



Northern Ireland  
Assembly

Committee for Infrastructure

# OFFICIAL REPORT (Hansard)

Taxi Sector Issues:  
Licensed Taxi Operators Association

10 April 2024

# NORTHERN IRELAND ASSEMBLY

## Committee for Infrastructure

### Taxi Sector Issues: Licensed Taxi Operators Association

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**Members present for all or part of the proceedings:**

Mrs Deborah Erskine (Chairperson)  
Mr John Stewart (Deputy Chairperson)  
Mr Cathal Boylan  
Mr Patrick Brown  
Mr Keith Buchanan  
Mr Stephen Dunne  
Mr Mark Durkan  
Mr Peter McReynolds

**Witnesses:**

Mrs Cathy Mallie	Clanrye Taxis
Mr Stephen Anton	Licensed Taxi Operators Association
Mr Gerry Lennon	Visit Belfast

**The Chairperson (Mrs Erskine):** I welcome to the Committee for Infrastructure Mr Stephen Anton, the communications manager for Fonacab; Mrs Cathy Mallie, the proprietor of Clanrye Taxis; and Mr Gerry Lennon, the chief executive of Visit Belfast. We look forward to hearing from you. We already have some information from you, so I ask that you keep your remarks to just five minutes or so, and we will then move on to members' questions.

**Mr Stephen Anton (Licensed Taxi Operators Association):** Thank you, Chair, and thank you, members, for having us along today and for that introduction. Yes, I do work for Fonacab, but I am here today to speak on behalf of the Licensed Taxi Operators Association. We are a group of large, mostly private-hire taxi operators in Northern Ireland. I am speaking on behalf of the association, because the issues affect all of us. I am joined by Cathy Mallie from Clanrye Taxis in Newry and Gerry Lennon from Visit Belfast. I will let Cathy and Gerry give a little bit of an introduction as to why they are here.

**Mrs Cathy Mallie (Clanrye Taxis):** My name is Cathy Mallie, and I work with Clanrye Taxis in Newry. It is a family-run business and has been operating for over 25 years. I am here to represent taxi companies outside of Belfast, because a lot of the same issues that affect Belfast affect us, sometimes more so than they do Belfast taxis. If members have any questions at the end, I am very willing to answer them from a rural perspective.

**Mr Gerry Lennon (Visit Belfast):** Thank you, Chair and Committee members, for the opportunity to speak with you today. I may take a wee bit longer to explain why Visit Belfast is here, because our connection to the wide range of taxi issues may not be 100% clear. Visit Belfast is a destination marketing organisation (DMO). It is a public-private partnership between Belfast City Council and 500

businesses and covers every aspect of the visitor experience. We are supported by Invest Northern Ireland, Tourism NI, the Department for Communities and two other local authorities: Ards and North Down Borough Council and Lisburn and Castlereagh City Council. Our role is to drive visitor numbers and visitor spend in the city region. That means city breaks, conferences and cruise ships.

In September 2021, our board had occasion to write to the then Minister, stating that we had some concern that, as we were coming out of COVID, tourism levels could lead to demand outstripping the supply of taxi services. The two areas that we are interested in are the amount of taxi services available and accessible taxi services. In the past year, for example, tourism has come back to 2019 levels: we have welcomed 150 cruise ships; 325,000 visitors; 92 conferences; and 32,000 conference delegates. There have also been 390,000 leisure bed nights and 678 enquiries, and we have delivered £125 million to the local economy. Throughput in the two airports last year was eight million people, a large proportion of whom would have needed taxi services.

The numbers that Stephen and others have shown us make it clear that the number of taxi licences and taxi drivers is decreasing as the demand for the service is increasing. When you look at all the plans, you will see that the Department for the Economy is looking at a 50% to 75% growth in the tourism economy, and Belfast City Council's tourism strategy is looking for the same growth. Our own strategy is looking at 20% growth over the next three years. The Hotels Federation is saying that we will have 10 new hotels in Belfast in the next three years, which will mean 1,000 new rooms. All of that is pointing to us needing greater integration and coordinated connectivity within the city and the city region.

We are starting to get some feedback from visitors that there is frustration about queues at cruise terminals and at airports. That leads to a reputational issue, which will be counterintuitive if we get the growth in the numbers that we expect. The numbers that we are expecting, as we hope to grow, are not incremental: they represent significant changes. Look at the events calendar: the Euros in 2028, the fleadh in 2026 and 2027 and the Open in 2025. All those things will drive huge numbers. Indeed, the two airports are expecting their throughput to surpass what it was in 2019, and the figures that Stephen has supplied show that the number of available taxis now is significantly less than in 2019.

In addition, accessible tourism is not just a moral obligation, it is good business sense. VisitBritain did a bit of research that showed that those involved in accessible tourism number about 16 million and spend about £14.5 billion a year in the UK. Being inclusive and accessible is not only a moral obligation, it is a good business opportunity. We have had feedback that the area of accessible taxis is one where we are particularly lacking. Indeed, we had the Harkin conference in Belfast 2022, which focused exclusively on accessible opportunities for disabled people in their careers. That was a fantastic conference, but there was concern about accessibility. Those are two areas that we are interested in.

In conclusion, from a Visit Belfast perspective, we ask that whatever the Department for Infrastructure does, it factors in the visitor economy, because that is so important for our economy and for our social well-being. If we are going to grow the demand, we have to make sure that we have the capacity. I will answer any questions that you have about that.

**Mr Anton:** Chair, my presentation was a little longer than five minutes, but, thankfully, Gerry has taken some of that out of it. *[Laughter.]* It is appreciated. Briefing notes have been provided, but some of these issues are quite complicated, so they do need a little bit of explanation. I hope that you will indulge me if I run a little bit over the five minutes.

The last time we presented here was in 2021, when we gave an update on the sector as it was then and some of the issues that affected us. I will give a quick update on the sector now and some of the current issues.

In 2014, there were nearly 16,000 taxi licences in Northern Ireland. When we presented to the Committee in 2021, that number had dropped to 8,500. In December 2023, according to the latest stats published by DFI, that figure was 7,500. Those figures are on page 145 of members' packs. Of greatest concern is the fact that that figure is for the number of licences, not necessarily the number of active taxi drivers. To be an active taxi driver — a licensed taxi driver who is operating — you have to be affiliated with a taxi operator. In January of this year, there were 5,719 drivers affiliated with operators. From our experience, on any given week — taking into account holidays, sickness and so on — around 80% to 85% of taxi drivers who are active are out working. On any given week, you are looking at around 5,000 drivers operating across the whole of Northern Ireland.

I will not go into the stats; Gerry illustrated the situation really well. Cruise ship numbers and tourism numbers are growing, and one stat that Colin Neill from Hospitality Ulster gave me is that the number of hospitality staff has grown by 33%. Tourism and hospitality are both growing at a time when the number of taxis and taxi drivers is dropping.

In 2021, we had four main asks for the Committee: support for drivers during COVID; an increase to the maximum taxi tariff; a review of driver taxi licensing requirements, to help increase taxi numbers; and a review of the class C taxi classifications, primarily to protect passenger safety and adherence to regulations. We are grateful to the Committee for providing some financial support for drivers during COVID and to the Minister and officials for delivering an increase to the maximum taxi tariff in October 2023, but there has been little movement on the remaining issues, which continue to cause problems for the sector.

Since our last presentation, we have seen a further decrease in the number of wheelchair-accessible vehicles and an increase in the number of illegal, uninsured, unvetted and untracked taxis. We have seen a change in customer booking habits, which has led, in some cases, to challenging customer and driver behaviour. We have seen a normalisation of anonymous taxis, with customer safety increasingly being put at risk. We have seen big increases in costs for drivers and operators and a further decrease in the number of public-hire black taxi operators, which were affected more than most by the lack of business in the city centre in particular. We have seen other regulations, such as tax conditionality. That means that drivers who had previously only been working part-time or casually are now discouraged, because they have obligations to register for self-assessment before they can renew their licence.

The big thing that has come before us, which we want to discuss today, is the proposed DFI change to operator status in legislation. If implemented, that could increase taxi fares by 20% and prevent those who are most in need from accessing taxi services. It also has the potential to close many operators down permanently.

It is not all doom and gloom; there are some positives. The increase to the maximum taxi tariff in the autumn has gone some way to compensating drivers for lost journeys because of increasing costs. We know that no increase in fares is ever welcomed, but, while the increase has been meaningful for drivers collectively, we calculate that it has meant an increase of around 90p to an average taxi fare. Even after that increase, NI remains close to the bottom end of the national taxi fare tables, ranking at 293 out of 340 regions across the UK.

It has also been encouraging that, as vehicles come up for renewal, we have seen big uptake in low- and zero-emission vehicles. At Fonacab — our business — some 25% of the fleet is now hybrid or full EV. Drivers are seeing the economic benefits of those vehicles as well as the green benefits. We saw a coming together of Fonacab and Value Cabs to work with Translink before Christmas to support the Nightmovers services. We continue to work with Translink and other transport providers to try to help improve transport connectivity.

Despite all the difficulties involved in becoming a taxi driver, at Fonacab we have seen a huge increase in interest in becoming a driver, with some 1,500 enquiries being made to us, alone, over the past year. Some of those drivers have come into the industry, but many have been stymied by the licensing process.

Coming to the help that we are looking for today, we have a couple of specific issues. The first one is the DFI's proposal to change the Taxi Operators Licensing Regulations (Northern Ireland) 2012, following the outcome of a number of court rulings in England and Wales. On paper, that looks like a simple thing: a change in the status of a taxi operator from agent to principal. As one line in a piece of legislation, that probably does not look like an awful lot, but, taken in context with other legislation from HMRC that is in place, it can have huge implications.

If the change takes place, taxi operators or drivers who have total annual fares — not profit — of £90,000 or above will have to charge VAT on all bookings. To put that into context, for a taxi operator who has as few as two drivers, who each lift fares of say £900 per week, that will be your £90,000 turnover and your threshold for VAT met. Therefore, any taxi operator with two or more drivers — the majority of operators in Northern Ireland — will automatically be pulled in under the change.

However, we are also seeing that those operators who operate a driver on their own licence are likely to be affected by the change, because assuming principal status means that HMRC is already looking at other avenues of investigation such as mileage that is booked through app and booking platforms.

That opens operators and driver to more scrutiny, let us just say. Scrutiny is not a bad thing and everyone has to pay their way, but the problem is that many of the small operators and drivers do not have the administrative capability to handle the tax and VAT returns that we are talking about. As well as putting the price up, that has the potential to put a lot of those smaller operators and drivers off the road.

There are a couple of other issues with that. If the price goes up by 20%, that is bad enough. However, as operators, we will be relying on drivers to collect the VAT so that we can remit it to HMRC. If we cannot be sure of what the driver has lifted — because of a failed journey, a no-show or something like that — the only way to guarantee that we get the money that HMRC is expecting to collect from us is to stop cash journeys altogether and only accept credit and debit cards. In doing that, you disenfranchise some of the poorer members of society who do not have access to those banking facilities.

Those of you who try to buy anything on the internet these days know that you have to go through layers of security when you are using a credit card. Therefore, if we can only take credit-card payments, it might not be possible to take telephone bookings any more; it might be that bookings are only possible on an app or web platform. So, as well as potentially putting the price up by 20%, the change to the legislation has the potential to rule out anybody who can only pay with cash, which will stop those people, who include the elderly, those who are not tech savvy and those who are blind or disabled and cannot use a web platform, from using taxis.

I have already mentioned the fact that the cost of adapting to the new systems will be prohibitive for many. The procedures will undoubtedly cause more operators to close, making local admin and call-centre staff redundant and causing a further reduction in the number of drivers.

Should the change in the legislation be approved, the industry will adapt and the larger operators will survive. They will collect the VAT as directed and pass it on to HMRC with the additional costs for doing so, but there will be hugely increased costs for the members of the public who are able to still get a taxi and increased costs in administration for operators. However, there will be no additional revenue coming into Northern Ireland; every penny will go back to Treasury. We understand that the proposed change is subject to negative resolution, and we ask for the Committee's support in rejecting it outright.

On the second point that I want to raise, I draw your attention to the pictures on the screen, which, hopefully, will break my monotone a little. What you are looking at on the screen is a Lexus ES 300h. That is a £50,000 car, and we have had difficulty in PSV-ing it as a class A vehicle because the seat padding is too thick in the back seat. There has been some discussion over the application of the PSV certification regulations for that type of vehicle. The next slide shows a Toyota RAV4. You will see more of those, and more vehicles of that type, on the roads in Northern Ireland. It is similar in shape and style to a Hyundai Tucson. That means nothing, but the Hyundai Tucson has been the biggest-selling car in Northern Ireland for the past three years, and it is indicative of how the style, shape and models of cars have changed over the past three years. In order to get that vehicle passed as a class A taxi, we had to fit side steps to it, which you can see on the vehicle on the slide. Those are the rules, and we have adhered to the rules by fitting those steps.

You will either love the colour of the vehicle in the next slide, or you will hate it. You are not going to miss it.

**Mr Boylan:** You will be seen at night.

**Mr Anton:** That is a Škoda Enyaq. With the trim in the picture, it is a £52,000 car. It should be every regulator's dream as it is a full EV, with no emissions or issues with noise, pollution and all the rest of it. It failed the class A PSV test because it was 5 millimetres too tall at the front and 10 millimetres too tall at the back. We were sent off and told to fit steps to it. One of the photos shows the steps that we fitted, which are the type approved for that manufacturer. It then failed the PSV test for a class A vehicle again because the steps were not visible enough. We applied hazard tape to it, and it then passed the class A PSV test. Those are all premium vehicles. They are all ideal taxis — hybrids or full EVs — and are perfect for what we need on the roads these days, but we had difficulty in getting them passed as class A vehicles.

The next slide shows a 2017, 1.2-litre, two-door Volkswagen Polo. There is no sign on it, and there is no meter in it. The only thing that we did to the vehicle was put a fire extinguisher in the boot, and it passed straight away as a class C taxi. That is now a registered taxi. That is what class C is enabling

on the roads. We have done that just to make the point that, if you are going to regulate the industry, the industry should all be regulated under the same terms. We cannot understand how a class C vehicle like that — a two-door vehicle — can be allowed to pass as a taxi. How can anybody get out of the back of that if they are elderly, have been in an accident or are infirm? We do not understand. The other problem is that it just looks like a normal car. There is no sign on it and no meter in it; there is nothing to indicate that it is a taxi. That is what we mean when we talk about taxi anonymity. The problem with an anonymous car like that is that, first, people do not know that they are getting into a taxi, and, secondly, it makes illegal taxis seem credible. If you come out of the National or wherever at night and there is a guy standing there asking, "Are you looking for a taxi, mate?", how would you know that he is any different to any other taxi driver?

When we were here in —.

**The Chairperson (Mrs Erskine):** Sorry, Stephen. This is really good information for the Committee, but I am conscious that members will want to ask a number of questions on this, and we have other items of business today, so, if you do not mind —.

**Mr Anton:** I am sorry.

**Mr Durkan:** Gerry has already covered most of it. *[Laughter.]*

**Mr Anton:** I am sorry for going through this. I thought that we had a slot of an hour.

**The Chairperson (Mrs Erskine):** Yes, but that also includes time for members' questions.

**Mr Anton:** Do not worry: I am nearly there.

When we were here in 2021, we said that if those taxis were allowed to continue, someone was going to get raped or mugged. That has happened. You will have read the story of what happened at Christmas, when a woman got into what she thought was a taxi in Derry. It was all over the news. That rape case is still outstanding. That is what we are trying to prevent by closing the loophole in class C legislation.

We have touched on the three other points before. The first is that it is still too difficult, convoluted and expensive to become a taxi driver. If you are not going to remove the testing for taxi drivers, at least make it more fit for purpose. If you can have a provisional licence for a HGV driver or bus driver, why can we not have a provisional licence for taxi drivers? If a bus driver or a HGV driver with 30 years' experience comes to us and says, "I want to become a taxi driver", why does someone who has managed one of those vehicles for that length of time have to start from the beginning when it comes to taxi licensing? We need a fresh approach to taxi licensing. In order to get more drivers on the roads, something has to change.

I will give you a daft example. To pass your theory test, you have to pass four different sections of the theory test. If you fail one of those sections, it does not matter if you have full marks in the other three; you still have to sit the full test again. Could it be that an overall pass mark would suffice? Could it be that you have only to resit that one section? We need a different way to cope with that. The point is that we are still seeing more drivers leaving the industry than joining it. There needs to be a fresh approach to taxi testing.

The last major point that I want to touch on is wheelchair-accessible vehicles, and I know that some members have raised that issue here before. The number of wheelchair-accessible vehicles has continued to drop. That is because, although the vehicles are more expensive to buy, maintain and operate than a standard vehicle, the fares that we charge are exactly the same as those for a standard vehicle. We are not advocating charging a passenger who has a disability more for using the taxi — not by any means — but we need to find some way of ensuring that drivers of those vehicles are not financially disadvantaged for driving them.

In the useful links page of our notes, I mention that the DFI can call on existing legislation — the Transport Act (Northern Ireland) 2011 — that allows the Department and the Minister to provide resource for the purchase and adaptation of such vehicles. We are asking the Department to consider that. That is all wrapped up in the Taxis Act (Northern Ireland) 2008, which was being developed as far back as 2005, when we all worked on radios, including citizens band (CB) radios. That sector and

industry has gone, so the last of our five asks is that the Committee starts to develop a route to a full review of the Taxis Act.

I will summarise the five issues. The first is the agent/principal issue: we ask the Committee to look at that and consider its implications. The second is the closure of the class C loophole for the protection of passengers, in their safety and in the fares that they pay for our taxis. The third is a fresh approach to driver licensing, such that we can help to get more drivers into the industry. The fourth is support from the Committee and the Department so that we can get more wheelchair-accessible vehicles on to the roads. The final one is an overarching review of the Taxis Act (Northern Ireland) 2008. That, believe it or not, is the precis of our views.

**The Chairperson (Mrs Erskine):** Thank you. We have half an hour left, but we appreciate the fact that you have come to the Committee and given evidence today. I know that members were quite keen to hear from the taxi industry. I did not mean to cut you off, but I am aware that members have a series of questions on which they want to get more information from you. We wrote to the Minister to ask for a legislative time frame, and he replied that there was no timetable for legislative changes to the taxi regulations. I believe that the Department has been in contact with you to get more details on some of your concerns, in order to get that engagement.

Quite a few of the issues have been dealt with, so I will go to the Deputy Chair first — it is not usual for me to do that — and I will come in at the end if I have any questions.

**Mr Stewart:** I will try to be as brief as possible. Thanks so much for coming in today. I know that the Committee, as a whole, wanted to hear from the sector. I put on record my thanks to the entire sector, not just for the economic impact that it has, but because I know about the work that it does in my constituency, bringing kids to school, taking elderly people to hospital and providing a network for the rural community. It is an invaluable service and one that we have to promote.

I have about 30 questions that I could ask, but I will try to tease out two small issues and I will write to you about some of the others. You talked about there being 5,000 drivers a week on the roads, which is down significantly since 2014. What should that figure be in order to provide the taxi service that we need on a day-to-day basis in Northern Ireland?

**Mr Anton:** There is no doubt that COVID caused a change in passenger habits. People are socialising at home rather than going out and so on. In my opinion, we do not need the 14,000 that we had prior to COVID, but we do need a significant increase in the number of taxi drivers. In any given week, the figure should probably be at least 50% above what it is currently, and higher again if we are to encourage the sort of aspirations that Gerry Lennon talked about.

What we have found, more and more frequently, is that it is a nightmare to get a taxi at any time on a Saturday. However, it is not just about the people who are trying to get out to the pub on a Saturday night. During the Monday morning rush hour, especially with weather like today's, demand goes through the roof. Any time from 2.00 pm onwards, you will struggle to get a Fonacab taxi, because you have the market going home from school and the evening rush-hour market. Drivers choose their own hours of work, so there are fewer working in the evening. While demand goes down a little bit, supply goes down that little bit as well.

**Mr Stewart:** Absolutely. I have seen it myself. I have changed my habits when I go to Belfast because I do not think that I will get a taxi. People are not going out at the same time, so taxis are affected, I suppose. It has a knock-on effect in that respect.

I have spoken to many constituents who are or want to be taxi drivers. I firmly agree, Stephen, that they find the process totally prohibitive, both logistically and financially. I am keen to tease out more on how you think the process for obtaining a taxi operator licence should change to ensure the safety of drivers and the public, but also to ensure that there is a constant supply of drivers.

**Mr Anton:** First of all, the industry loses about 1,200 drivers a year at the minute and brings in about 200. I know that the average age of our Fonacab drivers is 53 or 54.

**Mrs Mallie:** It is over 60 in Newry. With regard to Belfast taxis and Newry taxis, while those in Belfast have seen lot of interest, we in the rural areas have not. We are struggling big time. From January until now, we have had 10 people looking for a taxi licence, but not one of them has. We said that we would talk them through it and go on the internet with them to apply for their theory test. We have held

their hand, but they did not want to go any further with it. Last year, only four people completed the taxi test and got a licence. It took two people six months and one of them eight months. The other one has just passed it after five months. While the situation in Belfast may be different, it is definitely different in Newry. I know that we are finding it difficult in all the country areas. Outside the Newry area, there are no taxis at all. They are all illegal, and that is the problem that we have. We in the countryside are facing a bigger issue than those in Belfast.

**Mr Stewart:** That is certainly the feedback that I am getting from people who are trying to obtain the licence and are finding it frustrating.

**Mr Anton:** We are doing an open day in June to try to find more drivers. Our message is, "Come to us now, and we will try to get you on the road by Christmas". It is difficult to get a slot for a practical driving test around Belfast. It is also about getting people through the theory test. The theory test pass rate is around 20% on average. It has grown a little bit to around 25%, but, again, if you fail the theory test in one section, you have to do the whole thing again, which costs time and money. We are getting some guys who are maybe taking two or three attempts to get it.

**Mr Stewart:** I am really conscious of time. The final bit that I want to touch on is the proposed operator licensing changes. It is not that those are being delayed, but, as the Chair outlined, more evidence is certainly being sought from you. Stephen, you touched on the deeply concerning impact that it would have for larger firms. You talked about the impact of potentially ending cash transactions and the impact that that would have on accessing services. I am keen to hear from Cathy on how smaller operators would be affected. It sounds to me as though the impact would be devastating.

**Mrs Mallie:** It would be devastating. We have lost 50% of our drivers since COVID, and we have never recovered from that. Take the demographic of our current drivers. They are all over 60, and, as I say, a couple of them are over 70, including my father, who is 75 and is still taxiing. He cannot leave because of his love for the business.

As a family-run, local business, we are worried not about the tourist side of things but about the local people and the local runs. It is the woman going down to get her pension. It is somebody going to the hospital for an appointment. It is the woman wanting a taxi to take her four-year-old to school because she has a disabled child at home whom she cannot leave. It is about the trust that they place in us. We have a different relationship with our customers.

We are finding it difficult to keep our current drivers in the industry. It is complicated to stay in it because of the certification of professional competence (CPC) and because, given their age, they have to do a medical every other year. They are confused by the process. They are getting to the stage where they are saying, "I don't know whether it's viable to stay in this. It's costing me nearly more money". If the VAT element comes in, they will definitely call it a day. Financially, we could not do it. The bigger companies in Belfast and even the big country companies can financially afford to help people through things and to support the administration for that in their back office. However, we are not in that financial situation. We are really struggling. We are in dire straits at this stage, especially in Newry. There are only two companies. Even outside Newry, in Warrenpoint and Belleek, they have courtesy buses going to and from some of the hotels to the restaurants because people cannot get a taxi. One gentleman was killed on the road, and I know for certain that he had rung for a taxi from the Foresters in Killeavy and could not get one. That is really, really sad, but that is how serious things are in Newry at the minute for us.

**Mr Stewart:** Thanks, Cathy. I could ask questions all day, but the Chair will tell me off. Thank you for your answers and thank you to the sector. I look forward to engaging again.

**The Chairperson (Mrs Erskine):** We will maybe pick up afterwards on some of the other questions, because I am conscious that members are very keen to ask questions.

**Mr Stewart:** I understand. Thanks, Chair.

**Mr Dunne:** Thanks, folks, for your presentation. I put on record our acknowledgement of the very valuable service that taxis provide to things like schools, medical appointments, shopping and so on. That is a real lifeline for so many, including people in my North Down constituency.



I want to touch on a couple of points, starting with recruitment and retention. Your sector is not alone in that being a huge issue facing you. I presume that drivers are being lost to the competition from big online global delivery companies, for example. They perhaps have less regulation, fewer medical requirements and so on. The graph shows the downward spiral on vehicles, drivers and operators. Those are alarming statistics considering, as Gerry said, that the graph on tourism, hopefully, is going the other way in terms of hotels and interest as our hospitality sector recovers from a difficult few years with COVID and so on. Can you give us a bit more on what you feel the Department could do on recruitment and retention? You touched on that, but what are the key takeaways from that?

**Mr Anton:** The current driver licensing process was introduced in 2014. Up until then, an applicant to become a taxi driver needed to have three years of normal driving experience on his licence, he needed to have a clean medical and he needed to have a repute check and an enhanced Access NI check. Post 2014, a bespoke theory test and a bespoke practical test were added to those requirements. We looked at our drivers, and we believe that 85% of the drivers driving today are driving under those grandfather rights under the pre-2014 regulations. Because of that, we had asked previously of the Minister, because of COVID and so on, whether a pause could be put on to the additional elements — the practical and theory test side of it — to try to encourage more drivers into the industry. We were told no, and the current Minister has said that this is a passenger safety issue. Passenger safety is hard to argue with, which is part of the reason why we are arguing on passenger safety on class C.

Our approach now is not to say that we should do away with the practical and theory testing. Our approach now is to take a different approach to practical and theory testing and make them easier to get. It is to make it easier to pass a resit for those who fail their theory test. Those who already have experience driving another type of vehicle, such as bus drivers and lorry drivers, should be given some sort of credit. You can go onto the nidirect site and do a sample theory test. Some of the questions that you will find on the theory test can be a little misleading, so we ask that the theory test be more fit for purpose. It is a tailoring. If we cannot get rid of the current testing process, we ask for a tailoring to make what we have quicker, less expensive and more fit for purpose.

**Mr Dunne:** How does the theory test compare with the rest of the UK, for example?

**Mr Anton:** Every licensing area has different requirements. For example, some of the areas across the water have "the knowledge", where you need to have an intimate knowledge of the geography of the area that you are in. Some of them will have more stringent language requirements. There is no real comparator. The DFI, in its published stats, which are in your packs, when it talks about pass rates for the taxi sector, does not compare with other regions because it acknowledges that we do things differently over here.

**Mrs Mallie:** With the demographic of the type of person who is going into taxis, I truly feel that the theory test is not practical for them at all because they are so long out of school. They have to go back to school, practically. It is 40-year-olds and above. It is not young people who are going into this. They are not leaving school to become a taxi driver. In the Newry area, the people who are coming into taxis are 40 and above. They are people who maybe have been bricklayers and have worked in Dublin and now want to settle down at home. Again, taxis in the country are different in some ways. There are the same issues, but we are slightly different in that that is the demographic of our taxi men coming in. The theory test is like asking you to go back to school, and that is not the way forward for us.

**Mr Dunne:** I appreciate that, and hence those people go elsewhere for employment to where there are no demands for night-time working and so on.

**Mr Anton:** Taxi drivers are self-employed. If someone came to me and said, "I want to become a taxi driver", and we said, "Look, it could take you six months, and you might not even pass the test and get on the road at the end of that", as you said, they will go off and drive for Tesco or Amazon. There needs to be more of an incentive.

**Mr Dunne:** I have a final point. Can you tell me a bit more about the Uber judgement? Uber is a global firm that has changed how many of us travel in Europe and around the world. It has implications from there to right outside this door.

**Mr Anton:** First, Uber has to operate under the licensing requirements in the areas that they are in. In Northern Ireland, it operates under class C, which we have said is a sector that was never designed for taxis. It was designed for wedding and funeral cars and novelty vehicles. That is the reason that the Volkswagen Polo got into that category, because it has very lax regulations. In our opinion, Uber should never have been allowed to come into Northern Ireland under class C. We have no problems with Uber, but it should be class A, just like the rest of us, with the same maximum fare tariffs and regulations.

The judgement against Uber in London is relevant. It is the principal, because when you book an Uber and take out your credit card to put your details into the app, the money goes directly to Uber. Say your fare is £20. You pay £20 by credit card to Uber, and that bounces off to Uber in Amsterdam and America. Uber takes its admin charge, platform fee and all the other bits and pieces out of that, and it pays the driver the balance at the end. It is the principal. It receives all the money and pays the costs out of that. That differs from us in Northern Ireland, where the driver, especially for cash journeys, takes your payment in the car. If your journey is £20, he gets the full £20. The difference in Northern Ireland makes the operator very clearly the agent for that type of booking rather than the principal. That is why Uber lost the position in London.

In the Sefton case, because Uber had been found to be the principal, it used the same argument, saying that that should be applied to other private-hire operators. While it won the judgement in the Sefton case, that judgement is under appeal, as is another judgement against another ride operator called Bolt. When announcing the Budget this year, the Chancellor said that he is going to put the whole thing out to consultation. While the Transport for London judgment against Uber seems to be done and dusted, the Sefton judgement against Uber and Bolt is very much up for appeal, and the consultation will then follow. It is a different market, a different set of rules and a different business model.

**Mr Dunne:** Thanks, folks.

**Mr Brown:** Thank you very much for the presentation. Cathy, it is particularly good to have you here; you serve a lot of my constituents in the Warrenpoint area and take in a bit of Newry as well. What you have said is exactly what I hear so regularly from constituents, particularly from hospitality proprietors and those involved in the night-time economy. It is basically impossible to get a taxi on a Friday and Saturday night around Downpatrick. Newcastle is probably the only area in my constituency that is well served.

Similarly to what has been touched on, I am curious to know what you are doing at a local level to work with people in the night-time economy to try to work with taxi providers to increase the number of hours that they operate. Is it the fact that they just cannot get enough people in, so those people are choosing to work 9-to-5 daytime hours rather than night-time hours? Is it the case that they just cannot get people to work those hours?

**Mrs Mallie:** As Stephen said, basically, you are a self-employed taxi driver. Out of our taxi drivers, 90% in Newry are, and the rest are employed by us, therefore we have control over what they do, but they can work whatever hours they want. With the way that the pricing is now, they get the same money during the day on Saturday as on Saturday night. We knew that that was going to be an issue for us. We do try to encourage more of them on a Saturday night, but we just do not have enough drivers. It is a real worry.

You spoke about Warrenpoint. I have a son who goes up and down to Warrenpoint regularly. There are 18-, 19- and 20-year-olds who are getting out of bed to take their friends home, and their friends pay them a fiver each. The young person gets £20 to take them home in their own car. I am freaking out over it from an insurance perspective, in case something happens to somebody. The basic problem is getting people into the industry. We can cajole them to keep them there, but getting them into the industry at the minute is really difficult. It does not matter what we do. We are trying so hard.

**Mr Brown:** Have you made any representations to the Department for the Economy on that, from a night-time economy perspective? From a recruitment perspective, are you working with DFC to try to get people back into work?

**Mr Anton:** One of the reasons why we asked Gerry along today is because there is not one sector of the community that the taxi industry does not interact with, whether that is the night-time economy, hospitality, health trusts — we do a large number of jobs each month taking people to and from cancer

treatment and so on — or education. We have spoken to some of the other Departments. Economy is interested in speaking to us. However, you are the body that legislates our industry and can make the change, so you are our priority, which is why we have come here today.

**Mr Brown:** Absolutely. That makes sense in terms of regulation. I am just thinking that there are areas of synergy with other Departments that could be beneficial in the driver recruitment and acquisition question.

I have one further question about Uber, Lyft and Bolt. Am I right in thinking that, although you would welcome them into the market, the issue is the regulation and the fact that they come under class C? They provide a valuable service. They have a tech product, which we have all used. It is very accessible and efficient. If we could ensure that any worries about driver safety, the anonymity of vehicles and so on were addressed, the service would plug the gaps. Just for balance, a lot of the time, you can see the driver on those apps. You may not know the car — it might not be marked — but, a lot of the time, when you get into a black cab or whatever, you do not know the driver, even if the car is marked. There is a bit of a balance in what those apps can offer.

**Mr Anton:** As I said earlier, we have no problems with Uber or any other taxi provider. The stats say that the number of taxi companies has dropped from 1,800 to around 1,120, so there is certainly plenty of opportunity for more operators. We are on record as saying that there is not an issue with Uber, Bolt, Lyft or any of the rest of them. Our issue is with the way in which they are regulated. They have come into the market in a classification that is not intended for taxis, which has enabled them to skirt around vehicle safety and maximum tariff legislation.

There is a point at which deregulation goes too far. Say that you are going to a supermarket and it is a £5 journey; Cathal is going to a nightclub and it is a £10 journey. When there are too many taxi drivers, they are all bidding for the same work, and they will take the job that is in front of them. However, as Cathy said, having too few taxi drivers means that they can be picky about what jobs they accept. You might not be able to get to the supermarket because Cathal's journey is more lucrative. Operators already have that issue because of the lack of drivers. There has been deregulation in the Republic of Ireland, where there is Lyft, Bolt and all the other ones. What you are seeing there is a taxi driver with six phones on his dashboard, logged in to all of them. If he accepts a booking for Uber and then a more lucrative booking comes in for Lyft, he can drop the Uber booking and take the Lyft one. Although that might favour the driver, it is a much worse service for the passenger. That is one of the things that you need to try to avoid. It might sound daft, but we are calling for the maintenance of the regulations and the legislation there, rather than any relaxation.

**Mr Boylan:** I must have missed the taxi; it is not like me to be down the question list. *[Laughter.]* All the questions have been asked. I am delighted to see Cathy here. I have been up here since 2007, so I know a wee bit about the taxi industry. Stephen, you have answered most questions, to be fair, and Cathy has given an overview. It is interesting to find out how rural areas are going to be impacted. My key question — you and a number of other people have asked about a review of the Taxis Act — is about immediate steps, because, from what Cathy has said, the problems are coming at us fairly sharp and fast. That is besides the Uber judgement, which is still a live issue that will separate itself out; the Chair has already talked about it. Speaking from my point of view and this community's point of view, how can we move sharpish to get fairly quick results? From your conversations with the Department about what you have presented to it, is there any indication of what we can do? If we call for a review, we could be looking at 12 or 18 months for it, and I want to see how we can take it forward from today.

**Mr Anton:** The review of the Taxis Act is more of a strategic review. It is like that old saying, "When is the best time to plant a tree? Twenty years ago. When is the second-best time? Now". This is what we ask for on the Taxis Act: the review might take time, but start it now. First, although the Minister has said that no legislative change is coming forward now in respect of the 2012 regulations, there is no need for it at all, and we think that the Committee should have the power to quash any proposal to take that further. We ask for more urgent support on that issue.

Our ask on wheelchair-accessible vehicles is not of the same order, but we believe that there is already legislation to provide support to the taxi industry on wheelchair-accessible vehicles. In conversation with DFI previously, I was told that the legislation was there but that no Minister had chosen to resource it, so we ask only whether part 5 of the Transport Act (Northern Ireland) 2011 applies to taxis and if the Minister, with the support of the Committee, will put resource towards it.

The third point is about the class C loophole. The Committee has worked hard over the past 20 years to — for want of a better term — knock the taxi sector into shape, but, over the past number of years, we have seen a lot of that good work go backwards. That is partly because of changes that came from COVID and partly because of the growth of illegal taxiing. One big thing to address that would be to do as Chris Hazzard said in 2016 that he would and close the class C loophole so that class C taxis are regulated in the same way as any other taxi.

The final thing is on driver licensing. The Minister has rightly said that he does not want to remove taxi testing, because it is a public safety issue, but we need a meaningful roundtable discussion with officials to improve the process, because it is not working.

**Mr Boylan:** Cathy, to help rural businesses in particular, besides the stuff you have already said — there was an issue about metering in your presentation — what can we do?

**Mrs Mallie:** We have been in the business for a long time. I can say that we are good at what we do; we are experts at it. It is time — right now — for the Committee to start listening to us in order to help. The theory test does not work at all for us in the rural areas. I know that that might conflict with what Stephen said, but it will not work for us unless there is some way of making that issue much easier; that is our biggest crux. We have progressed, changed and adapted, and we have done so successfully. We have evolved with the industry and with you. We feel now that we have reached stalemate. Although we brought all our drivers forward and encouraged them to make the necessary changes, with the changes that they are now being asked to make, they will not come forward because they do not think that it is viable to do so. Is it therefore viable for us as a company to stay open? That is where we are at. The theory test is the biggest issue for us.

**Mr Boylan:** Across the panel, do you know whether every operator has been contacted about the changes? Can you give a view on that?

**Mr Anton:** We contacted a number of operators; a few of them are sitting behind me. The DFI used the Driver and Vehicle Agency's (DVA) email contact list to send out the agent/principal proposal. At Fonacab, it came into admin@afonacab.com — a general email address. We conducted a straw poll of some 70 taxi operators around Northern Ireland to ask, "Have you received this?". Of the 70, 13 said yes. Of that 13, some were unaware of the implications that this could potentially have for them.

Apologies, Chair, if I was snappy earlier about the time, but the agent/principal thing is difficult to get your head around. I have given you a full briefing — it is in the members' pack — and tried to explain it today. The email sent out by DFI does not refer to the other implications for your passenger, your drivers and the company as a whole. It is not enough to educate that company about what this means to them. As I say, it is not just the big companies: it is every single person who has an operator's licence, from a one-man band up.

**The Chairperson (Mrs Erskine):** Sorry, just to come in on the back of that point, you said that you, as a body, were contacting individual operators. I take it, therefore, that you have been breaking it down to individual operators as to what it will mean for them.

**Mr Anton:** One of the first I spoke to was Cathy. You did not get it, originally, if I remember correctly.

**Mrs Mallie:** No.

**Mr Anton:** I sent it down to Cathy and said, "Have a read of this and tell me what you think". I rang her later that day and explained the VAT implications and all the rest of it. You had a conversation with — was it your husband?

**Mrs Mallie:** It could have been my brother. We both own it.

**Mr Anton:** Yes. Once the implications were understood, the alarm bells sounded. I should say that I had the same conversation with one of the officials from DFI who, I think, did not understand everything else that was going on with HMRC, the different business models that exist between us and the likes of Uber and so on. So I think that the agent/principal email went out in a bubble: it did not go out with knowledge of the full context of everything that is going on.

I have sent you a page of useful links. It is in the members' pack. Two links talk about the Sefton Council judgement: what is happening there and an update on it. There are also links to media stories across the rest of the UK. They have tried to break this down into simple English for everyone from 'The Telegraph' to 'The Sun' reader. So there is an understanding that this is a complicated issue and needs to be explained.

We have looked at approaching this along different avenues. We have taken legal guidance on this. We have engaged in lobbying and have gone to the media, but, in all honesty, we did not want to go down any of those routes until we came here today to impress upon the Committee the importance of getting this right and seeing what the outcome of this is going to be.

**Mr Boylan:** We have a different model —.

**The Chairperson (Mrs Erskine):** Very briefly, because we have to move on.

**Mr Boylan:** Just quickly. To be fair, I am fortunate, or unfortunate, to have been at this for several years. We have a different model here, and this is certainly going to impact us right across the board. We will have a conversation about how to take it forward, but this will cause serious damage to a lot of businesses.

**The Chairperson (Mrs Erskine):** I suppose, Cathal, I should just come in and say what the Committee can do. We are bound by what comes in front of us. We are bound by legislation. It is not for us to say to the Minister, "We are quashing this now." The Minister may bring forward —.

**Mr Boylan:** No, no, Chair, I am just saying that we will have a conversation about it.

**The Chairperson (Mrs Erskine):** Yes. That is why it is useful to have these conversations, but I must say that we are also bound by what comes before us as well.

**Mr Anton:** My fear, Chair, was that, because of the way in which the brief was written and because it is a complicated issue, it would come before the Committee and the implications would not have been explained. You would have rubber-stamped it and moved on, so we are grateful for the chance to expand upon it today.

**The Chairperson (Mrs Erskine):** That is why members were in agreement that we should have an opportunity to hear from you today, quite early among the briefings that we are having.

**Mrs Mallie:** A lot of the taxi companies do not have Stephen Anton in the background, reading those documents in the manner in which he does. Only for his advice at the time, I would have been totally confused by what was coming out. You will find that a lot of the other taxi companies are in the same boat. That is where the problems are going to be.

**The Chairperson (Mrs Erskine):** OK. Two other members are looking to ask questions, and we have timing to consider as well.

**Mr Durkan:** Thank you, folks, for coming in. It has been great to hear about the economic impact that you have outlined, Gerry, and also to have the Belfast urban perspective and a rural one as well, Cathy. The experience of different places will differ. Obviously, Cathy, you stated the difficulties that you had in getting people on board. I have spoken to some operators in my neck of the woods lately, who have a different experience again — maybe a more positive one.

According to the theory test figures provided in the briefing, which was very useful, there seems to have been a 6% increase in the pass rate. Is there any geographical breakdown of those figures, although you may not necessarily be able to do it, Stephen, to see whether something is being done in any area, around training, for example?

**Mr Anton:** I can absolutely answer that. The 6% increase has been primarily because of what we have tried to do in Belfast. We opened the Fonacab driver academy, and four members of staff are dedicated to the administration, training and guidance to help people to get their taxi licences. We have had some 1,500 enquiries over the past year. Our open day had 85 visitors, 84 of whom signed up to become taxi drivers. We are working them through the system, but once you take those 84 and get down to the 25% pass rate and the six months that it is going to take to get those people through

the process, it is not enough. Even a big company such as Fonacab, does not have the resource to be able to generate the numbers that are needed. By going out there and saying, "Have you considered becoming a taxi driver? We can help you to get your licence", we have demonstrated that there is a demand for becoming a taxi driver. The demand is not the issue; it is getting them through the system.

**Mr Durkan:** Are the difficulties experienced in the more rural areas down to the nature of the test itself? It is right and proper that there are standards that need to be met, but there should not be absolute barriers to people coming into an industry that is so important. We have heard of the economic importance, but it is much wider than that: there is the social importance of the taxi industry. It is virtually a lifeline to so many. I would certainly be supportive of your call, not to make the test easier per se, but if there was a way of banking past modules as such rather than a system where, if you fail one, you fail them all.

**Mr Anton:** That is just one idea. However, our point on this is that, if it cannot be removed, it needs to be amended. If the pass rate is so much lower than for a normal theory test for an HGV or a bus, there is something wrong, because surely a taxi should be easier to drive than a bus or a HGV.

You talk about your area. You are very fortunate where you are, Mark, to have Eamonn O'Donnell at North West Taxi Proprietors.

**Mr Durkan:** So he tells me. *[Laughter.]*

**Mr Anton:** So he tells everybody. *[Laughter.]*

**Mr Boylan:** It is not as good as Down, Newry and Armagh, hi.

**Mr Anton:** What Eamonn does not know about the taxi industry could be written on the back of a stamp. He has been a great asset in getting people through the system, but there are still capacity issues. Eamonn can ring up in Derry and get a practical test for a driver next Wednesday. He told me yesterday that he did that. We are being quoted three months' wait for a practical test in Belfast, so there are differences. I do not want to call Newry or Derry rural but there are differences between Belfast and — *[Interruption.]*

**Mr Durkan:** You can call Newry rural if you want.

**Mr Boylan:** *[Inaudible.]*

**Mr Anton:** I even changed my introduction so that I was not calling Newry rural.

**Mr Boylan:** Anywhere outside Belfast is rural, you know?

**Mr Durkan:** On the agent/principal issue, the VAT issue, had been flagged to me — not by Eamonn actually. I share the concerns of the industry, and I think that the Committee does now too, having heard them. It has been useful to get that forewarning of what might be coming. The cost of adapting to new systems would be colossal. The social cost could be even bigger, so it is important that that is on our radar and that we are ready to reject proposals or take whatever approach is required to prevent it from having potential negative impact.

I am particularly interested in the issue of wheelchair-accessible taxis. I have raised it previously at the Committee and recently submitted a question to the Minister on it. It was, and remains, my view — you kind of concurred with that view or confirmed it — that there is legislative scope for the Department to do more to assist in the purchase or/and operation of wheelchair-accessible taxis. I have gone back to the Minister with a more-detailed question on that. We spoke about taxis as a lifeline, but nowhere is that more so than where you have people with disabilities who, in some areas, are being denied a basic human right because they are not able to get out.

**The Chairperson (Mrs Erskine):** Sorry, Mark, do you have a question?

**Mr Durkan:** Would you agree with that? *[Laughter.]*

**Mr Boylan:** Don't be like that, Chair; that is terrible. He was in full flow, Chair.

**Mr Anton:** I will say something on that. In January, I attended a conference in Titanic Belfast on attracting more people with disabilities to Northern Ireland. The speaker said something that was great. Forgive me for not getting the correct term, but she was a lady of short stature. She stood up and said that her hotel room met all the legislative requirements. It had sockets and light switches at the right height, but, she said, "I wanted an extra towel, but it was on the top shelf, and I couldn't reach it". She said that the point is that, quite often, we look at the legislation to make sure that we comply with it, as we are bound to do, and the hotel did, but we do not think of the actual practical outworkings of some of the things that we do and how they affect people with disabilities.

Somebody who is in a wheelchair needs not only a wheelchair-accessible taxi to get them around but a driver with the care and skill to load them on, make sure that they are secure in the vehicle and help them disembark. From a driver's perspective, the way most modern taxi dispatch systems work means that if I, as a taxi driver, go from Belfast to Bangor, I can probably get another job from Bangor to Dundonald, then Dundonald to Newtownards and Newtownards back into Belfast. However, if you are trying to cater for somebody with a need for a wheelchair taxi, you have to travel more dead miles to get to your passenger. Therefore, it is not only the case that there are not enough vehicles on the road, the vehicles operate more inefficiently because it takes longer per journey, and it takes longer to get to the passenger. The figures tell only one part of the story. The service being delivered to the passenger is, in many cases, worse.

**Mr Durkan:** Further to a point that you have just made, disability is much wider than wheelchair dependency. Do you believe that there is sufficient focus for drivers in the certificate of professional competence training on disability awareness, considering that we are seeing an increase in mental health issues, in particular, and such conditions as dementia?

**Mr Anton:** For any member who is not aware of what the CPC is, all drivers have to complete 35 hours of mandatory training in order to be able to renew their licence. That normally comes in seven-hour blocks. The only subject that is completely mandated is disability awareness. Even though the CPC training is there, many situations arise that do not fall within CPC. For example, during COVID, we had a couple, both of whom were blind and both of whom had guide dogs. We had to speak to Disability Action and the Equality Commission to make sure that they were both seated properly in the taxi and that the guide dogs were seated in the correct way. A couple of weeks back, we had another issue. Again, somebody with a guide dog wanted it to sit on the seat beside them, but the rules say that guide dogs have to sit on the floor in front of the passenger. The CPC will not cover everything: that is what I am saying.

Any driver who joins the Fonacab depot gets an induction on things like that. There are a lot of things outside the CPC on which we will brief our drivers. The drivers will argue that some parts of the CPC are not necessary, and we would argue that — as is the case with driver licensing — it could be made more fit for purpose.

**Mr Durkan:** Finally, Chair — this will not be a question — there has to be a complete review of the legislation. I was unfortunate enough to be Environment Minister —

**Mr Boylan:** I remember that well, Mark.

**Mr Durkan:** — for a time. I was led to believe that there could only be a review when the legislation was fully enacted. It was like pass the parcel, and by the time it landed in my lap and the music stopped, the legislation was already out of date. That was nine years ago, so, now, it is positively antiquated, and that is reflected in vehicle types and changes in technology. A review was promised in 2016, and here we are —

**Mr Anton:** Still waiting.

**Mr Durkan:** — eight years later, still waiting. That is completely unacceptable because it is becoming more and more out of date.

**Mr K Buchanan:** Thanks for coming along. I appreciate the work that you have put into your submission; I appreciate that you do not do all that in five minutes. I have a couple of questions. You referred to the number of licences that there were in 2014, 2021 and 2023. I want to make sure that I have the right figures. There were 16,000, which went down to 8,500, then down to 7,500, with approximately 5,000 people operating now. Who is filling the void?

**Mr Anton:** I think it is a number of things. First, as we have said, passenger behaviour has changed, for example, offering lifts, staying at home or having a designated driver. That was accelerated as a result of COVID. The old saying is 'nature abhors a vacuum', and with legal taxis not being there, we are seeing a growth in illegal taxis. We are regularly seeing, on social media, people pointing out vehicles with people purporting to be taxi drivers outside Benedicts, The National or wherever in Belfast. Unfortunately, we are seeing the illegal taxis stepping in.

**Mr K Buchanan:** Following on from that, can you give me an estimate, from an urban and a rural point of view, of what the illegal taxi industry is like, percentage-wise, against proper taxis? Can you give me a guesstimate? The urban situation may be different from the rural one.

**Mr Anton:** I would be loath to put a figure on it because it is not something that we have done any specific research into.

**Mr K Buchanan:** If you were guessing?

**Mr Anton:** I would say probably 25% in urban areas.

**Mr K Buchanan:** What about rural?

**Mrs Mallie:** It is definitely 40% or 50%.

**Mr K Buchanan:** So, there is a 50/50 chance of me getting into a wrong taxi in urban Newry — half?

**Mrs Mallie:** Yes.

**Mr K Buchanan:** What would you say to an individual in Newry, a lady or a man getting into an illegal taxi? What would you say the risks are?

**Mrs Mallie:** The risks are massive. At the end of the day, the whole concept is that if you are getting into a car, you want to know that the driver is fit and able to drive that car, the car is fit for the road and that they have proper insurance if there is an accident or anything.

**Mr K Buchanan:** We are going to hear a story — it will come if there is a 50% chance of getting into the wrong car in Newry — of a fatality.

**Mr Boylan:** There already has been.

**Mrs Mallie:** There has already been a fatality in Newry.

**Mr K Buchanan:** So, there is going to be a fatality, and people will say that the Government were not doing enough. What would you say to the people getting into the taxi or to the parents of young people, who should be saying, "Do not get into an illegal taxi"?

**Mrs Mallie:** They do not know they are getting into an illegal taxi. That is the whole problem. We try to encourage the young people and say, "Please do not do that". You cannot go out and sit on the streets with them. We cannot sit outside the office and say, "Do not get into that car across the road. It is an illegal taxi." They are doing it because they just want to get home. They are paying over the odds to get home. One particular driver is taking people out of a pub in Camlough, and we asked him, "Would you not go legal?". He asked what the process was. When we explained the process to him, he said, "Nah, I could not be bothered with that. I am making more money out there". That is the situation that we have. We are up against it. We are trying to get those people to come in and be legal. We want to tell them that you have to have a roof sign and it is safe. We have been trying all along to promote that: having a roof sign and going through our processes. That is why we have evolved with you.

**Mr K Buchanan:** If an individual gets into that taxi and is seriously injured or hurt, who do they go after?

**Mrs Mallie:** Well, that is the problem.



**Mr K Buchanan:** So, effectively, the taxi driver is in prison.

**Mrs Mallie:** Sorry, say that again.

**Mr K Buchanan:** The taxi driver would be in prison if he or she was driving the vehicle and had an accident and was taking hire and reward, which would be against any insurance, I presume. They would have no insurance, so the person who was driving that illegal taxi would be imprisoned, theoretically.

**Mr Anton:** If it is in the legislation that a prison sentence is the appropriate punishment for illegal taxiing and there is an accident, then, yes.

**Mr K Buchanan:** I am not holding you to those figures, but you guesstimated at 25% urban and 50% rural illegals. We talked about what you would say to the person getting into the taxi, but what would you say to the illegal driver? They will probably listen to this. They are going to go to prison if they have an incident in that car because they are not insured. Would you say that to them?

**Mrs Mallie:** We would say exactly what you are saying, that it is so dangerous and they are not insured properly, but they are willing to take the risks.

**Mr K Buchanan:** They are taking the hire and reward fare. If they have an accident, they are liable.

**Mrs Mallie:** Yes, but they know that. From our perspective, it is not just about what we can do. We are actually enforcing the rules for the industry, as taxi companies with our operator licence. We are doing a lot of administration in the background, making sure licences and everything are approved. So, we are enforcing the rules for our own drivers within the industry. Who is enforcing them for those illegal taxis? It is not up to us to do that, and it is not my job to go to that person and say those things. It is up to you and the police to enforce and make sure that they are not on the road. We are doing our job by enforcing the rules in the industry. It is up to somebody else to try to help us with the rest.

**Mr K Buchanan:** OK. The facts that you have given are stark. I have one final point. We are listening to you today intently. Is the Department listening to you?

**Mr Anton:** We have not had a direct engagement with the new Minister yet. The Minister would have been aware of these issues —.

**Mr K Buchanan:** More broadly, with the individuals involved?

**Mr Anton:** I, and various people in the Gallery behind me, speak to officials. In most cases, they are receptive, and they listen to the issues. Listening to the issues and sitting down and doing something about them are, however, not the same thing.

**Mr K Buchanan:** Thank you for your time.

**Mr McReynolds:** Thanks very much for coming in. A lot of my questions have been answered, but I will make two quick points. I wonder who is responsible for enforcement against illegal taxis. I am speaking from a Belfast perspective, as an East Belfast MLA. First, have you spoken with the PSNI about that? Is it, perhaps, their responsibility?

Secondly, someone came into my office a couple of weeks ago to show me a message from a taxi driver saying that spot checks were taking place at about 2.00 am in the city centre. This was specifically about, I think, "fare-ordering", or something like that, to make sure that people are not waiting around in improper zones. I have been trying to find out about that. Is that accurate? Are people doing that and, if so, who are they?

**Mr Anton:** To answer your first question, the DVA is responsible for enforcement: it is you. We have had numerous discussions with the DVA because we believe that rather than harming drivers who are working legally, more enforcement should give taxi passengers more comfort that they are getting into a legal taxi. Keith Buchanan asked what the Department is doing. Last year, the DVA created an online page where you can type in the registration of a vehicle, and it will tell you whether or not it is a registered taxi.

You have seen the pictures that we put up. The problem with enforcement against illegal taxis is that it is easy for an enforcement officer to go to a vehicle with a sign on the roof and a meter on the dashboard and say, "Where is your badge? Why is your sign not lit up? Where is your fare card?" It is easy to enforce something that you can see. It is not easy to enforce against an anonymous taxi, such as the Volkswagen Polo on the screen, or an illegal taxi. If an enforcement officer goes to the driver of such a vehicle and asks, "Are you taxiing illegally?", the answer will be, "No, mate, I am just waiting for my friends". The problem with enforcement is that it is not enforcing against the illegal taxis, in our opinion.

Your second point was about loitering in the wrong areas. Taxi legislation is a little bit strange, in that class A taxis — the Fonacabs and Value Cabs of this world — are not allowed to pick up on the street in Belfast within, roughly, a two-mile radius of City Hall for most of the week. It is different between 12.00 am and 6.00 am on a Friday and Saturday night and on bank holidays, when they are allowed to pick up (PU) on the streets of the city centre. That is because where drivers who are, perhaps, sitting outside The National on a Saturday night — it is not a bar that I like but it is one that people seem to know — and waiting for their fare to come out, there is a suspicion that the driver is sitting there waiting to PU on the street rather than take a booking. Outside of those six hours, class A taxis are meant to work on a pre-booked basis only. What you are talking about there is correct. The issue was that the Department had looked to make sure that taxi drivers who were sitting outside venues were waiting for bookings, as opposed to picking up random passengers on the street.

We do not want to see PUs. For the same reason. The point about illegal taxiing is that, if you get into an illegal taxi, there is an issue with insurance and with driver vetting. There is an issue with the condition of the vehicle. However, if you get into a PU — a perfectly legal taxi, which has not been booked outside hours — there are also potential issues with things like lost property: "I left my bag in your taxi", "What taxi was it?", "Ah, it was just some guy I got off the street". Well, I am sorry: we cannot track that, so we discourage PUs by drivers. For visibility, passenger safety, traceability and all the rest of it, we want to see people in booked vehicles whenever they should be in booked vehicles.

**Mr McReynolds:** I take it, then, that the message that I saw is accurate. How often would the DVA go out to check up on taxis? I had never heard of that practice before.

**Mr Anton:** The DVA is out regularly. If you look at the links in your pack — I am sorry, it is not in the summary — they take you to the full quarterly stats, and that gives you all the DVA enforcement statistics. I do not think that enforcement is at the same level that it was pre-COVID, but the enforcement activity is increasing.

**Mr McReynolds:** Thank you.

**The Chairperson (Mrs Erskine):** OK. Thank you very much. We have had a wealth of information today, which we really appreciate. Thank you for coming to the Committee and for your time today. No doubt we will be in touch in the course of the mandate.

**Mr Anton:** Thank you all.