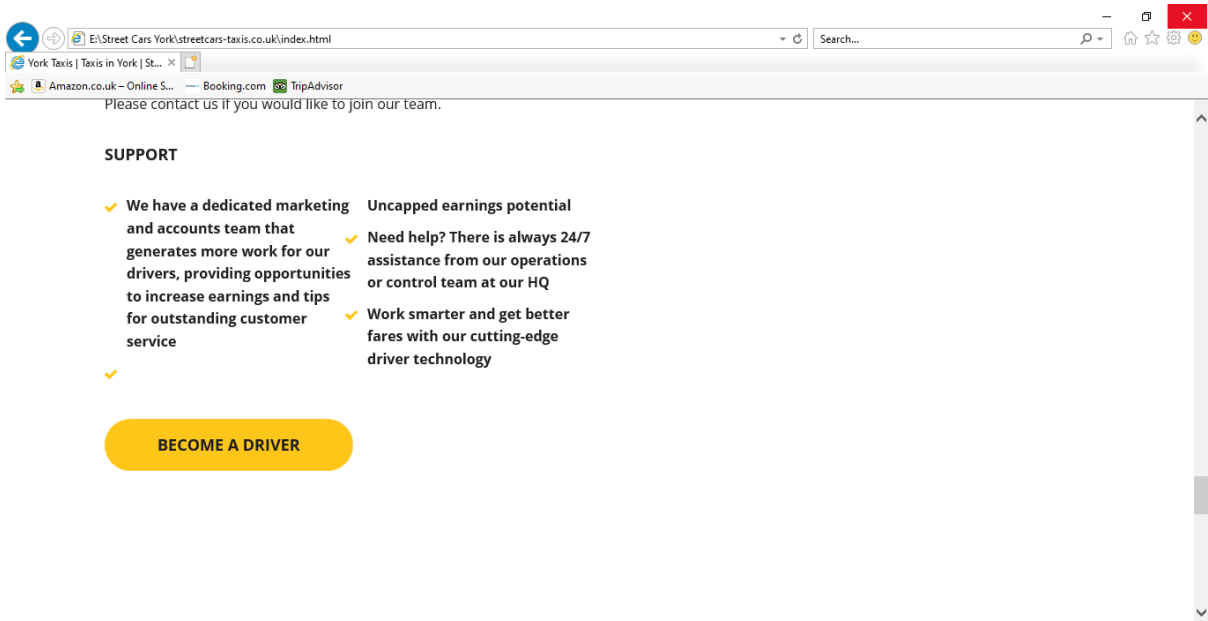
**GET MORE BENEFITS**

# APP WILL BE COMING SOON

**WITH REAL TIME TRACKING**

**01. QUICK & EASY BOOKING**

**GPS TRACKING 03.**

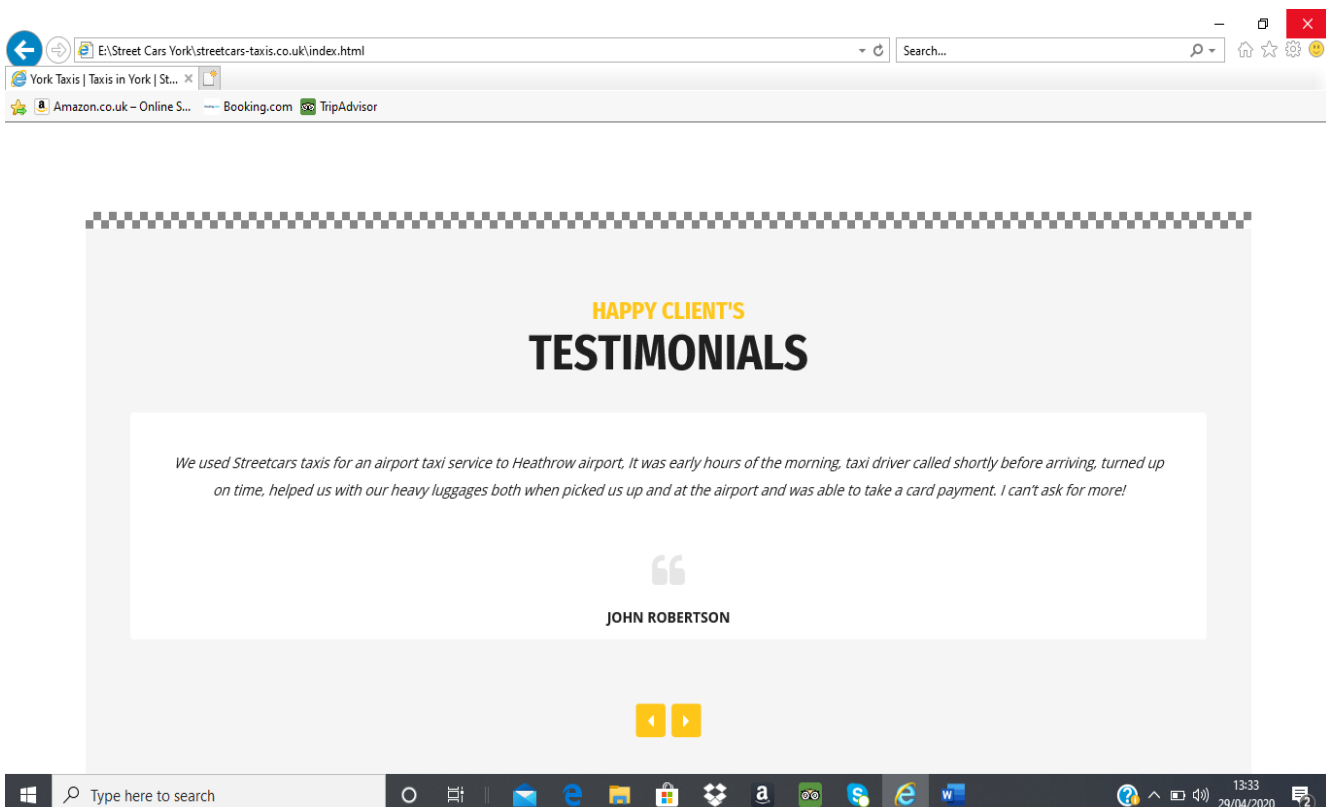
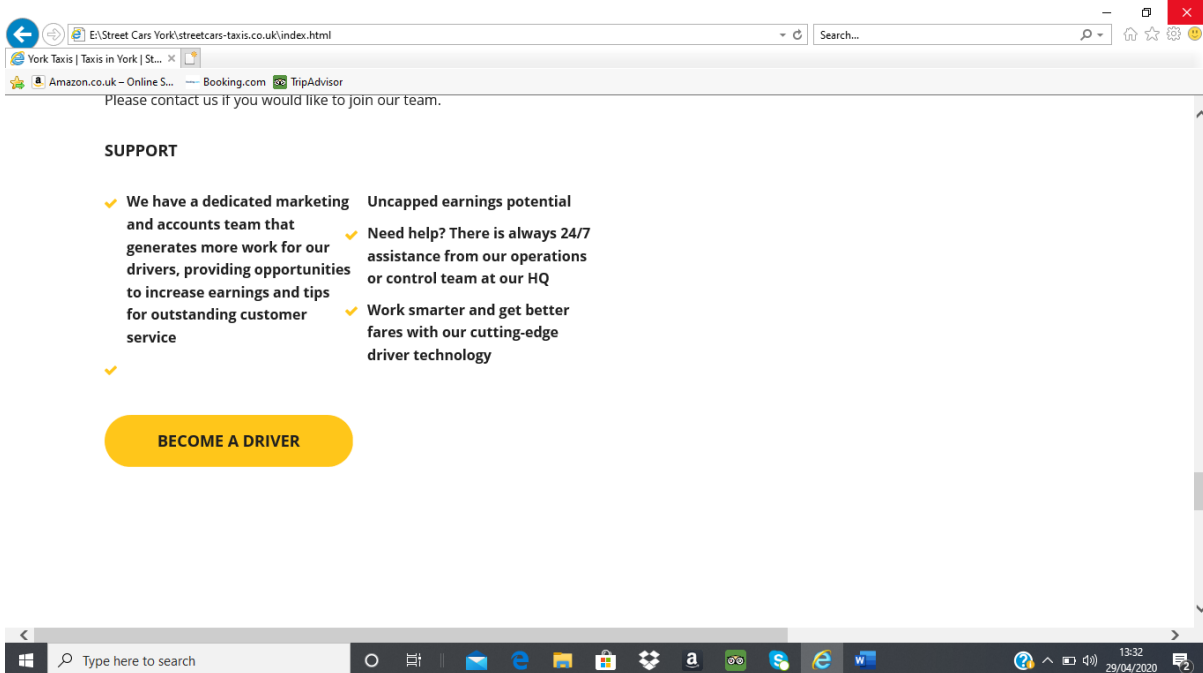


## FOR DRIVERS

# DO YOU WANT TO EARN WITH STREET CARS?

We are currently recruiting York taxi drivers. We have a large customer base and cutting edge driver technology to ensure our drivers achieve a good earning level. We will provide training and individual support to help new drivers obtain their York taxi license.






Browser: E:\Street Cars York\streetcars-taxi.co.uk/index.html

Search...

Amazon.co.uk - Online S... Booking.com TripAdvisor







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If you need a Luxury car for business, we are ready to provide

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### OUR PRIME DESTINATIONS

#### ABOUT US

City centre based close to the York's train station with a reputation for providing a friendly, reliable and professional service. We're here to assist you 24 hours a day 365 days of the year as we know that without you

#### EXPLORE

- > Home
- > Services
- > About Us
- > Locations
- > York Taxi Number

#### CONTACT US

Address: 14 Redeness street, York, North Yorkshire YO31 7UU

01904 79 77 77





Windows taskbar: Type here to search, 13:35 29/04/2020

Browser: E:\Street Cars York\streetcars-taxi.co.uk/index.html

Search...

Amazon.co.uk - Online S... Booking.com TripAdvisor

### OUR PRIME DESTINATIONS

#### ABOUT US

City centre based close to the York's train station with a reputation for providing a friendly, reliable and professional service. We're here to assist you 24 hours a day 365 days of the year as we know that without you we don't have business. Our objective is to provide a reasonably priced taxi/minicab service without compromising on the quality.

#### EXPLORE

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- > Services
- > About Us
- > York Taxi Number
- > Book a Taxi online in york
- > Airport Transfers York
- > Locations
- > City Transfers York

#### CONTACT US

Address: 14 Redeness street, York, North Yorkshire YO31 7UU

☎ 01904 79 77 77

✉ [Info@streetcars-taxi.co.uk](mailto:Info@streetcars-taxi.co.uk)

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Windows taskbar: Type here to search, 13:35 29/04/2020



**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/19**

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This is the **Exhibit MB/19** referred to in the statement of Matthew George  
Boxall dated 27 October 2020.



Communities &  
Neighbourhoods

Mike Slater  
Assistant Director  
Planning and Public Protection  
Eco Depot  
Hazel Court  
York  
YO10 3DS  
Tel: 01904 551550  
Fax: 01904 553239

David B Wilson  
a2z Licensing,  
9 The Stables,  
Wynyard,  
Billingham  
TS22 5QQ

Ext: 1528  
Ask for: Matt Boxall  
Email: matthew.boxall@york.gov.uk  
Our Ref: 050220  
7 February 2020

Dear David,

### **York Cars**

Thank you for your letter dated 2 February 2020, and in particular the list of drivers. I am grateful that you accept you are able to share the information.

I note your client's responses, but remain concerned as to whether your client remains a 'fit and proper' person. I am going to focus on my key concerns, and draw your attention one new matter which has arisen (690 Taxis/Street Cars) with which I would appreciate your client's help to understand.

It is likely that I will invite your client for a 'face to face' meeting to discuss matters further in due course, and where we can discuss any of the points I have not addressed from your letter if your client wishes to do so.

### **Wolverhampton Licensed Drivers**

There may be at least four drivers on your list of ten who have attempted to pass our knowledge and safeguarding test and have failed to do so. These being:-

- [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

I would be grateful if you would supply the address and dates of birth of these people in order that I can carry out a more comprehensive check.

Furthermore, please would you advise whether either of the following people (or variations on the names) are/have ever been drivers or considered as drivers at York Cars.

- [REDACTED]
- [REDACTED]

If that is the case, please specify what their relationship with your client is and provide their address and date of birth in order for me to make further checks.

I have attached a new 'Request for Information' form to cover all of the above requests.

### **Misleading claims**

Thank you for acknowledging that referencing 'locally licensed drivers' no longer reflects the true position. Unfortunately however, despite stating the words have been changed, it still appears on the website under 'About Us'.

I also wish to draw your attention to there being a similar reference to 'local' on the Blossom Street 'shop front'.

I trust your client will give these matters their immediate attention.

### **690Taxis/Street Cars**

Additionally, on 5 February 2020 book two separate taxis from the numbers given on the websites of the above businesses. Neither of whom have an operators' licence with us (York addresses are given on their websites).

The bookings appeared to go through York Cars and the journeys were undertaken by York Cars vehicles. I would be most grateful for your

client's insight as to what York Cars involvement is with both 690 Cars and Street Cars.

**What happens next?**

**Please provide your response within 7 days (14 February 2020)**, the steps thereafter will largely be determined by the response.

I look forward to your reply.

Yours sincerely

Matt Boxall

Head of Public Protection

Enclosed Request for Information form

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

---

**EXHIBIT MB/20**

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This is the **Exhibit MB/20** referred to in the statement of Matthew George  
Boxall dated 27 October 2020.

Matt Boxall  
Head of Public Protection  
Planning and Public Protection  
York City Council  
Eco Depot  
Hazel Court  
York  
YO10 3DS

Our Ref: DBW / York Cars  
Your Ref: 050220  
Date: 14 February 2020  
Please ask for: David Wilson

**Sent by email only to:**  
**matthew.boxall@york.gov.uk**

Dear Matt,

**Mr Mohammed Iqbal**  
**York Cars**

Further to your letter, DPA request and covering email of 7 February 2020, Mr Iqbal responds through me to the matters raised therein. For convenience, I shall adopt the headings used in your letter, subject to adding an omitted heading for 'Complaints'.

### **Subcontracting**

My client would be more than happy to demonstrate the subcontracting arrangements in operation, as they have already to the satisfaction of the City of Wolverhampton Council, although you will appreciate not a great deal can actually be seen of this with a computerised system that just does it!

For the time being, I trust we need not debate subcontracting further.

It must be stressed, for the avoidance of any doubt, that my client's subcontracting arrangements are not intended to circumvent the City of York Council's licensing standards. It is accepted that driver applicants may (and a number already have) chosen to obtain driver licences from the City of Wolverhampton Council, but that is because its training course covers all topics on which candidates are tested and the process is generally slicker, quicker and more efficient, as well as cheaper, than that administered by the City of York Council.

With regards to meeting at my client's offices, so that you can be given a demonstration of subcontracting and we can have a round the table discussion in the

**Website:**

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**Email:**

[enquiries@a2zlicensing.co.uk](mailto:enquiries@a2zlicensing.co.uk)

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**Company details and registered office:**

a2z Licensing (David Wilson) Ltd  
9 The Stables, Wynyard, Billingham TS22 5QQ  
Registered in England and Wales Company No: 11830848

**Director:**

David B Wilson Cert HELL, MIoL, MBII.tp

hope of resolving matters to everyone's satisfaction, my client and I are available on 27 and 28 February at any time to suit you between 11:00 and 15:00.

### **Wolverhampton licensed drivers**

The details of the four drivers working for my client as City of Wolverhampton Council licensed drivers for which you have asked for addresses and dates of birth are contained in the attached list.

That list also includes the details of [REDACTED] who was not a driver working for York Cars as at the date of my last letter, but he did join a short time later on 4 February 2020.

My client has no knowledge of [REDACTED].

### **Misleading claims**

As I am sure you appreciate, the originally identified out of date claim was removed from the York Cars website as soon as it was drawn to my client's attention.

Now that further examples have been identified by the Council, my client has had every page of the York Cars website and social media feeds checked thoroughly and, where necessary, any further out of date claims concerning 'locally licensed drivers' have been removed.

My client does not accept that the shopfront sign at the Blossom Street premises is misleading, because York Cars remains a local taxi company in just the same way one would regard Rowntree's of York (as it was before being taken over by Nestle) as a York chocolatier and confectioner, even though they had premises in other countries.

However, as my client has only ever wanted to work with the Council, the words causing the Council unnecessary concern will be concealed until a permanent replacement sign can be designed, supplied and fitted.

### **Complaints**

Thank you for acknowledging that many of the complaints the Council receives are from members of the trade.

For the avoidance of doubt, I reiterate that complaints are also made to my client, on social media and to the Council about City of York Council licensed drivers and, in this regard, they are not just drivers working for my client. The last high profile trade target was Uber and the drivers that worked for that company.

In any event, I confirm on behalf of my client that the complaints file will be available for inspection on your visit to my client's premises.

## **Potential data breach**

Although my client does not believe that there was a data breach and is pleased to note that the Council is not going to take this matter further, he will cause enquiries to be made to the confidential ICO helpline for data controllers.

## **Credit card surcharging**

My client is pleased to note that the Council does not intend to pursue this matter further, unless further information is received to the contrary.

In this regard, my client would like to assure the Council that, as well as checking and removing any out-of-date reference to the charging of surcharges, my client has had the York Cars social media checked and any necessary corrections made there too.

## **690Taxis and Street Cars**

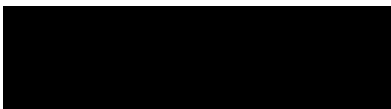
As the Council is aware, these trading names, websites and telephone numbers, which have been the subject of previous discussions between the Council and my client, were actively used and promoted by my client until the Council advised last year that separate operator licences would be required for each trading style.

My client ceased promoting the websites and pursued the sale of the trading names, websites and telephone numbers, but ultimately to no avail.

The websites have now been taken down and the telephone numbers will be used exclusively by York Cars and promoted as such. I trust this will cause no issue, having noted the Council does not ask for the telephone number(s) that are to be used in the course of business for the purposes of making provision for the invitation or acceptance of bookings for a private hire vehicle to be specified when making application for a licence, but would be obliged if you would either confirm that to be the case or advise what my client is to do to have those numbers added to his private hire operator's licence.

I look forward to hearing from you in early course with regards to your visit and our round the table discussions.

Yours sincerely,



**David B Wilson**

Licensing Consultant

Consulting Editor, Paterson's Licensing Acts 2015-20

Contributing Author and Consulting Editorial Board Member, LexisPSL

Email: david.wilson@a2zlicensing.co.uk

Mobile: 07794 776383



**York Cars**

**City of Wolverhampton licensed private hire drivers**

**for whom addresses and dates of birth were requested by the City of York Council**

**by letter and DPA requests, dated 7 February 2020**

<b>Driver's full name</b>	<b>Address</b>	<b>Date of birth</b>
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/21**

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This is the **Exhibit MB/21** referred to in the statement of Matthew George  
Boxall dated 27 October 2020.



David B Wilson  
a2z Licensing,  
9 The Stables,  
Wynyard,  
Billingham  
TS22 5QQ

Communities &  
Neighbourhoods

Mike Slater  
Assistant Director  
Planning and Public Protection  
Eco Depot  
Hazel Court  
York  
YO10 3DS  
Tel: 01904 551550  
Fax: 01904 553239

Ext: 1528  
Ask for: Matt Boxall  
Email: matthew.boxall@york.gov.uk  
Our Ref: 280220  
3 March 2020

Dear David,

### **York Cars**

Thank you to Mohammed, Billy, Michael and yourself for meeting last Friday to discuss our concerns that Mohammed continues to be a 'fit and proper' person to hold a private hire operator licence, and for the demonstration of the Autocab system.

I have summarised my understanding below and would be grateful for any final comments you would like me to consider. There are a couple of points (in bold) on which I would be particularly grateful for further clarification.

### **Subcontracting**

The Autocab system is set to allocate a job (with a vehicle of the correct specification) to the nearest driver.

If the job is sub-contracted, the system shows, amongst other things, the 'time subcontracted, accepted and dispatched'. This is instantaneous to the allocation.

## **Bookings**

Details of all journeys are retained for 12 months. The caller identity details are retained for longer. At my request, you showed us records from the previous Friday (21 February) which showed how across the whole day you completed 9696 jobs, but had 623 cancelled and 314 'no jobs'/'no shows'.

You have a 'stats board' which shows current performance from midnight that day.

Drivers are self-employed and they 'come and go'. In busy times you can send a message out to drivers and ask if they are willing to work, but this can leave you short of drivers the next day.

You want to provide a customer service in the city.

## **Wolverhampton Licensed Drivers**

When a driver is interested in working for York Cars they meet Michael and are given two options:-

1. A 'York badge' – the cost is explained and that it will take 2-3 months to obtain.
2. A Wolverhampton badge – the cost is explained and that it will take 5-6 weeks to obtain.

There are currently 13 Wolverhampton drivers working in York and another 20 or so in the process at various stages. You have now stopped recruiting drivers as you don't want to have more drivers than you need. You are monitoring the number of drivers to ensure there are enough to enable them to earn around £16-18 per hour. Michael closely monitors supply and demand. You now have drivers on a waiting list.

Mohammed knew that the first four drivers you provided details of had not passed the York (Safeguarding and Knowledge) test.

When I raised concerns about this, you began asking drivers if they have previously applied in York (this was sometime in early to mid-February, but before the 12 February). If drivers say 'no', you have no means of checking. You have not asked us for this information. Most drivers answer 'no', or they have a Wolverhampton badge already.

██████████ was not on the first list you supplied as he wasn't driving at the time. He was subsequently taken on, you were not aware that he failed the York test at any time. He wasn't asked if he'd carried out the York test as he was already 'in the system' (prior to you beginning to ask).

**Please would you describe the 'assistance' you give to drivers to help them become a holder of a private hire licence (as described on your website under 'Become a Driver'). Please would you include details of the help you give them to get through the safeguarding and knowledge tests (both ours and Wolverhampton's).**

**Please would you also confirm exactly when Mohammed knew the first four drivers had failed the York test? And include details of what it was that led him to find out that they had not passed? When did Michael and Billy know, and what led to them finding out?**

### **Complaints file**

Thank you for sharing the York driver's complaints file. I did not identify any complaints which should have been disclosed to us under your conditions of licence but had not been. It was good to see that you are also recording compliments.

There were two complaints – raised via our enforcement officer - that I was anticipating seeing but which I did not identify in the file, these being:-

- On or around the 28/11/19 – a pedestrian complaining that a driver, who she says was driving dangerously and appeared drunk, nearly knocked her down in Clementhorpe. Vehicle registration: FV65 HMJ
- On or around 31/12/19 a motorist complaining that one of your drivers was travelling at speed in Tesco car park nearly crashed into her as she was parking. Vehicle registration: SF18KCU

I understand you have two complaints about the attitude of one of your Wolverhampton drivers which are in the process of being dealt with.

## **690Taxis Street Cars**

The telephone numbers from other taxi firms i.e. Beeline and A-Team taxis? **Please confirm if it was A-team?**

The websites were developed, but weren't 'getting up' to the position on Google that was wanted. All the jobs through the sites have been picked up by York Cars.

The websites were provided by Smek, a business based in Pakistan.

After Nigel Woodhead's email of 5/8/19, Mohammed had a WhatsApp conversation with Smek (this is a monthly contact) asking them to take the websites down, but they didn't and no check was made.

There was not much 'traffic' through these sites, but it is not possible to tell how much.

The Street Cars website came across from Street Cars in Leeds. It is not known where the reviews on the website came from. They are not customer reviews of Street Cars in York.

After my letter, Smek were contacted again, this time they did take the website down.

**Please note, a 'whois' record (attached) shows that these two websites were renewed in January this year. This would appear inconsistent with my understanding that Mohammed asked Smek to take the Website down in a WhatsApp conversation last year. I would be grateful if you would explain why the websites came to be renewed?**

**Finally, I didn't ask what the respective roles of Mohammed, Billy and Michael are in the business. I would be grateful if you could provide a summary of what each person is responsible for.**

**What happens next?**

Please provide an additional comments by **Wednesday 11 March 2020**, and I look forward to our meeting at 4pm on 5<sup>th</sup> March 2020 to discuss your concerns about City of York Council.

I look forward to your reply.

Yours sincerely

A handwritten signature in purple ink that reads "Matt Boxall" with a small flourish at the end.

Matt Boxall

Head of Public Protection

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/22**

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This is the **Exhibit MB/22** referred to in the statement of Matthew George  
Boxall dated 27 October 2020.



Matt Boxall  
Head of Public Protection  
Planning and Public Protection  
York City Council  
Eco Depot  
Hazel Court  
York  
YO10 3DS

Our Ref: DBW / York Cars  
Your Ref: 200220  
Date: 11 March 2020  
Please ask for: David Wilson

**Sent by email only to:**  
**matthew.boxall@york.gov.uk**

Dear Matt,

**Mr Mohammed Iqbal**  
**York Cars**

Thank you for your letter of 3 March 2020, further to our three-hour meeting at York Cars on Friday, 28 February 2020.

To avoid uncertainty, I shall endeavour to confirm, clarify or correct your understanding of those matters covered by your letter, particularly the points you raise in bold text, and to correct anything that was inadvertently mis-stated at the aforementioned meeting.

So far as possible, I have adopted your subject headings, but have added a couple of new ones, as well as some sub-category headings in relation to two of your subject headings. I hope this makes the content easier to read and comprehend, but should it have the opposite effect, I apologise, as that was not my intention.

### **Subcontracting**

Your description of subcontracting with the Autocab system is correct.

### **Bookings**

The statistical data concerning completed, cancelled and no jobs / no shows were not for a single day, but for a week, being 17 to 23 February 2020.

**Website:**

[www.a2zlicensing.co.uk](http://www.a2zlicensing.co.uk)

**Email:**

[enquiries@a2zlicensing.co.uk](mailto:enquiries@a2zlicensing.co.uk)

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**Company details and registered office:**

a2z Licensing (David Wilson) Ltd  
9 The Stables, Wynyard, Billingham TS22 5QQ  
Registered in England and Wales Company No: 11830848

**Director:**

David B Wilson Cert HELL, MIoL, MBII.tp

You are, however, right that showed 9696 bookings were completed with 623 cancelled by customers and 314 no jobs / no shows, which is when the taxi attends at the pick-up address, only to discover the customer is not there.

Thank you for also acknowledging that my client wants to provide a good service with good customer service to people who live in, work in and visit the City of York.

## **Wolverhampton licensed drivers**

### **Clarification**

When explaining the options to license with either City of York Council or the City of Wolverhampton Council, Michael Dunn explains the cost, process and the likely timescale to become licensed by each council. The only difference in the information provided relates to the differences in the processes.

The monitoring of driver hourly earnings is not something that has just been introduced recently, but is something Michael Dunn has done for about five years.

As I explained at our meeting, the role of an operator is an unusual one in that they need to meet the demands of two groups: (1) customers who book taxis; and (2) the drivers who convey the customers from one place to another.

If an operator attracts more bookings than they can fulfil with the drivers working, they have to turn away work, which comes with the inherent risk that potential customer will not call when they want to book a taxi in the future, but instead call another company. Conversely, if an operator has more drivers than is required to meet the demands of the travelling public, drivers' earnings are adversely affected, but the travelling public temporarily have a highly responsive service. In those circumstances, drivers will leave one company to go to work for another where they hope to earn more in a shorter period of time. In essence, the unseen role of an operator is to balance, so far as possible, the demand by the public for taxis with the supply provided by the self-employed drivers who can ultimately choose when to work and for whom they work.

As a result of Michael Dunn monitoring the statistical data, my client has ensured that driver earnings stay in the range of £16 - £18 per hour, even when more drivers have joined the company.

### **Assistance given to prospective driver applicants**

The assistance given to prospective driver applicants is, in essence, the same, irrespective of whether they choose to pursue licensing with City of York Council or City of Wolverhampton Council.

Indeed, the assistance given to those applying to the City of Wolverhampton Council is based on the assistance my client has long given to those applying to the City of York Council.

That assistance may include sponsorship, so my client will meet some or all of the costs of an applicant becoming licensed, subject to them working for my client for a minimum period of time, once they become licensed. The arrangements may change from time-to-time and the specific details are commercially sensitive.

Otherwise, assistance is given by providing learning packs (although the contents is specific to each council, based on its syllabus) and providing any help an applicant may have to understand anything they receive in the learning packs.

At present, no in-house training is provided, although consideration is being given to introduce this for all driver applicants in the future. If the Council has a view on what should be covered by such in-house training, my client would welcome any suggestions the Council might make.

### **Knowledge that the first four drivers had failed the York test**

Rather than to answer your questions in the sequence in which you posed them, I am going to try to provide the information in chronological order, as I think that will help to clearly state and explain the sequence of events and who knew what when.

During the course of his dealings with driver applicants in late November – early December 2019, Michael learnt that three of those pursuing applications with City of Wolverhampton Council had previously failed in their endeavours to license with City of York Council.

Michael became aware of a fourth driver who had previously applied to City of York Council on 22 January 2020, when the driver attended York Cars office with his City of Wolverhampton Council driver's licence.

Billy also became aware on 22 January 2020 of the fact this driver (the fourth driver) had previously applied to City of York Council.

As a result of your correspondence, Mohammed discussed the issue with Billy and Michael on 23 January 2020, which was when Michael made Mohammed and Billy aware of all four drivers, although Billy had been aware from the previous day of the last of the four.

## **Complaints file**

### **York drivers**

In relation to the York drivers' complaints file, my client is pleased that you are satisfied that there were no complaints that ought to have been referred to the Council that had not been referred. Indeed, it should be acknowledged that there were no complaints of that nature, as defined by Condition 18 of my client's private hire operator's licence.

My client does not accept that there was a failure to record the two complaints to which you refer, same being received by the Council and enquiries then made by the Council of my client, because Condition 17 of my client's private hire operator's licence expressly only requires a "register of complaints" to be kept of complaints made by "the public". These complaints were not made to my client by members of "the public". For my client to also keep a record of a complaint recorded by the Council would be duplicitous.

Despite it being duplicitous for my client to keep a record of a complaint made to the Council (and not required by the conditions of licence), my client will now also keep records of such complaints in the York drivers' complaints file.

Furthermore, I should also highlight that the requirement is merely to keep a "register", without further detail as to what should be recorded in the register. To overcome the vagueness of the condition, my client has adopted a 'belt and braces' approach by keeping a copy of emails, letters, notes of telephone conversations, etc.

### **Wolverhampton drivers**

In relation to the Wolverhampton drivers' complaints file, it is necessary to make a slight correction to the information given to you at our meeting. Contrary to what was said, it was not a case of two complaints against one driver being under investigation at the time, but one complaint being investigated against each of two Wolverhampton drivers.

## **690 Taxis and Street Cars**

### **Telephone numbers**

The telephone numbers were acquired on the purchase by my client of the business of Beeline Taxis. However, my client believes that the telephone numbers in question had been acquired at some earlier date by Beeline Taxis from A-Team Taxis, but cannot be certain that is the case, let alone produce documentation to prove his belief.

### **Domain names and websites**

With regards to the renewal of the domain names in January 2020, my client must draw to your attention a distinction between ownership of a domain name and the presence of a website. One can own a domain name without displaying a website, but one cannot display a website without also owning a domain name.

Smek in Pakistan designed and built the websites and had then hosted on a publicly accessible server within the world wide web. Taking the websites down would not have affected my client's ownership of the domain names. As you are aware, the websites have now been taken down and my client still owns the domain names.

The cost of retaining domain name ownership is minimal. My client may choose to use either or both of these trading names in the future or may, of course, have an opportunity to sell them.

My client asked Smek to take down the websites, not to do anything with the ownership of the domain names. Only my client could do something with the domain names, eg surrender them or renew or not renew them in January.

### **Customer review on the Street Cars website**

In relation to the statement attributed to my client in relation to the reviews on the Street Cars website, my client did not accept that they were not customer reviews of Street Cars in York.

As you have acknowledged, my client said he did not know from where they had come, so he could no more positively assert that they related to Street Cars in York as he could assert that they did not relate to Street Cars in York.

### **Responsibilities of Mohammed, Billy and Michael**

Mohammed is managing director of 34 Cars Limited and, as a result, has ultimate responsibility for the operation of the company and complying with legal requirements, whether they relate to licensing laws and licence conditions, health and safety, data protection, compliance with company law, etc, etc.

Billy is responsible for the Autocab system and for fleet and driver management.

Michael is responsible for managing customer accounts and driver recruitment.

For the avoidance of any confusion between the responsibilities of Billy and Michael in relation to drivers, Michael is responsible for drivers and driver applicants up to them joining York Cars as a licensed driver, from which time they are managed by Billy as a self-employed driver working with the company.

### **Opinion of Gerald Gouriet QC in respect of fitness and propriety in relation to my client also licensing with the City of Wolverhampton Council**

My client is, as I am sure you will appreciate, understandably concerned that the City of York Council might consider him no longer to be a fit and proper person to hold a City of York private hire operator's licence by reason of him having obtained a City of Wolverhampton Council private hire operator's licence and using vehicles and drivers licensed by that council to undertake bookings received at his York licensed office.

If my client had undermined his fitness and propriety, he would wish to take steps to remedy that position to the Council's satisfaction, rather than to engage in, what could become, protracted and very expensive litigation in the courts.

In the circumstances, knowing that Gerald Gouriet QC has previously advised and / or represented several groups who have opposed the licensing of Uber for a variety

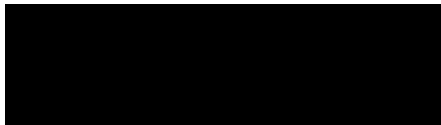
of reasons, including its cross-border hire arrangements, my client has obtained his written opinion, a copy of which I enclose for your consideration.

My client hopes the Council will concur, even if reluctantly, with Mr Gouriet's opinion and rather than begin a process that would likely end up before the courts, instead engage with him to reach a mutually acceptable resolution to this matter generally.

I look forward to hearing from you further in due course, but appreciate that the provision of the legal opinion of Gerald Gouriet QC may require you to seek internal and / or external legal advice.

Although you are not obliged to advise of likely timescales for reverting to me or my client, if you would be so kind as to do so, Mr Iqbal would be particularly grateful to you, because, as I am sure you appreciate, this process is terribly worrying for him and those involved in the company that are aware of this ongoing investigation.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

**David B Wilson**

Licensing Consultant

Consulting Editor, Paterson's Licensing Acts 2015-20

Contributing Author and Consulting Editorial Board Member, LexisPSL

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**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT MB/23**

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This is the **Exhibit MB/23** referred to in the statement of Matthew George  
Boxall dated 27 October 2020.

**RE: MOHAMMED IQBAL, TRADING AS YORK CARS  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976  
'FIT AND PROPER PERSON' TO HOLD AN OPERATOR'S LICENCE**

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**OPINION**

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***Introduction and summary of opinion***

1. Mohammed Iqbal is the holder of a Private Hire Vehicle Operator's Licence ("PHV operator's licence") first issued by York City Council on 20 October 2016 and re-issued on 29 April (on a "change of company name"). It entitles Mr. Iqbal to use drivers and vehicles licensed by City of York Council ("York Council") to fulfil bookings accepted by him as a York operator.
2. The demand that Mr. Iqbal experiences in York is greater than he can meet with his current pool of York-licensed drivers and vehicles. His solution has been to increase his available pool of drivers and vehicles by the following means -
  - a. He has obtained a PHV operator's licence in the name of 34 Cars Limited ("34 Cars") from City of Wolverhampton Council ("Wolverhampton Council") – which entitles him to use Wolverhampton-licensed drivers and vehicles to fulfil bookings accepted by him as a Wolverhampton operator.
  - b. Where it is either necessary (because no York driver/vehicle is available) or expedient (because an available Wolverhampton driver/vehicle is closer to the person making the booking), he subcontracts bookings accepted at his York booking office to himself as a licensed operator in Wolverhampton.
  - c. Mr. Iqbal then fulfils the subcontracted booking by providing a driver/vehicle licensed by Wolverhampton Council.
  - d. The booking and subcontracting are effected using *Autocab*, which is a world leader in the supply of automated booking systems for private hire vehicles.
3. In my opinion, case law<sup>1</sup> and express statutory provision<sup>2</sup> put the lawfulness of Mr. Iqbal's solution beyond doubt.
4. I have been asked, however, whether there are grounds for holding Mr. Iqbal not a fit and proper person to hold a PHV operator's licence, notwithstanding the lawfulness of his operation. It has been suggested that he may not be fit and proper because –

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<sup>1</sup> *Milton Keynes Council v Skyline Taxis*: [2017] EWHC 2794 (Admin)

<sup>2</sup> The Deregulation Act 2015



- a. Mr. Iqbal has adopted the subcontracting arrangement specifically to overcome the shortage of available drivers/vehicles in York, and not for the purpose of fulfilling bookings for journeys in Wolverhampton;
  - b. the arrangement is said to undermine ‘local licensing control’ by York Council;
  - c. it is easier and/or faster (and cheaper) for a driver to obtain a licence from Wolverhampton Council than it is from York Council; and
  - d. Mr. Iqbal assists drivers in obtaining licences from Wolverhampton Council.
5. For reasons which I will develop below I do not think that any of the above concerns, whether singly or in combination, provide lawful grounds for holding Mr. Iqbal to be an unfit or improper person to hold a PHV operator’s licence.
  6. These and analogous issues have been before the courts in a series of high-profile cases, the recurring theme of which may be summarised thus: the exercise of well-established and incontrovertible statutory rights cannot render someone an unfit or otherwise improper person to hold a private hire operator’s licence.

## ***The law***

### The ‘trinity of licences’

7. It is trite law that provided the so-called ‘trinity of licences’ is observed (i.e. that the operator, vehicle and driver are all licensed by the same authority) an operator “... *can use such vehicles and drivers for journeys which have ultimately no connection with the area in which they are licensed.*”<sup>3</sup>
8. As long as he uses York-licensed vehicles and drivers, therefore, a York-licensed operator can lawfully fulfil a booking for a journey which starts and finishes remotely from York. By the same token, an operator licensed remotely from York can use cars and vehicles licensed by the same authority as licensed him to fulfil bookings which start and finish in York.
9. It should be observed that in neither case will the licensing authority for the district in which the journey starts/finishes be able to exercise ‘local licensing control’ over the drivers and vehicles in question.

### Subcontracting

10. The Deregulation Act 2015 inserted sections 55A and 55B into the LG(MP)A 1976, which (in summary) *expressly* allow a private hire operator to subcontract a booking to another licensed private hire operator, or to himself if licensed in a different controlled district, irrespective of the distance between the two controlled districts.

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<sup>3</sup> Per Latham LJ in *Shanks v North Tyneside Borough Council* [2001] EWHC (Admin) 533

11. Computerised subcontracting by an operator to himself (licensed by another authority) by means of iCabbi – an Internet-based system similar to *Autocab* – was considered by Hickinbottom LJ in *Milton Keynes Council v Skyline Taxis*<sup>4</sup>. He said that when a telephone booking is made on the *iCabbi* system –

*“... A driver/vehicle is not immediately assigned to the job. That assignment is made by the computer and without any further human intervention, approximately 5-10 minutes before the pick-up time. Drivers/vehicles that are eligible and available are then identified by the computer system. First, those who are licensed by the same local authority that licensed the operator which accepted the booking are identified. If there is none, the drivers/vehicles from adjacent controlled areas where Skyline have an operator’s licence are identified. That all appears to be common ground. It is the Respondent’s case that, if such a driver/vehicle within a reasonable distance of the pick-up point can be identified, the computer system actions a series of steps – sequentially, but over a very short space of time measured in milliseconds – namely (i) the job is offered by the operator which accepted the original booking, (ii) the job is accepted by the Skyline operation in the other area; and (iii) the driver/vehicle is despatched. Again, each of those steps is performed by the computer without any further human intervention.”*

12. I can find no meaningful distinction between the *iCabbi* and the *Autocab* systems. Nor is it material to the *Skyline* decision that the two licensing authorities were adjacent: the legal principles identified by the court are independent of the proximity of the authorities, and in my opinion the decision would have been no different if the relevant authorities had been York Council and Wolverhampton Council.

#### The ‘fit and proper’ test

13. The requirement given by section 55(1) of the 1976 Act is that the licensing authority must be satisfied that the applicant is a fit and proper person to hold an operator’s licence. The fitness and propriety looked for is a quality generic to the holding of *any* operating licence. Local considerations are not material: a person cannot be fit and proper to hold a licence in controlled district A, but not fit and proper to hold a licence in controlled district B.
14. In my opinion, the lawful use of its operating licences in Wolverhampton and York does not *and cannot* make York Cars an unfit or improper person to hold an operator’s licence, whether in York or Wolverhampton, or anywhere else. I do not think it evidence of impropriety or unfitness to hold a licence that York Cars have obtained an operating licence from Wolverhampton Council specifically in order to do that which the law allows; which in this case is the use of Wolverhampton-licensed drivers/vehicles in York to make up for the shortage of York-licensed drivers/vehicles available to them there.

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<sup>4</sup> [2017] EWHC 2794

15. I am fortified in that opinion by the decision of the Chief Magistrate in Uber London’s 2018 appeal against TfL’s refusal to renew its London operator’s licence<sup>5</sup>. In that appeal the Licensed Taxi Drivers Association argued that even if it were lawful Uber’s cross border operation in York was evidence of its not being fit and proper, because it deliberately undermined local licensing control in a controlled district which had refused Uber an operator’s licence. The Chief Magistrate ruled that Uber’s cross-border operation was “not relevant” to the question of Uber’s fitness and propriety.
16. The decision of District Judge Szagun in Uber Britannia Limited’s appeal against the refusal by Brighton & Hove City Council to renew its operator’s licence likewise rejected the proposition that a lawful exercise of statutory rights could be evidence of an operator not being fit and proper<sup>6</sup>. The case has a particular resonance with the background facts on which I am being asked to advise, because Brighton Council relied heavily on Uber having encouraged drivers to apply for licences from Lewes Council, where (so it was said) licences were more easily and cheaply obtained, standards were lower, and public safety was compromised. Brighton argued that Uber’s encouragement and use of Lewes-licensed drivers in Brighton “facilitate[d] a circumvention of the local [Brighton] standards and create[d] barriers to the enforcement of those standards”. The district judge, however, preferred the submissions made by leading counsel for Uber, namely that –
- a. if the operator is otherwise fit and proper it cannot become unfit and improper due to the exercise of a statutory right (here, the use of Lewes drivers/vehicles in Brighton by Uber as a Lewes-licensed operator); and
  - b. the fit and proper test to be applied goes to the attributes and competence of the licensee to carry out activities under the licence<sup>7</sup> and “not to the question of whether there is an objection to the exercise of those statutory rights under another authority”.
17. Applying those principles, the district judge ruled that it would be unlawful to refuse an operating licence to Uber in Brighton. The council’s submission that Uber was not fit and proper so long as it fulfilled private hire bookings in Brighton using its Lewes operating licence and Lewes-licensed drivers/vehicles was rejected.
18. Importantly, the district judge went on to say –
- “I consider that it would be equally unlawful to circumvent or undermine the legislation and case law by determining that the exercise of these statutory rights can amount to ‘any other reasonable cause’ for refusal of a licence pursuant to section 62(d)”.*

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<sup>5</sup> *Uber London Limited v Transport for London* (26 June 1998)

<sup>6</sup> *Uber Britannia Limited v Brighton & Hove City Council* (11 December 2018)

<sup>7</sup> See also the observations of Kerr J in *Delta Merseyside Ltd v Knowsley Borough Council* [2018] EWHC 757

## *Conclusions*

19. The potential for lawful cross-border hiring to undermine local licensing control is well recognised. Whether or not it does so in any given case, and to what extent, may be matters for legitimate debate; but the overwhelming consensus is that such problems as lawful cross-border hiring causes need to be addressed by Parliament, not by licensing authorities or the courts. That was the position forcibly argued by Martin Chamberlain QC (now Chamberlain J) in Uber London's 2018 appeal, and apparently accepted by the Chief Magistrate.
20. I think that should this issue come to be determined by the High Court it would most likely approve the decisions and reasoning of the judges in the London and Brighton & Hove appeals cited above.

Gerald Gouriet QC

Francis Taylor Building  
Inner Temple

Monday, 9 March 2020

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**FIRST WITNESS STATEMENT OF VICTORIA LOUISE VINT**

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I, Vicky Vint, Learning and Development Systems Manager at City of York Council, West Offices, Station Rise, York, YO1 6RE make this statement in respect of Mohammed Iqbal of Ingleby Manor, Crosswell Park, Ingelby Barwick, Stockton on Tees TS17 5BE t/a York Cars and the consideration as to whether he remains fit to hold a private hire operator's licence issued by the City of York Council.

1. I declare that the contents of this my statement are true and correct to the best of my knowledge and belief. I make this statement in the knowledge that it will be used in the proceedings.
2. By way of background, my role is to ensure that the appropriate systems are in place for learning and development provided by the Council and this includes the learning development of taxi drivers as part of the council's licensing regime. The training day for new drivers and the test which follows are provided by an external provider, Neil Lee Training Ltd.
3. I have spoken to Michael Dunn of York Cars a number of times about the arrangements for the tests – particularly when it first came in, and about ensuring there are enough tests for drivers. I am aware that he has spoken to my colleagues in the team also. We set the dates for the sessions and typically arrange one a month, but on occasion, when the need arises, we have put additional tests on to accommodate the demand. Mr Dunn has occasionally highlighted this need.
4. I was given a list of applicants by Matt Boxall, who asked me to check our records in relation to them. I can confirm as follows:-

Name	Address	Date of Birth	Date of test paper	Test paper exhibit reference	Score
				VV1	21/30 (fail)
				VV2	23/30 (fail)
				VV3	21/30 (fail)
				VV4	14/30 (fail)
				VV5	21/30 (fail)
				VV6	5/30 (fail)
				VV7	19/30 (fail)
				VV8	21/30 (fail)
				VV9	16/30 (fail)

5. [REDACTED] is the name which appears on our records, with the address and date of birth as shown. Although the test papers are in slightly different versions of the name, these are all the test papers of the same person.

**I BELIEVE THAT THE FACTS STATED IN THIS WITNESS STATEMENT ARE TRUE.**



Signed:

Dated: .....12/08/20.....

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**FIRST WITNESS STATEMENT OF NIGEL WOODHEAD**

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I, Nigel Woodhead, Licensing Enforcement Officer at City of York Council, Hazel Court Eco Depot, York. YO10 3DS, make this statement in relation to a consideration as to whether Mohammed Iqbal of Ingleby Manor, Crosswell Park, Ingleby Barwick, Stockton on Tees TS17 5BE t/a York Cars, remains a 'fit and proper' person to hold a private hire operator's licence issued by the City of York Council..

1. I declare that the contents of this my statement are true and correct to the best of my knowledge and belief. I make this statement in the knowledge that it will be used in the proceedings.
2. The information provided in this witness statement is within my own knowledge, and/or records held by the City of York Council unless expressly stated otherwise.
3. I have been in my current role since December 2018. I previously held this role between 2007 and 2015 whereupon I became part of the National Trading Standards Investigation team also based at City of York Council.
4. As part of my Licensing Enforcement Officer role I deal with complaints about taxi matters and I am in regular contact with operators and drivers. Through these contacts I am well aware that Mr Iqbal and others at York Cars including his son, Billy Iqbal, and Michael Dunn are frustrated by lack of drivers passing through our process and that their main concern is the local knowledge and safeguarding test which they consider a barrier to recruiting drivers.
5. In July 2019, I received a complaint that Mr Iqbal was operating under the names of 690taxisyork and Street Cars, I noted that we had no record of

operators under these names. On 16 July 2019, I spoke to Michael Dunn about the complaint and he said that they were 'ghost companies' of York Cars. On 5 August 2019, I emailed Mr Iqbal and said that he needed to obtain licences or remove the websites. I made a record on our complaints database. I heard nothing more.

6. In early December I began receiving complaints about the Wolverhampton vehicles licensed by York Cars. For the avoidance of doubt, many of the complaints we receive into the service are from other taxi drivers. Mr Dunn and the others at York Cars frequently make complaints about other taxi drivers too. However, we encourage drivers to complain to us and not take matters into their own hands and we do not consider the source of the complaint to make a concern any more or less valid. To assist the process, the table below is a summary of the complaints about Wolverhampton vehicles. I am not authorised to take any action against Wolverhampton licensed vehicles and drivers so any complaints are forwarded to Wolverhampton licensing to deal. Wolverhampton licensing do not update with any action taken.

7. Table of complaints

Date	Concern	Source	Outcome
6/12/19	Parked in disable bay at Racecourse	York driver HC	Sent to Wolverhampton
17/12/19	Parked on Station rank	York driver HC	Sent to Wolverhampton
17/12/19	Reversing on dual carriageway	York driver PH	Sent to Wolverhampton
23/12/19	Parked all 4 wheels on pavement	York driver PH	Sent to Wolverhampton
15/1/20	Manner of driving	York driver HC	Sent to Wolverhampton
16/1/20	No Local knowledge	Member of public	Sent to Wolverhampton
20/1/20	Running red light	York driver PH	Sent to Wolverhampton



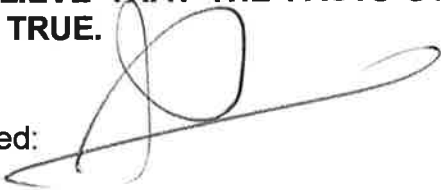
6/2/20	Illegal parking at York Hospital	York driver	HC	Sent to Wolverhampton
10/2/20	Possible illegal school run	York driver	PH	Sent to Wolverhampton
21/2/20	Blocking Access	Member of public	of	Sent to Wolverhampton
2/3/20	Parked on St Sampson's rank	York driver	HC	Sent to Wolverhampton
9/3/20	Dropped of passengers on rank at Station	York driver	HC	Sent to Wolverhampton
2/4/20	Query why Wolverhampton vehicles working in York	Member of public	of	Sent to Wolverhampton
27/4/20	Illegal turn	York vehicle	HC	Sent to Wolverhampton
27/8/20	York Cars vehicle including Wolverhampton parking on the roadside	Councillor		Liaised with Billy Iqbal
25/9/20	Wrong way out of one way system	CYC staff		Sent to Wolverhampton

8. On or around the 5<sup>th</sup> February, I became aware that we had received an application for a private hire operator's licence in the name of 690 taxis and I was told the applicant in the case was a relative of Mr Iqbal. I telephoned the number on the website and it was live, it was answered 'York Cars'. This surprised me given the email I had sent to Mr Iqbal. I discussed all of this with Matt Boxall, Head of Public Protection, and handed him a print of the records of my previous actions from the complaints database. I wrote the dates of my actions on the print out. I confirm this is the document which is **Exhibit MB15**.

9. I was present on 7 February 2020, when Mr Boxall telephoned the numbers for both 690 taxis and Street Cars. He used his speakerphone so I was able to hear all that was said. Both calls were answered 'York Cars'. I made a recording of these telephone calls using my mobile phone, and can produce copies of these recordings if necessary.

**I BELIEVE THAT THE FACTS STATED IN THIS WITNESS STATEMENT ARE TRUE.**

Signed:

A handwritten signature in black ink, consisting of a large, stylized 'A' or 'O' shape with a long horizontal stroke extending to the right.

Dated: 27<sup>th</sup> October 2020

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**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**SECOND WITNESS STATEMENT OF NIGEL WOODHEAD**

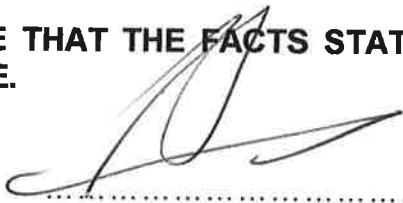
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I, Nigel Woodhead, Licensing Enforcement Officer at City of York Council, Hazel Court Eco Depot, York, YO10 3DS make this statement in relation to a consideration as to whether Mohammed Iqbal of Ingleby Manor, Crosswell Park, Ingleby Barwick, Stockton on Tees TS17 5BE t/a York Cars remains a 'fit and proper' person to hold a private hire operator's licence issued by the City of York Council.

1. I declare that the contents of this statement are true and correct to the best of my knowledge and belief. I make this statement in the knowledge that it will be used in the proceedings.
2. The information provided in this witness statement is within my own knowledge, and/or records held by the City of York Council unless expressly stated otherwise.
3. I make this statement to correct an error in my statement dated 27 October 2020. In paragraph 8 of that statement I refer to a document as **Exhibit MB15**. This is an error. The correct exhibit reference for that document is **Exhibit MB16**.

**I BELIEVE THAT THE FACTS STATED IN THIS WITNESS STATEMENT ARE TRUE.**

Signed: .....



Dated: .....

30th October 2020

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**FIRST WITNESS STATEMENT OF ANGELA RUANE**

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I, Angela Ruane, Licensing Officer at City of York Council, Hazel Court Eco Depot, York, YO10 3DS, make this statement in respect of Mohammed Iqbal of Ingleby Manor, Crosswell Park, Ingleby Barwick, Stockton on Tees, TS17 5BE, t/a York Cars, and the consideration as to whether he is a fit and proper person to hold a private hire operator's licence.

1. I declare that the contents of this my statement are true and correct to the best of my knowledge and belief. I make this statement in the knowledge that it will be used in the proceedings.
2. The information provided in this witness statement is within my own knowledge and/or records held by the City of York Council unless expressly stated otherwise.
3. I have worked as a Licensing Officer within the council since 1991. I have access to the records of taxi licensing matters. I have spoken to Mr Iqbal, Billy Iqbal and Michael Dunn on a number of occasions and they have spoken of the difficulties they find drivers have passing our safeguarding and knowledge test in the past.
4. On 28 February 2020, I went to the offices of York Cars with Matt Boxall, Head of Public Protection, and made notes of the meeting that took place. I produce these notes as the **Exhibit AR1**.
5. Finally I have checked our records and confirm that we have no operator licensed under the names 690 Taxis York or Street Cars or anything similar. Neither do we have an operator licensed at Wigginton Road, York, YO32 2RJ. We only have one operator licensed at 14 Redeness Street, York, YO31 7UU, which is Getaway Cars at Unit 7.

**I BELIEVE THAT THE FACTS STATED IN THIS WITNESS STATEMENT  
ARE TRUE.**

Signed: 

Dated: 16 September 2020

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE OPERATOR'S  
LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT AR/1**

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This is the **Exhibit AR/1** referred to in the statement of Angela Ruane dated 16 September 2020.

## AR1

### Notes from meeting at York Cars on 28 February 2020

Present: Matt Boxall – City of York Council (MB)  
Angela Ruane – City of York Council (AR)  
Mohammed Iqbal – York Cars (MI)  
Bilal (Billy) Iqbal – York Cars (BI)  
Michael Dunn – York Cars (MD)  
David Wilson – A2Z Licensing (DW)

MB Issue regarding Wolverhampton licensed drivers. Concerned that drivers are getting licensed with Wolverhampton to work in York because they have failed the York knowledge test. Explained that during the meeting he would like to see complaints file and requested a demonstration of how the Autocab system works. Purpose of meeting is to look at whether MI is still a fit and proper person to continue holding a private hire operator licence.

BI Clarified that the Autocab system in Wolverhampton has been checked by Wolverhampton taxi licensing. Booking records are kept for 12 months. He is not sure how long customer details are kept, he would need to check this with Autocab.

In the last week:

12,188 phone calls taken  
9696 jobs completed  
623 jobs cancelled  
314 – no fare

3593 jobs booked on the app  
3122 jobs completed from the app (out of 9696 overall)  
89 – no job  
379 – cancelled

Autocab has a call customer/call driver facility. No telephone numbers are revealed to the customer or driver with this facility.

MB Ask if they could explain the procedure for dealing with a new applicant.

MI Explained that they are recruiting drivers all the time. Michael Dunn deals with the recruitment.

MD New applicants are invited to the office at Blossom Street. They are given 2 options.

Option 1 is to obtain a licence through City of York Council and he gives them a breakdown of the costs involved.

Option 2 is to obtain a licence through Wolverhampton Council.

He explains that the process usually takes 2/3 months with York or 5/6 weeks with Wolverhampton.

It is then up to the applicant to decide which option they wish to take.

All done verbally.

He feels the biggest hold up in York is the DBS process taking so long.

Most new applicants choose the Wolverhampton route as it is quicker. When a person is unemployed they want to go the quickest route to start earning.

They currently have 13 drivers licensed with Wolverhampton. Approximately 20 people currently applying with Wolverhampton and their applications are at various stages.

They have stopped Wolverhampton applications at the moment as they don't want more cars on than are needed. Too many means that the drivers earnings go down. On average a driver earns £16 to £18 hour.

MB Explained that he is concerned that York Cars are actively taking news applicants who have failed the York knowledge test and getting them to obtain a licence through Wolverhampton. Do they check?

MI Not feasible. They have no way of checking if an applicant has previously applied to York and failed the knowledge test. They did know about the first 4 or 5 though.

MB Asked which one is it?

MI At first they did know about 4 applicants who had failed the York knowledge test. Michael Dunn now asks the applicant but if they don't tell us there is no way of knowing. They started asking after MB first raised concerns.

MD He does ask the applicant if they have previously applied for a licence with York but there is no way of knowing and they do not check.

MB 4 drivers flagged up and checked with Wolverhampton. One more flagged up and he applied the day after concerns were raised with MI.

MI He was in the system but had not been licensed at that point.

MB The driver was taken on when MI knew MB had concerns about drivers licensed by Wolverhampton that had failed the York knowledge test.

MI He did not know if the driver had taken the York knowledge test or not. Michael Dunn and Billy deal more with the day to day running of the business so they will be able to explain better.

MD He was not aware [REDACTED] had previously took the York knowledge test and failed it.



MB Asked if MD was aware of his concerns.

MD He was aware of the concerns, having read MB's letter but he was not aware [REDACTED] had failed the York knowledge test.

MB When did they start asking if new applicants had previously taken the York knowledge test?

MD They started asking at the next recruitment after MB's letter. When the concerns were highlighted they decided to ask new applicants. Everyone who did the Wolverhampton course on 12 February was asked if they had taken and failed the York knowledge test.

BI MB asked for information on active drivers only, [REDACTED] was not active at that time.

MB Asked to look at the complaints file and clarified that it contained only the complaints regarding York Cars.

MD No complaints have been received about York Cars Wolverhampton as yet. However, two complaints are being processed regarding a Wolverhampton driver, both complaints are about the same driver and are regarding his attitude. Both complaints were received week commencing 24.02.20.

MB Asked about 690 Taxis and Street Cars.

MI The telephone number for 690 Taxis and Street Cars came from the former Beeline Taxis. They were going to apply for a separate operator licence. All jobs came through York Cars. Since the concerns were raised both websites have been shut down.

MB Nigel Woodhead sent an email to MI regarding the websites for 690 Taxis and Street Cars in which he asked for them to be taken down if they were owned by MI.

MI Does not know why the websites were not closed down. The websites are done elsewhere. He did ask the website company to close them but then forgot all about it and did not follow it up. The website company is called Smek and they are based in Pakistan.

MB How do you communicate with them?

MI He contacts them by WhatsApp once a month. There was very little traffic to those websites.

MB Testimonials on the websites from customers – where did those come from?

MI Doesn't know where they came from.

MB There were five testimonials in total all saying how great their journeys were.

MB showed MI the reviews.

- MI Street Cars were licensed in Leeds. We sold Street Cars in Leeds and kept the website. That was approximately 2 or 3 years ago. Not aware if the reviews were for Leeds or York Street Cars.
- MB What has happened since receiving my letter about the websites?
- MI Contacted Smek and instructed them to take the websites down. Checked after a week or so and it had been done.
- MB Finished the meeting by stating that he had asked all his questions and asked if anyone present wanted to ask any questions or needed any clarification.
- MI He does have concerns which require clarification and requested a separate meeting with MB.
- MB Consulted his diary and arranged a meeting for next week.

**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PRIVATE  
OPERATOR'S LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**FIRST WITNESS STATEMENT OF ALFRED ALEX JOHN THOMPSON**

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I, Alfred Alex John Thompson, Apprentice Regulatory Compliance Officer at City of York Council, Hazel Court Eco Depot, York, YO10 3DS, make this statement in respect of Mohammed Iqbal of Ingleby Manor, Crosswell Park, Ingelby Barwick, Stockton on Tees, TS17 5BE, t/a York Cars, and the consideration as to whether he is a fit and proper person to hold a private hire operator's licence.

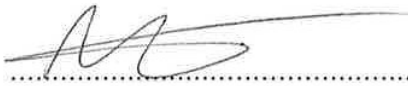
1. I declare that the contents of this my statement are true and correct to the best of my knowledge and belief. I make this statement in the knowledge that it will be used in the proceedings.
2. The information provided in this witness statement is within my own knowledge, and/or records held by the City of York Council unless expressly stated otherwise.
3. I have worked for City of York Council for around 11 months.
4. On Wednesday 5th February 2020 I was working with Sue Chapman, a senior licensing assistant, undertaking taxi licensing work to find out more information on streetcars and 690 Taxis to see how they were related to one another.
5. At approximately 9:45 on 5 February 2020 I was with Sue Chapman when she rang the taxi company 690 York Taxis, she did this by ringing the number 01904 690690, which was the number that was advertised on the website. She booked a taxi journey from Lidl, James Street, York to Micklegate, York. At 9:48 I rang the taxi company streetcars. I did this by ringing the number 01904 797777, which I found on the streetcars

website. I booked a taxi journey from the Dean Court hotel, Duncombe Place to Morrisons, Foss Islands road.

6. At 10:15 on that date, I and Sue Chapman took the taxi journey from Lidl, James Street, York to Micklegate, York. When we arrived the taxi was already waiting and had plates on the side advertising it to be from the company York Cars. The vehicle was a Vauxhall Insignia. The plate number of the taxi was 350. When we reached Micklegate, I paid the taxi driver, the cost of the taxi was £6.70. The taxi driver handed me a receipt which was a receipt for York Cars with all the details for York Cars. On the receipt I was given, the driver was driver number 50. I attach this receipt as **Exhibit AT/1**.
7. At 10.45 on that date, I and Sue Chapman took the second taxi from Dean Court hotel, Duncombe Place to Morrisons, Foss Islands Road. The taxi was already waiting when we arrived. I also received a text to notify me that the taxi had arrived. I attach a screen shot of this text as **Exhibit AT/2**. The text said that 'Your taxi has arrived. Your vehicle is a Skoda Octavia. Reg no GK17 CCF'. The taxi was a Skoda Octavia with the registration number GK17 CCF. The plate number of the taxi was 796. On the side of the taxi it was advertised as being a York Cars taxi. The taxi arrived at Morrisons at 10:59. The cost of the taxi was £6.70.
8. I also received another text at 10:59 on that date, after the journey was completed which said 'Thank you for using York Cars Taxis'. I attach a screen shot of this text as **Exhibit AT/3**.

**I BELIEVE THAT THE FACTS STATED IN THIS WITNESS STATEMENT ARE TRUE.**

Signed:

  
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Dated:

28/10/2020  
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**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PREMISES  
LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

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**EXHIBIT AT/1**

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This is the **Exhibit AT/1** referred to in the statement of Alfred Alex John  
Thompson, dated .....28/10/2020.



York  
Cars Taxis

24/7

**DOWNLOAD OUR TAXI APP**  
(York First Premium App)

**Tel: 01904 765 765**

4-8 Seater Mini Buses available | [www.yorkcars-taxis.co.uk](http://www.yorkcars-taxis.co.uk)

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GARAGE**

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Unit 2A/14 Redness Street, York, North Yorkshire, YO31 7JU



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**EXHIBIT AT/2**

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This is the **Exhibit AT/2** referred to in the statement of Alfred Alex John  
Thompson, dated .....28/10/... 2020.

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Text Message  
Today 10:40

Your taxi has arrived. Your  
vehicle is a SKODA  
OCTAVIA .Reg no GK17 CCF .  
Download our FREE APP [http://  
onelink.to/4qe27k](http://onelink.to/4qe27k) & pay by  
CASH/CARD

Subject



**IN THE MATTER OF AN APPLICATION FOR A REVIEW OF A PREMISES  
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**EXHIBIT AT/3**

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This is the **Exhibit AT/3** referred to in the statement of Alfred Alex John  
Thompson, dated .....28/10/2020.

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Text Message  
Today 10:59

Thank you for using YORK  
CARS TAXIS. Your booking was  
completed by Car 88 . Leave a  
review using following link  
<http://bit.ly/york-cars>

Subject