Decent and Good Work in the Platform Economy:

Private Hire and Taxi Work in Nottingham

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Executive Summary

This report presents new findings concerning working conditions for private hire and Hackney taxi drivers in Nottingham, England. It is based on research that was carried out during 2018 and 2019, including an exploratory literature review and in-depth interviews with eight individuals from four local drivers' organisations, the City Council, and an organisation supporting students on nights out. These data were used to explore drivers' working conditions, to which established criteria for 'Good Work' and 'Decent Work' were applied, and to consider possible strategies for improvement. A draft of this report was circulated for comments to all participants, as well as to a selection of private hire operators, to inform final changes, clarifications and updates prior to publication.

Since this research was conducted, the Covid-19 pandemic has dramatically affected every aspect of society. Yet while much has changed, private hire and Hackney drivers continue to play a vital role. The authors hope the longer-standing issues covered in this report will be helpful for understanding the implications of the pandemic for drivers, and for thinking creatively about how to improve their working conditions in the future.

Key Findings

- Private hire and Hackney drivers in Nottingham enjoy some forms of independence, for example regarding their hours of work; yet economic insecurity, unpredictable incomes, and a weak correspondence between hours worked and money earned, places drivers under considerable pressure and requires them to navigate between the competing demands of operators or platforms, customers and the City Council, as they try to earn enough to survive;

- Drivers' formal designation as self-employed gives them few legal protections, and England's regulatory framework accounts only for passengers' safety and wellbeing, not drivers';

- Despite their many differences, the private hire and Hackney taxi sectors operate in the same market, and in Nottingham this has led to perceived competition; however, examples from other countries show that cooperation between different types of drivers is also possible and can be mutually beneficial;

- There was widespread agreement among interviewees that there is an oversupply of private hire drivers in Nottingham, and that this is making it difficult for both private hire and Hackney drivers to find enough work; it was suggested that the introduction of Uber's platform-based model has made this situation much worse in recent years;

- High vehicle running costs, low fares and operators' fees combine with over supply to result in low incomes for some private hire drivers; this situation encourages them to break the law by plying for hire and, in consequence, increases further the degree of competition with Hackney drivers for business;

- The wider economic and labour market context channels new drivers into the sector and offers few alternatives for those wanting to change jobs; this helps to sustain an oversupply of drivers, despite low pay and job insecurity; this suggests that enforcement-led responses may be ineffective;

- National legislation prevents the City Council from capping the number of licences issued to private hire cars, and allows cars registered by other councils to operate in Nottingham; this creates many problems for enforcement and allows the oversupply of cars to continue;

- Inflexible Council rules combine with a reliance on the subjective judgements of individual CPOs and Council officers, creating risks for bias, while some drivers described appeal mechanisms as inaccessible or obscure;

- Trade unions and other drivers' organisations play a range of important roles, but interviews suggested that communication between drivers' organisations and the City Council is often experienced as difficult by all parties;

- Although we found examples of successful drivers' cooperatives in other cities, the cooperative model of organisation does not seem to have been attempted in Nottingham so far; however, there were suggestions that the Council might be able to assist with this;

- Working conditions in the private hire and Hackney sectors are influenced by a combination of factors, including wider conditions in the local and regional labour market, transport infrastructure, patterns of work and consumption, local and national regulatory environments, and institutional arrangements of operators, drivers and regulators; this complex situation calls for further research.

Stakeholders were consulted and engaged throughout the creation of this report. Their views and thoughts are combined within this report. We thank them for their time. The views and ideas expressed within this report are those of the authors.

1. Introduction

Since Uber's establishment in 2009, digital private hire platforms have risen to such prominence, it has been argued that they have 'dug the grave' for traditional taxi services in many cities across the world.[1] Uber has since been joined on the international stage by competitors such as Lyft, Didi, and Ola, and the 'uber-style' business model remains a key focus in attempts to understand the impact of the 'sharing economy' on traditional forms of business.[2] Whilst Uber's 'dynamic pricing' and claims to 'consumer empowerment' have been praised by some,[3] many have raised concerns with regards to its aggressive tactics. Some even consider Uber to be one of the most contentious platforms, generating numerous forms of controversy.[4] Since early 2018 and as recently as May 2019, Uber drivers in cities throughout the world have staged multiple protests over poor pay and working conditions.[5] Such continued strike action has called into question the sustainability, not only of the business model which Uber has employed but also that of the sector in general. Using the case study of Uber in the city of Nottingham, this project examines the conditions for sustainable and decent work in the rapidly evolving context of the platform economy,[6] and explores the ways in which the incumbent taxi and private hire trade, regulators and consumers may react to these new forms of competition.

The starting point for this research was a strike in the autumn of 2018 by the United Private Hire Drivers (UPHD) union, which at the time claimed a membership of more than 100 drivers in Nottingham, many of them working with Uber. This prompted discussions between academics at Nottingham Trent University, who were researching responses to precarious work, and representatives of UPHD. These discussions suggested a complex picture, involving widespread precarity for private hire drivers, who felt caught between competing demands of customers, operators and the Council and who described difficult relationships with all these groups. This informed the design of a small-scale exploratory study, to gather the perspectives of other key stakeholders and look for lessons from international literature on the sector that might be applied locally. It was apparent from the outset that conditions in the private hire sector were highly interdependent with conditions in the Hackney taxi sector, and so the scope was broadened to include working conditions for both sets of drivers. Interviews were conducted with leading members of several drivers' organisations, relevant members of the Council, and an organisation supporting students as taxi users. All these individuals were interviewed for their personal perspectives and do not represent a corporate position of their respective organisations. A draft of this report will be shared with all participants and a selection of operators, and their responses incorporated into the final, published version of the report. The research methodology is explained in more detail in the appendix.

The next part of this report presents the context for private hire and taxi drivers' work, focusing on recent changes associated with the rise of digital platforms and the local context in Nottingham. Drivers' conditions are then explored using criteria drawn from International Labour Organisation (ILO) definitions of 'decent work' and Carnegie Foundation / RSA definitions of 'good work'. Possible strategies to improve working conditions are considered, drawing on ideas proposed by project participants that were pursued through the literature review. The report ends with a series of conclusions and recommendations.

1. Oremus (2016) in Nie, Y. M. (2017). How can the taxi industry survive the tide of ridesourcing? Evidence from Shenzhen, China. Transportation Research Part C: Emerging Technologies, 79, 242-256. doi:10.1016/j.trc.2017.03.017, p.242

2. Cramer, J., & Krueger, A. (2016). Disruptive Change in the Taxi Business: The Case of Uber. American Economic Review, 106(5), 177-182. doi:10.3386/w22083

3. Chen, M. K. (2016). Dynamic Pricing in a Labor Market: Surge Pricing and Flexible Work on the Uber Platform. Proceedings of the 2016 ACM Conference on Economics and Computation - EC '16. doi:10.1145/2940716.2940798; Meyer, J. (2016). Uber-Positive: Why Americans Love the Sharing Economy. NY: Encounter Books.

4. See Berger, T. Chen, C. & Frey, C. B. (2017). Drivers of disruption? Estimating the Uber effect. European Economic Review, 110, 197-210. doi:10.1016/j.euroecorev.2018.05.006

5. Fernández Campbell, A. (2019, May 8). The worldwide Uber strike is a key test for the gig economy. Vox. Retrieved from: https://www.vox.com/2019/5/8/18535367/uber-drivers-strike-2019-cities

6. As defined by Drahokoupil, J. & Jepsen, M. (2017) The Digital Economy and Its Implications for Labour: 1. The Platform Economy. Transfer: European Review of Labour and Research, 2017, 23(2), 103–119. doi: 10.1177/1024258917701380

Defining 'Private Hire Vehicles' and 'Hackney Carriages'

The legal definitions for these vehicles in England and Wales are as follows:

Hackney Carriage (also widely referred to as a 'Taxi'): "Every wheeled carriage, whatever may be its form or construction, used in standing or plying for hire in any street within the prescribed distance, and every carriage standing upon any street within the prescribed distance, having thereon any numbered plate required by this or the special Act to be fixed upon a hackney carriage, or having thereon any plate resembling or intended to resemble any such plate as aforesaid, shall be deemed to be a hackney carriage within the meaning of this Act; and in all proceedings at law or otherwise the term 'hackney carriage' shall be sufficient to describe any such carriage: provided always that no stage coach used for the purpose of standing or plying for passengers to be carried for hire at separate fares, and duly licensed for that purpose, and having thereon the proper numbered plates required by law to be placed on such stage coaches, shall be deemed to be a hackney carriage within the meaning of this Act." (Section 38 Town Police Clauses Act 1847.)

Private Hire Vehicle: "A private hire vehicle is a motor vehicle constructed or adapted to seat fewer than nine passengers, other than a hackney carriage, public service vehicle or a London cab, which is provided for hire with the services of a driver for the purpose of carrying passengers." (Local Government (Miscellaneous Provisions) Act 1976)To operate legally, both driver and vehicle must be licenced by a local authority. In London, drivers must be separately licenced to drive Hackney or private hire vehicles; in Nottingham and elsewhere outside London a single licence enables an individual to drive either type of vehicle. Hackney's can pick people up at a taxi rank or on the street without a booking, and many also take advance bookings. Private hires can only take advance bookings.

1.1 The rise of private hire platforms

In October 2018, the Department of Transport reported that the number of taxi and private hire vehicles operating within England had reached record levels, with 361,500 driver licences.[7] The expansion of private hire digital platforms – most notably Uber – has been an important part of this growth. In their work on 'Uber and the ethics of sharing', Smith and McCormick[8] examine the controversies surrounding Uber, in order to explore the 'changes wrought upon society' by such platforms. Whilst acknowledging the 'super-efficiency' and convenience for customers that Uber provides, plus the environmental benefits promised by ride-hail/share companies via traffic reduction in large urban environments, the business model employed by Uber and similar platforms still raises a number of significant questions; not least in regards to social, economic and environmental accountability. Indeed, Smith and McCormick[9] cite a range of examples of incidents where Uber has controversially distanced itself as the primary responsible party, from cases involving injuries to pedestrians to infringement of national rules and regulations, to workers' pay and conditions to failures to pay tax. Furthermore, they suggest that the company is contributing to a 'black economy', which conceals infringements of employment rights and unfair working conditions, regulatory evasion and tax avoidance, together with an unsustainable business model heavily dependent on drivers subsidising their income with social security/welfare systems. Additionally, whilst Uber-styled

7. Department for Transport. (2018). Taxi and Private Hire Vehicle Statistics, England: 2018. Retrieved from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751202/taxi-and-phv-england-2018.pdf

8. Smith, N. C., & McCormick, E. (2018). Uber and the Ethics of Sharing: Exploring the Societal Promises and Responsibilities of the Sharing Economy. In G. G. Lenssen & N. C. Smith (Eds.), Managing Sustainable Business: An Executive Education Case and Textbook (pp. 575-609). Basingstoke: Springer.

9. Smith & McCormick (2018), p.575

business models that require 'little more than an investment in a website' are proving to be highly effective at securing market share, they are also proving to be extremely disruptive, and have undermined the economic stability of traditional taxi companies. Indeed, as Hill[10] notes in his reflections on Uber's activities in the United states and Europe, the aggressive and unregulated activities of Uber-style platforms, have created, not only an environment of 'terrible' working conditions within the platform/rideshare economy but also a 'whirlpool' of precarious work heavily impacting on traditional taxi and limousine services:

"With so many for-hire vehicles on the road, not only are drivers waiting a long time between fares, but they now must drive much longer hours to earn the same amount of income… Not surprisingly, according to Uber's own internal study, half of its drivers leave after working only a year on the platform. Other studies have found far higher driver burn rates, an indication of high dissatisfaction among drivers. With so many ridesharing drivers, there is not enough work for taxis and limousines either. Sadly, this deterioration in economic opportunity was the major reason cited by six drivers in New York City who have committed suicide this year."[11]

In her observations on the topic of precarity in the platform economy, Garben[12] suggests that a fundamental shift in narrative is required, including a need to cease viewing regulatory action as 'intrusive rule-making'. The lack of recognition for the harmful trends and practices which have emerged via Uber-style business models is a particular concern, with Garben also arguing the case for an urgent and 'large scale' reappraisal of platform operators by policy makers. This includes minimum standards being set at national and international levels.[13]

In an exploration of the health hazards of digital platforms, the gig economy, and precarious employment, Carles Muntaner[14] argues that Uber-style companies exemplify 'digital platform capitalism'; whereby owners of platforms make unprecedented gains, while many platform workers are exposed to health-damaging precarious employment, and poor working conditions that, historically, have been characteristic of the working class throughout the industrialised west.[15] In January 2020, the CEO of Uber published a 'Charter of Principles for Good Platform Work', jointly with several other platform companies.[16] However, this has been criticised by researchers from the Fairwork Foundation for both failing to involve workers in devising the Charter and failing to include basic rights for workers to organise and negotiate collectively.[17] Acknowledging the work of Guy Standing[18] and, equally, Mike Savage's definition of a 'precariat',[19] Muntaner[20] suggests that digital platform workers, such as Uber drivers, may be considered an emerging social class with their own unique struggles, but that they also share certain interests (such as wages, benefits, employment/working conditions, and collective action) with other members of the traditional working class. Therefore, it is important to recognise that any interests in worker wellbeing, including improving conditions of employment and reducing occupational

10. Hill, S. (2018, October 16). The "Uber Way" of precarious work [Blog post]. Retrieved from: https://www.steven-hill.com/the-uber-way-of-precarious-work/

11. Hill, S. (2018, October 16). The "Uber Way" of precarious work [Blog post]. Retrieved from: https://www.steven-hill.com/the-uber-way-of-precarious-work/

12. Garben, S. (2019). Tackling Social Disruption In The Online Platform Economy: Shifting The Narrative To The Benefits Of (Eu) Regulation. Retrieved from: https://www.feps-europe.eu/attachments/publications/feps%20paper%20-%20garben%20-%20clean%20final.pdf

13 Garben (2019), p.3.

14 Muntaner, C. (2018). Digital Platforms, Gig Economy, Precarious Employment, and the Invisible Hand of Social Class. International Journal of Health Services, 48(4), 597-600. doi:10.1177/0020731418801413

15 Braverman, H. (1974/1998) Labor and monopoly capital: The degradation of work in the twentieth century, New York, NY: Monthly Review Press.

16 World Economic Forum (2020) Charter of principles for good platform work. Retrieved from: http://www3.weforum.org/docs/WEF_Charter_of_Principles_for_Good_Platform_Work.pdf

17 Katta, S., Howson, K., Ustek-Spilda, F., & Graham, M. (2020) Uber and Deliveroo's 'charter of good work' is nothing but fairwashing, Open Democracy, Retrieved from: https://www.opendemocracy.net/en/oureconomy/uber-and-deliveroos-charter-of-good-work-is-nothing-but-fairwashing/

18 Standing, G. (2011). The Precariat: The New Dangerous Class. London: A&C Black.

19 Savage, M. (2015). Social Class in the 21st Century. London: Penguin.

20 Muntaner, C. (2018). Digital Platforms, Gig Economy, Precarious Employment, and the Invisible Hand of Social Class. International Journal of Health Services, 48(4), 597-600. doi:10.1177/0020731418801413

health risks, should be 'common to workers in general, including contingent, precarious, on demand, or digital platform… this implies addressing not only technology but employment relations and conditions as well'.[21] Identifying shared concerns as well as distinct issues provides an important means of both identifying natural allies for drivers and developing policy proposals that will be of benefit to both drivers and wider sections of the working class.

1.2 The local context

Lawton et al outline the wider economic context in Nottingham:

"Nottingham has a large economy and labour market in the East Midlands. However, the city also faces specific challenges that affect the quantity and quality of available work.

As of 2016, workplaces in the city produced the highest level of economic output (Gross Value Added, or GVA) per head in the East Midlands, at £27,852: this, compared to a regional average of £21,502, and £26,584 in the UK overall (Office for National Statistics [ONS], 2017)…. Nottingham's economy grew by 15% from 2011, to a total of £9 billion in 2016. In spite of this healthy growth, the city was still estimated to have the lowest household income in the UK. In 2016, Gross Disposable Household Income (GDHI) was just £12,232 per head, compared to £19,432 in the UK (ONS, 2018)."[22]

They connect these disparities to the relative lack of well paid, good quality work in the city, particularly for city residents, and the large proportion of higher quality jobs performed by workers who reside outside the city.

There are currently 411 licensed Hackney carriages in Nottingham and over 2,000 licences issued to private hire vehicles, with only the number of the former being restricted. Deregulation that occurred nationally in 2015 means that private hire drivers may obtain a licence from one council and then operate in a different city. This situation creates uncertainty about the total number of drivers operating in Nottingham, complicates regulation and increases competition, as interviewees from Nottingham City Council described:

"unlike Hackney cabs, we're not allowed to cap off the numbers [of private hire vehicles], either in terms of who we license or who operates on the streets and then when you have local operators that are particularly appealing to hire people [registered in other cities], it makes it even more difficult for us…. the deregulation means that … our estimate is we have about two-and-a-half thousand private hire drivers working on the streets in Nottingham every week. We have just short of two thousand drivers that are licensed with us and the rest of them are licensed elsewhere, but that's on an average week two-and-a-half thousand. It is absolute chaos out there … it is very competitive. The operators do hold the whip hand in some regards, in many regards, and drivers can be at the end of a pretty difficult time." (DWPE03, individual from City Council)

"a change in legislation from 2015 Deregulation Act, which opened up the market to outside, to drivers licensed from other authorities, allowed cross-border working. The concept was okay in that if an operator was, couldn't resource jobs, they could go to another operator and bring somebody else in. However … the legislation wasn't written particularly well, and it now means we've got drivers as far as [60 miles away] operating in the city over which we have no control. So that puts pressure on our licensed drivers because they've got the extra influx because we're a major city…. we have some control, we have cross-border delegations with some of the local authorities, but when it comes to setting the standards, we don't have any input. So [some authorities] operate older vehicles than ours, they only test them once a year where we test ours twice a year, if they're three years or older." (DWPE06, individual from City Council)

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21 Muntaner (2018), p.599.

22. Lawton, C., Pickford, R., Rendall, J. and Wheatley, D. (2019). Laying the foundations of a good work city: mapping Nottingham's employment. Nottingham: Nottingham Civic Exchange, Nottingham Trent University, pp.10-11.

All drivers licenced by Nottingham City Council are issued with a dual licence allowing them to drive either Hackney carriages or private hire vehicles with one of 24 private hire companies (operators) licensed within Nottingham.

In 2017, Nottingham City Council published its Hackney Carriage and Private Hire Vehicle Strategy 2017-20, its aim being to provide an achievable action plan for the taxi and private hire trade in Nottingham in the years to 2022 and beyond, with a heavy focus on passenger safety, and environmental impact.[23] In it, the Council acknowledges the 'often vital' services provided by Hackney carriages (taxis) and private hire vehicles (PHVs) as part of Nottingham's integrated transport system.

The important and distinctive role of private hire and Hackney taxis was further reinforced by an interviewee from a student organisation that supports students on nights out, including making sure that those whose abilities are impaired by alcohol get home safely:

> *"I don't think we could run without taxis. I think they are very important to what we do. We did discuss once upon a time about getting a van, like our own van ...but it was kind of like a pipe dream…. I think it's a lot stronger to not market ourselves as a singular group, but as an organization within this kind of community of organizations, and taxi drivers and taxi organizations form a very fundamental part of that. They are so beneficial and so important in that sense that I don't know how people would get home otherwise from nights out…. we've had times before where we have students who live in Sutton Bonnington and for some taxi drivers that's a long drive ...they don't really want to do that. But they will because, at the end of the day, they want people to get home safely as well. They want everyone to still be safe and for that I am really grateful to them and really appreciative of the work they do"* (DWPE05, student organisation)

Other passenger groups with distinct needs include people with limited mobility. Given this situation, it is important that government adopts a sustainable approach to the sector, which must include sustainable conditions for its workers, to ensure that the different needs of passenger groups are met.

> *"The ranks are deteriorating as time gets on due to the fact that public … they find the apps easier … so they've got different ways of getting a taxi."* (DWPE08, hackney drivers' organisation)
>
> *"the only operator who's basically … got the work now is Uber and the problem is, with Uber, they're not really doing fair tactics or … shall I say, playing on the level playing field. You know, what they'll do is that, when the work is pretty dead, they'll drop the cost. When the work is busy, they will quadruple it…. you can't compete with somebody like that and … being Hackneys our meter's set ...I mean if we change tariff, it takes on average two months to get it through…. you're caught, just can't compete…. even the other private hire [operators] can't compete. They're trying working on a similar basis now, to compete with Uber."* (DWPE07, Hackney drivers' organisation)

There was widespread agreement among interviewees that Uber had transformed the private hire and hackney sectors in the city since its arrival in 2015, adopting practices that Hackney driver organisations considered unfair competition:

> *"I would just automatically go for an Uber probably because it feels like it's a bigger brand and it's also a bigger organization that feels like it's got more credibility in that sense that I think … if something were to go wrong, it would be easier for it to be followed up than with the MyTaxi app. I don't know if that's because it looks more professional or, also the cars are nicer, which gives it a very different feel as well. Whereas Hackney cabs, I know obviously they've got a lot of new ones, which are very fancy; but having a brand-new Mercedes pick you up compared to an old Hackney cab feels very different in that sense as well…. being students … moving into a new area, you immediately go to something that feels familiar because you're not as ingrained in the community as somebody who's lived here and knows a lot about the community…. So, I think it's … part of the student bubble to go with the things you already know rather than actively trying to use local, local taxis…. I think one of the biggest things,*

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23 Nottingham City Council. (2017). Hackney Carriage and Private Hire Vehicle Strategy 2017-2020. Retrieved from: https://www.nottinghamcity.gov.uk/media/456172/taxi-strategy-feb17.pdf

An interviewee from a student organisation suggested the preference for Uber was influenced by students' familiarity with the brand when arriving in the city for the first time, the low cost and perceived quality of vehicles, when compared to both Hackney taxis and buses, and the ease of booking through an app:

is price, for students…. particularly with Uber, is the cheapest out of all of them. I don't know how and obviously sometimes it can be very expensive, when they put the prices up; but I've had a taxi before with my housemates and it's cost us three pounds to get into town. So, I think price will always be a big thing, particularly when you've also got the buses to compete with; and also, I think probably just ease of booking them…. If they can do it through an app, it's so much easier" (DWPE05, student organisation)

They also suggested that context was important, however, and that sometimes a Hackney taxi would be preferable:

'the benefit of a Hackney cab, in some circumstances, is that it is already on the side of the road and you can just jump in" (DWPE05, student organisation)

An interviewee from the Council suggested that many of the criticisms of Uber were unfair, and that they had driven innovation in the sector that was necessary and beneficial:

"Uber coming for a lot of criticism, a lot of it, I think, is unfair. I mean, we have a very close working relationship with Uber, as we do with a number of our operators; we have a very good working relationship with them. I think the problem was that the trade was 40 years behind the times and then [when] Uber came in with all the new technology, [this] caught them on the hop and they've had to move forward, or come into the 21st century just to stay in business. So, I think that was part of the problem. The Hackney trade can be quite backward-looking … they see Uber as unfair competition and they were trying to say that Uber didn't follow the legislation. But they comply as far as everybody's who issuing them licences is concerned. You know who's coming to pick you up, you can share your journey with somebody and say you've got children; they can share the journey so you can track them, know where they are. You know where the driver is, you can see what the rating the driver is, leave comments to Uber, Uber will investigate any complaints. So yeah, very safe and secure." (DWPE06, individual from City Council)

Innovations included the adoption of apps for other private hire operators and Hackney taxis:

"we've got an online platform now for the Hackney carriages. Because normally they pick up their customers parked at the ranks, they can take bookings…. MyTaxi is a company; I think it's backed by Mercedes and Daimler in Germany. So, it's a global company, a bit like Uber but they do it for the Hackney carriages. So again, it gives them that online platform and most of the drivers are signed up for it now and they've seen a benefit to them through operating through that; and again, it increases the safety aspect as well for the customer because, unlike a private hire, there's no record of the journey for [a] Hackney carriage, but if it goes through the MyTaxi app, there is. So again, it's a big bonus, when it comes to improving safety for passenger and customers…. It's [Uber] made some of the other operators set up their own apps, so some of the bigger operators … have their apps now. Again, that's really for them to improve their business and have a better offer for their customers." (DWPE06, individual from City Council)

Another interviewee suggested that, while Uber had disrupted the sector locally, it had also brought benefits and new opportunities for passengers, drivers and operators:

"positives probably are the increasing move towards the technology-driven approach, which means that, you know, the idea of using apps and the ability to track drivers and them doing their jobs is better than it has been. I think there's still some way to go on that, but it presents a number of opportunities, which, I think, if as a trade, as individual drivers, as operators, they recognize the opportunities there then it's [a] way to change the market." (DWPE03, individual from City Council)

These differing perspectives on the transformations brought about by the proliferation of digital platforms in Nottingham provide the backdrop to the examination of working conditions that follows.

1.3 Research questions

This project set out to address the following questions:

- To what extent do Uber taxi drivers' experiences meet the United Nations' Sustainable Development Goal definition of 'decent work', and other related measurements of 'good work', and what causes failings?

- How far are existing measures of 'decent work' and 'good work' sufficient for evaluating work in this sector and what additional measures may be needed?

- What are the causes of social conflict between Uber drivers, customers and Community Protection Officers (CPOs) and how might these be addressed to improve social sustainability?

The findings reported here are a first step toward answering these questions, and are intended as a basis for further research and discussion with stakeholders.

2. Measuring 'Decent Work' or 'Good Work' in the Platform Economy

In this section, we critically review the concepts of 'good work' and 'decent work', before applying them to drivers' working conditions in Nottingham. In doing so, we draw on discussions from the literature, not only about the nature of work but also the measurement of job quality.

Matthew Taylor, Chief Executive of the Royal Society of Arts, Manufactures and Commerce (RSA), helped to popularise the concept of 'good work' as part of a review of modern working practices on behalf of the UK Government.[24] At the heart of Taylor's conception of good work are the interrelated principles of fairness, decency and respect. Taylor defines the concept of good work further using the QuInnE model of job quality;[25] and, as Co-Chair of the Carnegie UK Trust's Measuring Job Quality Working Group, he has recommended that the UK Government adopt a 'national measure of good work' that is based on the Chartered Institute of Personnel and Development (CIPD) analysis of job quality.[26] We draw here on some of the wider discussions around the measurement of job quality before using these measures to explore working conditions for private hire and hackney drivers in Nottingham.

Quality of work has been a longstanding thematic priority of the Work Foundation, a UK-based think tank. David Coats, formerly the Associate Director–Policy (and now Founder and Director of WorkMatters Consulting), undertook much of the initial work under this theme. Coats issues a direct challenge to policy makers in Britain to take the quality of work seriously because, in his view, this issue had 'not featured on the political agenda for some considerable time'.[27] Coats proposes that bad work is characterised by:

- a lack of control over the pace of work and the key decisions that affect the workplace
- limited task discretion and monotonous and repetitive work
- inadequate skill levels to cope with periods of intense pressure
- an imbalance between effort and reward
- limited 'social capital' – whether informal friendship networks or formal associations like trade unions – which make workers more resilient

whereas good work is characterised by

- fair pay
- the absence of discrimination on the grounds of race, gender, sexuality, disability or age
- secure and interesting jobs that employees find fulfilling
- a style and ethos of management that is based on high levels of trust … [and that] recognises that managing people fairly and effectively is crucial to skilled work and high performance
- choice, flexibility and control over working hours
- autonomy and control over the pace of work and the working environment
- statutory minimum standard to protect the most vulnerable workers against exploitation
- voice for workers in the critical employer decisions that affect their futures.

In order to deliver a 'vision' of good work, policy makers would need to respond to various 'challenges', which include 'globalisation', 'demography', 'the demand for improved productivity and performance',

24.,Taylor, M. (2017). Good Work: The Taylor Review of Modern Working Practices. London, Department for Business, Energy and Industrial Strategy. Retrieved from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/627671/good-work-taylor-review-modern-working-practices-rg.pdf

25, QuInnE stands for 'Quality of jobs and Innovation generated Employment outcomes'. It is the name of an interdisciplinary, multi-partner, European research project that ran from April 2015 to July 2018 and that was funded by the Horizon 2020 Framework Programme of the European Commission. (www.bryder.nu/quinne1/)

26. rvine, G., White, D. & Diffley, M. (2018). Measuring Good Work: The final report of the Measuring Job Quality Working Group. Dunfermline, Carnegie UK Trust.

27, Coats, D. (2005). An agenda for work: The Work Foundation's challenge to policy makers. London, Work Foundation, p.1.

'flexibility and security at work' and 'enhancing opportunity for all people at work.'[28] Multinational digital platforms like Uber bring together many of these challenges in a particularly acute form.

In 2010, the Work Foundation's 'Good Work Commission' explored the nature of employment, including the employment contract (what it calls the 'Explicit Deal') and the non-contractual dimensions of employment (what it calls the 'Implicit Deal'), which are just as important because of the impact that they have on employee motivation and commitment. The Commission identified 'multiple facets to creating a committed workforce, from giving people autonomy in their jobs to a voice in the organisation; from matching qualifications and skill levels to the job in hand to the capability for fostering innovation'.[29] They also highlighted the 'competence' of management as 'a decisive factor in the culture and performance of an organisation'; in their view, managers 'are the conduit for communicating purpose and the day-to-day experience of work for employees – good and bad – is largely governed by how they carry out their role'.[30]

The concept of good work is also discussed in papers were written to guide the thinking of the Good Work Commission. For example, Lekhi and Blaug,[31] argue that 'good work' involves:

- Secure and interesting jobs that employees find fulfilling … [and that] contribute to the achievement of high performance and sustainable business success;

- A style and ethos of management that is based on high levels of trust and recognises that managing people fairly and effectively is crucial to skilled work and high performance;

- Choice, flexibility and control over working hours;

- Autonomy and control over the pace of work and the working environment;

- Voice for workers in the critical employees decisions that affect their futures.

By contrast, Overell et al,[32] define good work from the perspective of employees, employers and wider society:

- For employers, good work provides: secure and interesting jobs; choice, flexibility and control over working hours; … control over the pace and timing of work and the working environment; a say in the critical decisions that affect their futures; and an appropriate balance between effort and reward.

- From a business perspective, good work is: productive and efficient; aims to involve and engage employees and to encourage their contribution to organisational success.

- And from a society perspective, good work is socially aware, ethical, and sustainable. It provides the impetus for wider social gains, including improved quality of family life, social skills and citizenship.

In their view, good work 'is complex and multifaceted' and 'no single perspective – employees, employers, society – can be taken in isolation from the others'.[33]

The Trades Union Congress (TUC), has addressed the question of how to achieve good work in its Touchstone Extra publication, In Sickness and in Health? Good work – and how to achieve it. In its view, whether work is considered 'good' or 'bad' depends on the impact that it has on human wellbeing, both physical and mental. Referring to previous research on the relationship between work and human wellbeing that the Government Office for Science and the Health and Safety Executive have produced, the TUC claims that:

28 Coats, D. (2005). An agenda for work: The Work Foundation's challenge to policy makers. London, Work Foundation, p.2, Coats and Lekhi also discuss, in greater depth, the question of what good work is and why it is so important for human wellbeing; the distribution of good work across European countries; and the question of how policy makers can increase the amount of good work. See Coats, D. & Lekhi, R. (2008). 'Good Work': Job Quality in a Changing Economy, London: Work Foundation.

29 Parker, L. & Bevan, S. (2011), Good Work and Our Times: Report of the Good Work Commission. London: Work Foundation, p.6.

30 Parker & Bevan (2011), p.6.

31 Lekhi, R. & Blaug, R. (2010). Ownership and good work. Provocation Paper 6, London: Good Work Commission.

32 Overell, S., Mills, T., Roberts, S., Lekhi, R. & Blaug, R. (2010). The employment relationship and the quality of work. Provocation Paper 7, London, Good Work Commission.

33 Overell et al (2010). pp.12-13.

34 TUC (2010). In Sickness and in Health Good work – and how to achieve it. London: TUC.

"there is general agreement about most of the factors that constitute bad work. These are relatively easy to identify and include a lack of control over your working environment, poverty pay, repetitive or monotonous work, a lack of respect, bad or incompetent line management, too much, or too little work, a lack of training, unsafe working conditions, long hours and bullying."[35]

By contrast, good work 'promotes good health and well-being' and must be achieved through changing 'the relationship between an organisation and its workforce'.[36] In the TUC's view, this will mean re-organising work 'so that it promotes the positive factors such as creativity, control, work-life balance, good management and fairness, and reduces negative factors such as long hours, large pay differentials and exposure to workplace hazards'.[37]

Providing a slightly different frame of reference that addresses similar issues, is the concept of 'decent work', which is associated most closely with the research and policy agenda of the International Labour Organization (ILO), an agency of the United Nations. The 'strategic objectives' of its 'Decent Work agenda' are to

- Set and promote standards and fundamental principles and rights at work
- Create greater opportunities for women and men to decent employment and income
- Enhance the coverage and effectiveness of social protection for all
- Strengthen tripartism and social dialogue.[38]

This agenda aligns with the United Nations Sustainable Development Goal 8 (SDG 8), which is the promotion of 'inclusive and sustainable economic growth, employment and decent work for all'.[39]

In September 2008, the ILO agreed to adopt a set of Decent Work Indicators at an 'international Tripartite Meeting of Experts (TME) on the Measurement of Decent Work'. The basis for this set of indicators is called the 'Framework on the Measurement of Decent Work' and comprises 'ten substantive elements which are closely linked to the four strategic pillars of the Decent Work Agenda, that is, (i) International labour standards and fundamental principles and rights at work (ii) Employment creation (iii) Social protection and (iv) Social dialogue and tripartism'.[40] The 'elements' of the 'Framework' are

- employment opportunities
- adequate earnings and productive work
- decent working time
- combining work, family and personal life
- work that should be abolished
- stability and security of work
- equal opportunity and treatment in employment
- safe work environment
- social security
- social dialogue, employers' and workers' representation.[41]

Since the ILO's agenda on decent work emerged in the late 1990s, policy-related and campaigning organisations in the UK have picked up, and developed, the concept of decent work. For example, among policy-related organisations the Institute for Public Policy Research (IPPR) has published a report on the different ways that local authorities might improve working conditions in the UK. Echoing the definitions of good work that Matthew Taylor and the Carnegie UK Trust have developed, the authors of this report define decent work as encompassing 'six principal elements': that is, 'voice at

35 TUC (2010). p.10.
36 TUC (2010). pp.11-12.
37 TUC (2010). p.16.
38 www.ilo.org/global/about-the-ilo/mission-and-objectives/lang--en/index.htm
39 www.un.org/sustainabledevelopment/economicgrowth/
40 ILO (2013). Decent Work Indicators: Guidelines for Producers and Users of Statistical and Legal Framework Indicators. ILO Manual. Second edition. Geneva, International Labour Organisation, p.12.
41 The ILO also included 'an additional substantive element related to the economic and social context for decent work.' (ILO 2013: p.12).

work', 'fair and decent pay', 'regular hours', 'fair treatment and respect', 'healthy workplaces and 'learning and progression'.[42]

Among campaigning organisations, Oxfam Scotland, in partnership with the University of the West of Scotland and Warwick Institute for Employment Research, has published the findings of a research project that explores what decent work means to low-paid workers in Scotland. Using a combination of focus groups, interviews, street stalls and an opinion poll, the researchers constructed 'a ranked list of 26 factors which research participants deemed to be most or least important to make work "decent"', the top five being (in order) 'decent hourly rate', 'job security', 'paid leave', 'safe environment' and a 'supportive manager' (Stuart et al., 2016, p.3).

The British trade union, Unite, also campaigns for decent work for all its members, and defines decent work as comprising:

- A wage you can live on
- Safe, secure work
- Guaranteed hours each week
- Training, development and career opportunities
- A collective voice and union representation.[43]

In addition, following the adoption of the 17 Sustainable Development Goals by United Nations Member States in 2015, the International Trade Union Confederation (ITUC) launched the campaign #Timefor8, in support of the achievement of Sustainable Development Goal 8 and calling, in its campaign brochure, for 'a New Social Contract between governments, business and workers'.[44]

The quality of work can be further explored by reflecting on its objective and subjective dimensions, both of which need to be taken into account for a full assessment, but the distinction between them is not always clear in the literature.

On the one hand, quality of work can refer to an attribute, characteristic, or property of the labour process such as the design of the labour process, the content of the labour process or the control over the labour process. This is an objective definition of work quality, in the sense that the attributes, characteristics or properties of the labour process exist independently of the knowledge of the worker. Wellbeing, for example, is a property of the person who is doing the work – not of the labour process.

The different properties of the labour process, which are referred to using abstract concepts, must not be confused with the indicators that are developed through operationalising the abstract concepts. These indicators are concrete and variable concepts in the sense that they refer to features of reality that can be experienced and that can also change. For example,

- the abstract concept of control of work (which refers to how decisions about work tasks are made) may be operationalised through the concrete concept of task discretion;
- the abstract concept of content of work (which refers to the type of task) may be operationalised through the concrete concepts of task complexity and task variety;
- the abstract concept of intensity of work (which refers to the pressure on the worker) may be operationalised through the concrete concepts of pace of work and amount of work.

The implication of this line of argument is that, measurement of the quality of work entails assessing how a given type of property (such as work intensity) varies across different types of work and how, for a given type of work (such as secondary school teaching), its properties change through time.

42 Johns, M., Raikes, L. & Hunter, J. (2019). Decent Work: Harnessing the Power of Local Government. Manchester, IPPR North, p.8.

43 www.unitetheunion.org/why-join/membership-types/unite-young-members/decent-work-for-all/

44 www.etuc.org/en/campaigns

On the other hand, the concept of quality of work is often implicitly assumed to refer to the evaluation of the labour process. Thus, work may be described as good, to the extent that it permits the satisfaction of one or more human needs (for example, absence of monotony, absence of physical and psychological strain, etc.) and bad to the extent that it does not permit satisfaction of one or more human needs (leading to the worker experiencing monotony, physical and/or psychological strain, etc.) This is a subjective definition of the concept of quality of work, in the sense that it is only workers who can determine the extent to which participation in the labour process permits satisfaction of their needs; in other words, only the worker can evaluate the work.

Because the human (i.e. biological, psychological and social) needs of workers are heterogeneous – that is, they change as workers move through the life course (and become at the same time, for example, students, parents or carers) – their evaluation of the labour process may change. For example, what is good work at one stage of life may be bad work at another stage of life, for the same worker. Equally, what is good work for one person may be bad work for a different person, because the two people are at different stages of life and have different needs. Given this heterogeneity of human needs, it should not be expected there will be consensus within the population concerning the evaluation of work; but that does not mean that different workers will not have some needs that are the same (for example, a presence of autonomy, skill utilisation, meaning and rest; an absence of monotony, physical strain, psychological strain, etc.). Note that it is possible still to measure or assess the value of a type of work (for example, secondary school teaching) through a workplace survey, but this must be done using the concrete concept of work satisfaction (or something similar). The distribution of this variable across different categories of worker (for example, age and gender) will indicate the extent to which different people at different stages of life feel that their needs are being satisfied, given the type of work that they do.

This discussion highlights the limited and provisional assessment of working conditions among private hire and Hackney drivers that is possible on the basis of this initial phase of research. It also points to the fundamentally contested nature of work, adding value to the range of perspectives presented here and helping to explain the difficulties in finding common ground between key stakeholders.

The analysis presented below is organised according to indicators of work quality drawn from the literature on 'good work' and 'decent work' reviewed above.

2.1 Terms of Employment[45]

Defining 'Employees', 'Workers' and 'Self-Employed'

The Employment Rights Act 1996, which covers England, Wales and Scotland, defines employees and workers as follows:

1) In this Act "employee" means an individual who has entered into works under (or where the employment has ceased, worked under) a contract of employment.

2) In this Act "contract of employment" means a contract of service or apprenticeship, whether express or implied, and (if it is express) whether oral or in writing.

3) In this Act "worker" (except in the phrases "shop worker" and "betting worker") means an individual who has entered into or works under (or, where the employment has ceased, worked under) –

a) A contract of employment, or

b) Any other contract, whether express or implied and (if it is express) whether oral or in writing, whereby the individual undertakes to do or perform personally any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer of any profession or business undertaking carried on by the individual.

http://www.legislation.gov.uk/ukpga/1996/18/section/230/1996-05-22

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45 Within the Good Work framework, this includes job security, minimum guaranteed hours, and underemployment. We also include the Decent Work measures of employment opportunities, and stability and security of work.

Self-employed workers are by definition not usually included in the protections afforded by employment law, but the British government defines self-employment as follows:

A person is self-employed if they run their business for themselves and take responsibility for its success or failure.

Self-employed workers aren't paid through PAYE, and they don't have the employment rights and responsibilities of employees….

Employment law doesn't cover self-employed people in most cases because they are their own boss.

However, if a person is self-employed:

they still have protection for their health and safety and, in some cases, protection against discrimination their rights and responsibilities are set out by the terms of the contract they have with their client

https://www.gov.uk/employment-status/selfemployed-contractor

Private hire and Hackney drivers are formally self-employed, a designation that has been subject to challenge by UPHD with regard to Uber, on the grounds that drivers work consistently for the same operator and do not enjoy many of the freedoms included in the UK definition of self-employment, as expressed by an interviewee:

"if you look at the definition of self-employed, you control everything. You control pricing, you control invoicing, you control your customers, you control every aspect of the journey, and every aspect of that process, that's the true meaning of self-employed. Then you've got independent contractors. Now independent contractor, okay, very similar to the position of self-employed, but he doesn't control everything. And then you've got the worker, where we have no control. The only control that we have is where we park up to pick them up from, and even the journey [route] is not up to us." (DWPE04, private hire drivers' organisation)

This interviewee reported that, for some operators in Nottingham, drivers are also required to wear the operator's uniform. Drivers may have considerable control over the hours they work, to varying degrees depending on the operator, but the pay they receive for this is entirely dependent on customer demand. As such, where the supply of drivers exceeds customer demand drivers struggle to get paid; a perverse consequence of this is that oversupply may lead to drivers feeling the need to work longer hours in order to earn enough to survive, further increasing supply. Access to work is regulated on multiple levels – through Council licensing of operators, drivers, and vehicles, and through requiring private hire drivers to register with an operator – and this creates particular insecurities in access to work.

The self-employed status of drivers was cited as a source of insecurity by some interviewees:

"being self-employed is not basically getting any holiday pay, sick pay or stress leave. And then how he's going to afford his monthly payments. Yeah, because most of them are the only breadwinners for their own family, putting the food, bread and butter and paying bills." (DWPE01, hackney drivers organisation)

However, the question of drivers' employment status has recently been subject to successful legal challenge in London, although Uber may still appeal to the Supreme Court.[46] This self-employed status was also presented as a justification for neither operators nor the City Council taking responsibility for drivers' working conditions:

"I mean, I'm sympathetic to a lot of the points they make; but I would also say they choose to do this, you know, people do choose ...to be taxi drivers. They understand the market. They understand what's going on. I think it's in a worse place than it has been for a long time. And of course, you know, you don't always have absolute freedom to make choices; you know, you have to do what you know, and you have to do what you are able to do." (DWPE03, individual from City Council)

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46 Webber, A. (2018). Uber drivers are workers, Court of Appeal rules, Personnel Today. Retrieved from: https://www.personneltoday.com/hr/uber-court-of-appeal-decision/

> "a licensing authority, that's what we are; we license particular activities which taxis in all its forms is. We're not an employer. Sometimes drivers don't understand that, and they think that we should be working to help improve their conditions. But, in reality, they are self-employed. They are their own little business and I don't think sometimes they always appreciate that they're like a pub, a club, a restaurant. They are their own little business and they are responsible for making it work and everything else that goes with it… we can't directly influence working conditions…. as an independent, self-employed person they have the right to move between operators. So, if they feel they've been treated unfairly by one operator, they have the right to take their licence and move to another operator." (DWPE06, individual from City Council)

The freedom to change operator was contested by another interviewee. They suggested that, with a limited number of operators in the city, if a driver leaves one operator and returns to a former operator, they risk being penalised:

> "So again, the driver is in a position where he has lost a source of income, he now has to work at another operator, and again, did he fall out with a previous operator, when he left to go to Uber? That puts him in a vulnerable position, because now he's got his tail between his legs when he's going back to the operator and they're going, 'Oh, so you've come back now, so the grass wasn't all that green outside. Well, do you know what, I'm going to make your life a misery, and I'm going to give you all the little nasty jobs [short trips], I'm going to give you all the headaches.' And this is what the operators do; so again, it's the driver left in that precarious position, you know. What does he do?" (DWPE04, private hire drivers' organisation)

The terms of employment, which provide no guarantee of actual work or pay, create conditions that make such informal victimisation possible.

Among the stakeholders interviewed, there was widespread agreement that the current supply of private hire drivers far exceeds the level of public demand, leading to widespread underemployment of both private hire and Hackney drivers:

> "Well to be honest in Nottingham … there's too many private hire [drivers], basically. What should I say, and there's no control on numbers. So, to be realistic, there's not the work for them. But, you know, companies will take people on because as far as they're concerned, they're getting their thing and they don't mind what they do. So then, because there's so many private hire [drivers], they're basically acting as Hackney carriages and picking up shall we say fares that haven't been prearranged … Because there's no restriction on their numbers and they flood the market… it's a free-for-all and we're the ones that have to suffer because effectively they're taking our business." (DWPE07, Hackney drivers' organisation)

> "a cap on private hire vehicles again might make it fairer; you're limiting the number of vehicles, there'll be more work for people, [and] more opportunity to probably make a living wage." (DWPE06, individual from City Council)

Several factors were noted as contributing to this over-supply. First, Uber's business model is based on constant availability of cars and drivers and allows drivers to choose when to sign on and off. Combining both these aims would seem to require a number of drivers in excess of demand at any given time, to make sure that there is always an unoccupied driver nearby despite potential volatility of driver sign-ins. Second, local authorities in England can control only the number of licensed Hackney taxis but have no powers to limit the number of private hire licences they issue, or to limit drivers coming in from elsewhere. This is otherwise in Scotland, where devolved powers allow local authorities to cap the number of private hire drivers:

> "The only thing we can put a cap on is the number of Hackney carriages; we're one of the few cities that still does that. If we were required to, we would have to do what's called an unmet demand to make sure that obviously we've got enough. But, when it comes to drivers and private hire vehicles, we're not allowed to put a cap on that. They are in Scotland; they've just introduced some legislation that allows

> *them to cap the number of private hire vehicles and I think the likes of Glasgow have just done that. Unfortunately, we can't so you can reach a sort of over-saturation point." (DWPE06, individual from City Council)*

The local context may also have an impact, with a labour market characterised by a relatively high proportion of low-waged, insecure jobs which may offer few viable alternatives to private hire driving. This is discussed further below in section 2.9.

Some stakeholders suggested that the over-supply of private hire drivers was combining with operators' low fares and high commission, to make it difficult or impossible to get enough paying work to cover living expenses, and some further suggested that this was creating pressure for private hire drivers to work illegally, by plying for hire, to supplement their legal income from booked fares. It was suggested that this was also having consequences for Hackney drivers, by increasing competition, and that, as a result, some Hackney drivers were finding they needed to work longer hours to earn a living:

> *"they're [private hire drivers] not making money and they have to cheat; they have to break the rules. This is this is where the problem comes…. we haven't got nowhere to park because it's flooded by these cars. So, I think the problem is stemming from private hire. They are not making enough money to live in the first place." (DWPE02, Hackney drivers' organisation)*

This suggests that, while drivers have considerable formal control over their working hours, competition and financial insecurity may be creating pressures toward working longer hours. Although Uber operates a limit on how long drivers can work for a continuous period, it was suggested by one stakeholder that this may have the perverse effect of creating an additional pressure for drivers to work illegally, by plying for hire, if they have reached the limit of their legal hours and have still not managed to earn enough money to cover their expenses and living costs.

A further source of employment insecurity arose from the combination of licensing frameworks and operator rules. All drivers must be licensed by Nottingham City Council or another council. NCC operates a Driver Improvement Penalty Point Scheme (DIPPS), whereby Community Protection Officers (CPOs) are empowered to issue drivers with points for a variety of offences relating to professional conduct, safety and the condition of vehicles. Accumulation of sufficient points within a given period can lead to suspension or cancellation of a driver's licence.

Driver Improvement Penalty Points Scheme (DIPPS)

Nottingham City Council defines the DIPPS scheme as follows:

The Driver Improvement Penalty Points Scheme (DIPPS) is a new non-statutory enforcement tool designed to enable Authorised Officers of Nottingham City Council to issue penalty points to those drivers licensed by the Council who knowingly and persistently fail to meet the required standards, and acts as a first step in ensuring compliance with conditions and legislation. It also serves as an early warning system to drivers who see fit to ignore their responsibilities or fail to meet the requirements of their licence…

Where a driver has exceeded the 12 point limit within a three year period they will be requested to attend an Officer Review Meeting (ORM). The driver may be accompanied at the meeting by a representative or solicitor if desired…

Depending on the individual circumstances of each case the Reviewing Officer will be able to choose from the following actions:

- Take No Action
- Issue a Recorded Warning
- Refuse to Renew Licence
- Suspend Licence
- Revoke a Licence

The list of offences handled under DIPPS and the corresponding number of penalty points for each offence is shown below:

- Fail to use Taxi Meter for journeys within prescribed distance - 4 points

- Refuse to accept hiring without reasonable cause - 4 points

- Failure to display driver badge and/or wear identification badge - 4 points

- Driving a vehicle in an unroadworthy condition - 6 points

- Parking a vehicle in contravention of parking restrictions - 4 points

- Failure to display signs or plates correctly, or displaying unauthorised signs - 4 points

- Obstruction/failure to comply with reasonable request made by Authorised Officers or Police Officers - 6 points

- Failure to convey passengers in a safe and responsible manner - 6 points

- Unacceptable behaviour towards members of public, Authorised Officers or Police Officers - 6 points

- Failure to comply with any other Nottingham City Council combined drivers and vehicle licence condition not included above* - 4 points

https://committee.nottinghamcity.gov.uk/documents/s49403/Appendix%201.pdf

The DIPPS scheme was a source of complaints for some drivers interviewed:

"lot of drivers who are legitimate … are being targeted and are receiving points on their licence. And I see it every day… there's about eight different penalty points that you can pick from. So, for example, not conveying your passenger in a safe manner, unacceptable behaviour towards the public, a police officer, or CPO, not displaying your badge, in a defective vehicle - all these kind[s] of things, they get penalty points for on your taxi badge - not your driver's licence, but your taxi badge…. the minimum is four, for any one offence, and the maximum depending on the offence is six. And [if] you get twelve points, maximum, within three years, you are then called in to the office at the licensing authority, they will have a look at the notices that you've been issued, and depending on the severity they can either give you a slap on the wrist, best-case, don't do it again, or they can suspend you for a number of weeks or months, or the worst case you could actually lose your licence…. At which point, then if it's revoked or suspended you have a right of appeal at the magistrate's court…. I mean on a typical Friday night, on a weekend, you could have a real bad weekend and you could get twelve points in as many as three days. One every night, you know, Thursday night, Friday night, Saturday night. One for parking on a double yellow, one for parking on a bus stop, and one [for] having a brake light out. You've accumulated your twelve points, you're now called into the office, okay, you're probably not going to get your licence revoked for that but you may get a suspension for two weeks; and now, all of a sudden, you're not earning any money for two weeks - that's your primary source of income. So, it leaves them very, very vulnerable." (DWPE04, private hire drivers' organisation)

Private hire drivers must also be registered with an operator, which has the power to suspend or cancel a driver's registration. At the time of this research, the City Council allowed drivers to register with only a single operator, unlike some local authorities that allow drivers to register with two or three at the same time. This made drivers' ability to work entirely subject to continued endorsement by the operator as well as the Council. A private hire interviewee reported cases where the expectations of the Council and operators differed, such that drivers could find themselves in a position where complying with one would mean contravening the other, and contravening either could jeopardise their ability to work. For example, Uber expects drivers to wait at least five minutes for a passenger to arrive. Yet drivers reported CPOs giving DIPPS points, if drivers waited on double yellow lines for more than three minutes. Council interviewees denied there was a formal policy on this, beyond the 'reasonable' limitation for picking up which applies to all cars stopping on double yellow lines, and suggested they had influenced Uber's policy on this question in favour of drivers:

> "if a customer doesn't turn up the driver waits for a period of time. I'm not quite sure what the current time is; it was as high as seven, I think, after we made representations, it's been reduced and I think it is to about five, after five minutes they get paid a no-show fee. Yes. There is a misconception that we put a time limit on how long they can park; it's parking on double yellow lines. The legislation for them is the same as [for] everybody else: a driver is allowed to stop on double yellow lines, if it's safe to do so for a period of time to allow them to pick up and drop off customers or passengers. There is no specific time; it's a reasonable amount of time. So that can vary, if you've got one of your students who's getting in, they're going to get in a lot quicker than somebody who's in a wheelchair…. So, there isn't a three-minute time limit. There may be a time which the civil enforcement officers wait before they issue a ticket, but that's trying to be fair rather [than] what the law says. So that doesn't tend to cause us as much …of a problem as the waiting in the hot spot areas because they know the chance of picking up people illegally such as outside nightclubs, top of Clumber Street for the 24-hour McDonald's, in the bus stops on top of Parliament Street because of all the takeaways … the last club to kick out at four o'clock in the morning. So those are …the major issues, the odd Uber driver waiting for a no-show and doesn't really cause us that much of a problem." (DWPE06, individual from City Council)

Contradictions between the expectations of CPOs and operators were also reported for other operators:

> "you park up, you've got three minutes. If you pull away and then you cancel that job, the operator then goes: '[Name], why have you cancelled that job?' 'I got called; the CPO's told me to pull off.' 'Right, you've cancelled the job, you're not supposed to do that. You know what, you're off the board for the next hour.' 'Oh hang on a minute, hang on, the CPO was telling me to move off. What am I supposed to do? I'm not going to get DIPPS for it.' 'Well, I'm telling you, you're now off the board for the next hour.' He's in the vulnerable, precarious position. So now what happens is, I'm going, 'It's Friday night, 2 o'clock in the morning, I have bills to pay, I have a family to feed, you know what, I'm off the board now, you know what, I'm going to go and ply for hire'… It's a vicious circle … where now, because he's in such a vulnerable position, he's had to make a calculated decision – again, it's against the law, he knows it's against the law; however, there's mitigating circumstance" (DWPE04, private hire drivers' organisation)

This indicates a position of acute vulnerability for private hire drivers, caught in a situation which creates incentives to break the rules, further increasing their precarity and liability to further and more extreme enforcement action. This interviewee suggested this vulnerability was increased by the restriction preventing drivers registering with more than one operator:

> "So if I was to work for [one local operator], they'd throw me off the board for four hours, their standard practice is four hours. So if they throw me off, I've got no income, now, so that puts me in that vulnerable position, so I go and ply for hire. I know it's wrong, but I go and do it, for argument's sake, but actually, if I was able to work for two operators, there's nothing in the legislation that stops it from happening. City Council made that introduction." (DWPE04, private hire drivers' organisation)

A Council interviewee responded to this issue by saying that they had spoken to colleagues in other local authorities that did allow registration for more than one operator, and they had found this was mainly used by drivers to register with a local operator as their main operator, and then to switch to Uber when they launched a 'surge' with inflated fares, creating instability in supply and periodic shortages for local operators at peak times. However, in February 2020 the City Council relented and changed their rules to allow drivers to register with a second operator.

This suggests limited rights or security for drivers, combined with limited autonomy.

2.2 Pay and benefits[47]

Stakeholders described pay as low for some drivers, and sometimes inadequate to meet running costs for the driver's vehicle and provide a livelihood for them and their families. Drivers are in a distinctive position, compared to many other occupations, in that there is a weak and inconsistent relationship between hours worked and pay received, affected by both the number and length of journeys during any given period of work. Private hire operators were reported to use a range of different charging models, creating further variations in the relationship between time and pay.

Drivers' organisations emphasised the significant running costs, including the vehicle, maintenance, tax, insurance, and fuel, all of which are the sole responsibility of drivers whether they drive a private hire or Hackney vehicle. Minimum costs for Hackney cabs are considerably higher than for private hire because the former, unlike the latter, are required to be wheelchair accessible. From 2020, further requirements for Nottingham Hackneys are coming into effect as part of NCC's Cleaner Air Strategy, with all vehicles needing to be either electric or hybrid. This is requiring significant new investment from drivers, with the new vehicles costing between £40,000 and £70,000. Drivers' organisations suggested these costs both increased the pressure on drivers to earn, and increased the strength of feeling, when they perceived private hire drivers to be creating unfair competition, despite not facing the same vehicle costs:

> "I mean the Council did say last year they'd put a big drive for enforcement, but ... it was just a temporary thing…. if you want people to invest 40 to 70 thousand pounds into the business and so on ...they want some kind of ... proper enforcement strategy from Nottingham City Council, saying that, 'Look, if you come into Nottingham and you do illegal plying for hire then, you know, we'll get you.'" (DWPE07, hackney drivers' organisation)
>
> "the private vehicle wouldn't … stretch to our level of investment. So, one of our vehicles would accommodate two or three of theirs; that's the cost of things. So, therefore, [what] we [are] saying is, we [are] doing our best to go forward but we need [the] stability of full backing by the City, the link with the police, the licensing committees so that they protect the Hackney trade while it's here, while it's needed. It needs protecting." (DWPE08, Hackney drivers' organisation)

This fuelled divisions discussed below in section 2.4.

Operators use a variety of charging models in Nottingham, as explained below:

> "[Uber drivers] have to pay 25% of their fare to Uber. Other operators operate what's called a board scheme where you pay a weekly fee, round about 120 to 145 pounds a week." (DWPE06, individual from City Council)

Uber's system gives drivers more flexibility to work variable hours, but the high rate of commission can make it hard for drivers to cover all their running costs:

> "[Uber's] commission at the moment is 25%, so for every £10 that's £2.50, which is a real big chunk…. a lot of drivers are saying 'Look, it's a big chunk and we'd like it to be reduced to 15%'…. I mean they make billions, there's plenty of scope for Uber to reduce their commissioning fee." (DWPE04, private hire drivers' organisation)

This situation, when combined with low fares and oversupply, led to low pay for some private hire drivers:

> "Uber's rates are extremely low because, like any business, they want to establish themselves. So they said, 'Do you know what, we're going to be 10-15% cheaper than everybody else.' So, we principally said, 'Okay, we don't have a problem with that'; and so they enticed other drivers over, they gave a lot of incentives, a lot of drivers moved over, promoted their business, and we're now three years on from when they launched. And what we're finding now is, we're actually getting paid £1.25 a mile, which …

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47 This includes the Good Work criteria for actual pay and satisfaction with pay, and Decent Work criteria for adequate earning and social security.

> *sometimes doesn't cover our costs…. You could do one job in an hour; the minimum fare on Uber is £3, for you as a rider. Now the slice that Uber take is 25%; it's a big chunk, and so you're left with £2.25, and that's an hour's worth of work, minus your fuel, minus your running costs, insurance, road tax, etc…. Now, on a busy weekend you will probably make more than £10 an hour, before you take out your expenses, but you're still going to be hovering around that threshold. If you take it over a week, you find that you're actually falling below the minimum wage threshold." (DWPE04, private hire drivers' organisation)*

A representative of a Hackney driver's organisation argued that low pay for Uber drivers was creating pressure for their drivers to work illegally, by plying for hire, to supplement their income:

> *"if they costed it all out, they're driving for nothing…. what's happening is a bit like third world countries - you don't pay your police force enough money, they take corruption. They take bribes because they're not getting paid. So, it's the same effect here; you don't pay the driver well enough and he's going to cheat, pick up illegally, so I think the unfair conditions cause a lot of these problems…. when I say unfair practices, is that they will create a fare that is cheaper than anybody else's. And I think they've created this problem of flying [plying for hire] because … their drivers will need to fly to catch up because, if you've been working below the fare, how are you making a profit? How are you going to live? You've got to pay petrol. So, I don't understand how they take people so cheap and [how people can] live unless [they're also plying for hire] … it balances itself out, but it's created the problem…. All of the private hires, they need better working conditions because, obviously, it's not working what they're doing, and I will say, for Nottingham, it's not working. Yeah, I think their meter rates are probably too low. That's why they're doing all these things…. I think working conditions, having no sick pay, having no holidays…. And when the fatigue sets in … how do you like to get into a cab … with the driver's falling asleep, when he's driving, because he's having to work all the hours God sends him to do it." (DWPE01, Hackney drivers' organisation)*

Some hackney drivers also reported falling pay for themselves over recent decades, alongside lengthening hours, and explained this through the over-supply of private hire cars:

> *"I've been in the cab trade since 1990 and I was making more in say 1995 than I am now. My take home pay has decreased although the fares have gone up. Just because it's - the market basically is flooded." (DWPE07, Hackney drivers' organisation)*

This suggests low actual pay and dissatisfaction with pay for at least some drivers, with levels of earning inadequate to meet the costs incurred in running a vehicle and paying for living expenses.

2.3 Job design and nature of work[48]

Private hire and Hackney driving are distinct from one another in their job design, in that the majority of Hackney jobs are taken at ranks or through being flagged down, while private hire jobs must all be pre-booked. However, as discussed earlier there are widespread allegations of private hire cars in Nottingham acting illegally by picking up passengers as though they were Hackneys, and NCC has recently introduced the MyTaxi app allowing customers to pre-book Hackneys. The distinction between private hire and Hackneys was clearly important to drivers' identity and sense of purpose. Contradictory forms of control and constraint were evident within drivers' accounts, and demand for skills seemed to coexist with a lack of recognition.

A Hackney driver described changes in the sector over recent years, which had led to a more individualised arrangement of work:

> *"the whole setup's changed ...before, you had companies … Hackney companies, who had a radio system, such as Royal Cabs, Fast Lane, City Cabs, they were the three main ones, whereby Hackneys*

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48 This includes the Good Work criteria of use of skills, control, opportunities for progression, and a sense of purpose, and the Decent Wok criteria of productive work.

> *joined together.... So basically, they got contracts and then they gave it to the drivers who were signed on with them, but … that's … gone; obviously the contracts reduced so people left. So, at the moment now all we got is MyTaxi…. the last one [radio firm] to disappear was Fast Lane, which was about three months ago [2019], and then before that you had Royal Cabs about three years ago, and then ...City Cabs about two years ago…. they've gone out of business because … they weren't … getting the contracts…. And you know one of the reasons why is our fares are set by the meter, whereas private hire ...they have their own rates basically, they can up and down them and when they make a lower bid ...obviously contract will go to the lowest bidder."* (DWPE07, Hackney drivers' organisation)

The suggestion here is that, by offering lower fares, private hire operators had driven Hackney radio companies out of business, leading to a more individualised job design for Hackney work. One Hackney driver described the MyTaxi app as having limited usefulness, particularly because the app only tends to be 'busy' with jobs at the same times that the ranks are busy anyway. Another Hackney driver expressed outright opposition to the app on the basis that it was blurring the distinction between private hire and Hackney services:

> *"I feel we're infringing on private hire work by using that app and … we didn't need to … because we do rank work. Now I feel, I've never done private hire in my life; I've always done rank work. Now I feel like MyTaxi app, I go to your house, I pick you up, I'm doing private hire work, so I'm just wondering whether it was a ploy to get us to do their work. Because I don't like private hire doing our work and I don't want to do private hire work. I want to do my own work and let them do their own work. But now the Council [has] brought that in, it's like we're all merging together."* (DWPE01, Hackney drivers' organisation)

A lack of understanding among the public of the difference between private hire and Hackneys was raised by multiple respondents as a problem, contributing to customers putting demands on private hire cars to simply pick them up on the street without a pre-booking, further blurring the distinction:

> *"what's happened with this case is … he's an Uber driver, he's at the club, he's at the traffic lights, he's actually waiting at the traffic lights so he can park past the club on the double yellow; it's only double yellow so he wants to park on the double yellow. He's at the traffic lights waiting. The riders have seen him. They've gone, '[car make], that's the reg.' They've ran over. They've gone for his doors. Unfortunately his doors are unlocked. He's at the traffic lights. Doors are open. He can't move. He's gone, 'Guys, hang on a minute, hang on, let me park round the corner' [but the customer says], 'No, we're in now, we're in now.' A CPO officer has stood on the side; he's actually walked right in front of him and said 'Stop your vehicle, what are you doing?', [the driver responds] 'I'm on a pre-booking, but I'm at the traffic lights. I'm trying to get round the corner'. [Then the CPO says] 'No, you've picked up your passengers in an unsafe manner'. [And the driver says] 'But I wasn't. I'm trying to get round the corner'. [The CPO says] 'No, it's unsafe, right, so can I have your badge please?' [and he] gives him the DIPPS."* (DWPE04, private hire drivers' organisation)

This was supported by an interviewee from a student organisation:

> *"I think more awareness would be useful about how it works ...about the difference between Hackney cabs and private hire, because people have no idea. I never knew, until I started the mystery shopper scheme and that is something, I think, nobody understands."* (DWPE05, students' organisation)

However, the usefulness of educating the public was contested, with some feeling this had limited potential, particularly when taking into account the impact of alcohol on customers' behaviour in the night-time economy, the main context in which plying for hire is seen as an issue:

> *"We find many vulnerable people at night time, especially when they've had a drink; they just want to go from here straight home. They haven't got a clue what it is. They see a taxi and they just jump in it. They haven't got a clue where is it from, what's it done, until they get home."* (DWPE08, Hackney drivers' organisation)

> *"we do run the number of safety campaigns, especially over the period around Christmas … on the sides of the bins and the bus stops, had big posters trying to identify what the difference is, when you can use out of the carriage, when you can use a private hire. The trouble you've got is, three o'clock in the morning people have had a lot to drink, they're calling a hackney, they want to get home." (DWPE06, individual from City Council)*

This also draws attention to the impact of the wider social context on the experience of work, including the role of other actors such as clubs and bars and the design of the urban environment.

Drivers own and control their immediate workspace, in the form of their vehicle, but move around the city in ways that are tightly constrained. Interviewees from drivers' organisations demonstrated considerable frustration with the use of space in the city centre, with suggestions that there is a shortage of taxi ranks, inappropriate use of space by both private hire cars and hackneys, and a lack of understanding and flexibility from some CPOs in response to drivers' reasonable needs:

> *"the only patch we can keep private hire off is our rank. That's the only place, thankfully, and … even then still some … tried to abuse the system [in the form pf private hire cars parking on ranks]." (DWPE07)*
>
> *"you take the city centre on a typical Friday and Saturday night, and there are queues of people everywhere, and legitimate drivers want to get those people home. Private hire drivers have nowhere to park. Where can they park? If you're in McDonalds on Clumber Street, where do I pick you up from? Because that section of Parliament Street is either bus stops or it's double yellow, I have no choice but to pick you up from one of those. If you're at … the Corner House, for example … I have either a bus stop, a Hackney rank, or a white zigzag, and the opposite side is the theatre and that's a loading bay. [If] you're a disabled passenger, where do I pick you up from?… So I park up at Corner House; I'm on double yellow … I'm two minutes in, CPO ...walks over. First question, 'What are you doing here?' It's not 'Hello, how are you doing' ...there's no niceties, it's 'What are you doing here?'…. [I respond] 'I have a pre-booked job. I'm on Uber. Now it's an assist job, which is … a disabled passenger'. [The CPO says], 'Right, how long have you been parked here because I've noticed you've been here for three minutes. Right, you need to move off'." (DWPE04, private hire drivers' organisation)*

Limitations on drivers' control over their immediate working environment – the car – are further imposed by the presence of passengers within that environment, whose behaviour drivers can do little to influence.

Private hire and hackney driving require many of the same skills, most obviously professional driving but also the ability to navigate complex and sometimes contradictory laws, regulations and licensing conditions, apply this knowledge to the urban landscape, and simultaneously manage interpersonal relations with officials, operators, and members of the public, the latter potentially under the influence of alcohol or other drugs. The skilled character of this work is not necessarily reflected in the social status afforded to drivers, and an interviewee from the City Council suggested some drivers also underestimate the skilled nature of the work, which they connected to the need for it to be regulated:

> *"there are some people [drivers] who think they should just be able to get in their car and just drive people around because it's not very hard. But it's a licensed trade; it's no different for licensing than it is running a pub…. they are professional drivers. That means they need to know the Highway Code; they need to know the laws and they need to know what signage means." (DWPE03, individual from City Council)*

Attempts to regulate the performance of drivers include the City Council's licensing requirements, the DIPPS system and the 'score board' used by Uber, which ranks drivers based on a combination of customer reviews and the number of trips undertaken.

An interviewee from a student organisation emphasised the importance of interpersonal skills, together with the design of vehicles and booking systems:

> *"with the Hackney cabs, when you've got a barrier between the driver and the backseat that always creates an emotional barrier of, you're driving us, I'm sat in the back… And if you can just have that*

> *moment with them … talking and that makes it a much better service, having that personal relationship. So one of ...the biggest problems, I think, it could be improved is [with some local operators] the process of booking is quite difficult. If you do it over the phone and they're very dismissive, they're quite, I don't want to say rude…. but then the taxi driver will come outside, they'll phone you up, and they'll be like, 'We're outside', and then they'll hang up on you. So ...it's not very personable in that way. It's just very [much] like, 'Get in and go'." (DWPE05)*

The importance of customer service from drivers, and perceived failings in this area, was also emphasised by NCC interviewees. Interviewees from drivers' organisations expressed a strong commitment to providing a high quality service, and in some cases went beyond this to present drivers as playing an important social role looking out for vulnerable people in the night time economy, with examples including provision of support to people who were too drunk to look after themselves to phone a friend to come and meet them.

2.4 Social support and cohesion[49]

Interviewees gave many examples of conflict and antagonism marring the working lives of drivers, including divisions between private hire drivers and Hackney drivers, between enforcement officers and drivers, and at times between drivers and customers/passengers. Conflict between drivers and operators was less marked, and in the case of Uber the complaint from drivers focused more on the 'facelessness' of interactions, and the difficulty of engaging directly, rather than on interactions being conflictual. Where more supportive relationships existed, this mainly appeared to operate among peers in the form of drivers' organisations, but divisions were also evident among Hackney drivers, with three competing drivers' organisations in Nottingham at the time this research was conducted.

As discussed above (section 2.2), there was a widespread view among interviewees from Hackney drivers' organisations that excessive numbers of private hire drivers were leading a significant number of these to work illegally, by plying for hire, and that this was taking work away from Hackney drivers. This formed the basis for a powerful perception that there is a fundamentally antagonistic relationship between the two groups. While some understanding and sympathy was expressed for private hire drivers by Hackney drivers because of operators' practices and low pay, the response they generally advocated was increased enforcement against individual drivers:

> *"I'll tell you where the problem would be in us getting together because we have tried it. They're so used to flying [illegally plying for hire] that if they didn't do it, they wouldn't make no money. So, on that point alone, how can we unite with somebody who's taking our [work]?" (DWPE01, Hackney drivers' organisation)*
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> *"if there was a question of safety or, say, attacks on taxi drivers or something there ...we'd gladly share the platform with them. But as far as the trade is concerned…. their operating conditions and ours are different. And … as long as they pick up … a pre-arranged job … that's what private hire is. But it's when they park or just on double yellows at hot spots and just pick up others, like Hackneys, and then, when it's a small job, send it to the taxi rank right, that's where we have grievances…. it's a free-for-all and we're the ones that have to suffer because effectively they're taking our business." (DWPE07, Hackney drivers' organisation)*
>
> *"private hire drivers, we respect them, the ones who actually do the job with their operators…. Their job is strictly to come into the city of Nottingham, to drop off and then leave and then come back and pick up if necessary and then leave but not to be loitering around the city…. They should not come near a city which has got a taxi ranks … you pick them up and you're gone. Not you, sitting there for half an hour or ten minutes or waiting around which ...is happening a lot here in the city…. They stick to their side of that way and we have no issues whatsoever. But that ...is our differences…. if we've got more officers, there's going to be less illegal cars coming into the area because they know, soon as they're in there, somebody's going to stop them. So, they'll be frightened of doing that." (DWPE08, Hackney drivers' organisation)*

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49 This includes the Good Work criteria of peer support and relationships with line managers. Relationships with customers and enforcement officials are also discussed here because they emerged from the data as highly significant influences on drivers' experience of work.

There were also reports of an unnecessarily aggressive and punitive attitude from CPOs toward drivers, as discussed in section 3.1 and elsewhere in this report.

Specific issues were raised with regard to difficult relationships between drivers and disabled passengers and passengers in the night-time economy. One interviewee suggested a lack of clarity in the law led to instances of conflict between hackney drivers and wheelchair users:

> *"We had quite good, or very good feedback from the customers using guide dogs. The wheelchairs, again, the law not being as clear as it might, it says that if you're in a wheelchair, it's an offence not to pick them up, if you've got a wheelchair accessible vehicle, because all our Hackney carriages are wheelchair accessible. But what it doesn't say, it doesn't make clear is, it's based on a standard wheelchair. So a manual wheelchair, and that's what the law's based around and that's what the design of the vehicles is based around, so the ramps, space, the securing devices, it's all based on somebody sitting in a standard manual wheelchair and in this day and age as you've probably seen, there's a whole plethora out there from the giant scooters to a powered wheelchair, individual chair. And again, this is where the confusion starts, is that somebody comes along in a big power scooter and says, 'You've got to take me' and they actually can't physically get in the taxi, or they can't be secured properly. And again, it opens that area of conflict which shouldn't be there. So … we put some information on our website. Try and make those drivers and customers aware of what can and cannot be expected and where they can go for specialized transport ramps etc. But again, it's that legislation; it just says, if somebody is in a wheelchair, a wheelchair accessible vehicle must pick them up, simple as that." (DWPE06, individual from City Council)*

An interviewee from NCC suggested that Uber had significantly worsened the relationship between drivers and operators, and linked this to their business model, which could accommodate a rapid churn of drivers:

> *"[It has] made the market worse for them [drivers] without any doubt. There is … an unaccountable licensed operator who ... really quite clearly through their actions, really couldn't care less about drivers. They can have a churn of drivers at any rate they like so they're not that bothered; whereas the more traditional operators, they generally try to at least work with their drivers. I'm not saying they're always that successful at it, but ...they're not looking for [a] huge churn of drivers. They're looking for a steady flow of business and that means working with their drivers. Uber doesn't do that" (DWPE03, Individual from City Council)*

A driver described the difficulty they had experienced engaging with Uber:

> *"Uber hide behind their corporate, so it's basically a faceless organisation, and the office that we have here in Nottingham, there's no authority to make any decisions, it's all done through Amsterdam. So it's Uber Amsterdam that effectively control everything. They have a local office more for administration purposes." (DWPE04, private hire drivers' organisation)*

Overall, interviewees thus presented a picture of a highly conflictual working environment for drivers, with multiple lines of antagonism impacting negatively on the experience of work. Supportive peer relationships are discussed below in Section 2.7.

2.5 Health, safety and psychosocial wellbeing[50]

Working alone, often late at night, and interacting with many customers under the influence of alcohol and other recreational drugs, creates particular risks for drivers. Yet, in our research to date, the only organisations that have expressed drivers' safety as a major priority are drivers' own organisations:

> *"we're trying to … get driver safety on the agenda because we've had a number of drivers that have been physically attacked; and the police, they're under-resourced. On a Friday and Saturday night,*

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50 This category includes the Good Work criteria of physical injury and mental health, and the Decent Work criteria of a safe work environment.

> *they haven't got time to come out to a poor taxi driver who's got into a verbal argument with a rider, about anything from the fare price to a soil charge, and so we're sympathetic to that view as well. But ultimately the driver is still left hanging." (DWPE04, private hire drivers' organisation)*

There were also indications of significant impacts for private hire and Hackney drivers' mental health, resulting from the kind of economic insecurity described above:

> *"I think Uber drivers … are very stressed and, especially the honest ones, I don't see how they're going to make money…. If they don't make that revenue, money, because they'll be stressed, alarmed, and other matters, it can have mental impact, physical impact as well, which [means] they have to make that money." (DWPE01, Hackney drivers' organisation)*

The same interviewee argued that economic insecurity for hackney drivers combined with the large investment required for the vehicle caused stress:

> *"Basically, we've got big investments, yeah. And we need to pay and the work's not there because of this and it's causing stress." (DWPE01, Hackney drivers' organisation)*

While our limited data prevents us from exploring this dimension of working conditions further, it is addressed in section 3.1 through engagement with the literature.

2.6 Work-life balance[51]

While more than one driver cited the flexibility of both Hackney and private hire driving as positive, enabling work to be fitted around other commitments, the indications above that many drivers are being driven by economic insecurity to work longer hours has clear negative implications for work-life balance. Both aspects of the work are illustrated in the following quotation:

> *"I've got two degrees but, due to my family issues, I couldn't do a 9 to 5. And for that reason ...this was flexible. I could do my family issues during the day and come to work in the evening. But the thing is then [when I started driving, in the 1990s], you could come in the evening, it was busy, you could still make something. Now, it's not; so you got to go to do the day shift as well." (DWPE07, Hackney drivers' organisation)*

An interviewee from another Hackney drivers' organisation (DWPE08) reported that, because private hire and Hackney drivers who had previously been 'night drivers' were now finding they also needed to work during the day to sustain a livelihood, there was increasing competition for the existing 'day drivers'. One interviewee suggested that economic insecurity was encouraging overwork, potentially to the point of jeopardising safety:

> *"You will find that a driver has to, on Uber rates, he's gonna have to work over 12 hours. Now, when he gets tired, you [are] also bringing in a problem because he's not concentrating well because he has to put in more hours to catch up." (DWPE01, Hackney drivers' organisation)*

While interviewees were not explicit about the impact of working hours on other parts of their lives, the situation of long and lengthening hours, for at least some drivers, has clear negative implications for work-life balance, while control over which hours are worked may still have benefits for some.

2.7 Voice and representation[52]

Drivers' voice and representation takes various forms in Nottingham has been undergoing significant

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51 This includes Good Work criteria for over-employment and overtime, and Decent Work criteria for decent working hours and the ability to combine work, family and personal life.

52 This includes Good Work criteria for trade union membership, employee information, and employee involvement, and Decent Work criteria for social dialogue and workers' and employers' representation.

changes in recent years and was in a state of flux at the time of this research. Trade unions operate alongside other drivers' organisations, including a Hackney drivers' federation and a group set up specifically for drivers of the new ULEV vehicles, with a view to all new owners of these vehicles being automatically enrolled in the new organisation. The United Private Hire Drivers union reports more than 100 members in Nottingham, accounting for around 5% of drivers licensed to operate in the city. Unite organises an unknown number of Hackney drivers.

Hackney drivers' organisations play a central role in presenting drivers' views to the City Council regarding things like the creation or extension of taxi ranks and changes to fares:

> *"we cover every side in the sense that we apply for new ranks, new vehicles that come onto the market…. if there's a driver [who] has issues, there's parking issues … information … like for example this rank here could be suspended so we have to … let everybody know that you can't park there today…. if you want to apply for [a] fare rise … anything that affects the Hackney driver we try to help … we think that as members … you've got a stronger voice, and you've got some legal clout behind you." (DWPE07, Hackney drivers' organisation)*

Monthly 'trade meetings' were described, convened by the City Council, with representatives from a range of Council departments and Hackney drivers' organisations, but seemingly with no representation from private hire drivers. These meetings were seen by some interviewees from Hackney drivers' organisations as ineffectual at addressing their concerns.

> *"…the problem is that I've been to a few trade meetings and you almost get tired of asking because nothing will be done. So, it's like, 'Yeah, we know about the private hire; can we move on?'. That's the kind of attitude you get." (DWPE01, Hackney drivers' organisation)*
>
> *"I believe the licensing [department] put on a staged meeting, just to say we are doing things. But if I can show you from the beginning of October since we've been attending these meetings … nothing has been basically achieved or actioned ... We can show you agendas and minutes to say … here's been discussed and we're still talking about enforcement. And it's ...lack of consultation as well and we've been treated like third-class citizens, and I use that word very carefully." (DWPE02, Hackney drivers' organisation)*

Similarly, another drivers' organisation suggested a lack of meaningful input when the DIPPS system was first introduced:

> *"so, we protested, and they backtracked, and we thought they'd done [it] but all it was is, they realized that, under EU law, they have to give us more time ... So, all they did was give us more consultation time; [they] didn't listen to anything and just went ahead with it." (DWPE07, Hackney drivers' organisation)*

Another interviewee reported positive experiences getting assistance from the leader of the Council, but expressed frustration that in recent years the Council was saying it had no resources. They argued that this showed that money generated from the Hackney trade was being used elsewhere, with little transparency:

> *"I think the Council's, first of all the amount of money they get from the taxis should be spent on taxis. At the moment, the Council's a bit, shall I say, short of cash. So basically, they use the money elsewhere … like, [for] example, I know for a fact that ...the money, the enforcement money, is given to the normal CPOs rather than the taxi CPOs because taxi CPOs are still under the community protection. So, you know, it's ... these ambiguous things where they're leaking money. Before, when I started taxis ... they used to give us a report every year of how much they've made from us, and how much they've spent. I mean, we've won ranks in the city that are waiting to be marked because the Council hasn't got money [for paint]" (DWPE07, Hackney drivers' organisation)*

This emphasises the need for dialogue to lead to action, supported by the necessary resources, if it is to remain meaningful.

On occasion some drivers' organisations have gone into dispute with NCC, although seemingly without any significant victories:

> "the biggest dispute we've ever had in Nottingham was in 1995, Where ...we had the saloon vehicles, the ordinary vehicle, right? And they wanted for all the Hackneys to be wheelchair accessible. And really at that time an average saloon cost 3,000 [pounds], and the London taxi cost 22,000. That was a big jump. I mean we took the Council to court and the national federation of London, they contributed … but we lost in that case. So, in 1995 we had all wheelchair accessible vehicles. Then ...over the years ... we've had disputes with the DIPPS they've introduced and the Station Street rank, which they've out of their wisdom decided to move us on to Trent Street behind … which wasn't a very good location…. I mean, we've run a couple of strikes; and also ...it's mainly been peaceful protests outside the Council house over the years." (DWPE07, Hackney drivers' organisation)

A new Hackney drivers' organisation, created specifically for drivers of the new ULEV vehicles, appeared to favour a much closer relationship with the City Council, with no need for confrontation, and consequently argued they had no need for independent resources gathered through members' fees:

> "So, we don't have a fee, we don't believe in charging members fees, because … we're not here to fight nobody. We are only here to give a voice to a trade. So, if we are doing something for the Council, we are fully doing it for the city. So, if we are helping the city and in return the city has to do something to help us…. So we only spend like minor things, a bit of parking here or a couple of hours of our time, that's it; and we class that as part of our natural work and we just leave that as it be, you understand…. If I had to go to court to defend somebody or do something then there'll be a fee but it depends on what ground we [are] doing it … and if it's necessary that it needs to be funded then we'll get the drivers donating from every driver for that case to be performed. If we're not going to be fighting, we don't need any money…. So, my interest is not to fight, my interest is to work and make things better. And if it makes it sacrificing something to make them better, you sometimes have to." (DWPE08, Hackney drivers' organisation)

This represents a significant shift in approaches to drivers' voice in Nottingham, the consequences of which are not yet clear.

For a long time, there was no representation for private hire drivers in Nottingham, and no established channel for their views to be represented to the Council or operators. An interviewee from UPHD described how this changed, with a branch emerging from broader community networks:

> "there was a WhatsApp group, which had taxi drivers on and members of the community; so they were not all taxi drivers. It was a general WhatsApp group. I was invited by a friend … and there were a number of drivers on there who were becoming very vocal about how they were being treated. And obviously I was listening to all this, and there's always two sides to a story, but you could see the anger that was starting to develop. So, I had some conversations with some fellow drivers about doing a protest initially outside the licensing office…. So, I said, 'Look, it's great talking about it, but until we start doing something about it, nothing's going to change. If we want to do something to make a change, we need to be able to highlight those points and have dialogue, and the only way we can do that initially is by giving our voices and the best way to do that is, let's do a protest.' So there was probably about 30 of us, last November [2017], [who] decided we were going to take a stand and do a protest outside Byron House, and tell the Council that it was affecting our livelihoods, and many drivers were being affected, and we wanted to open dialogue… the taxi drivers, they get representation through Unite the union, and really there was nothing for private hire drivers. And … we thought to ourselves, you know what, let's just see if we can get dialogue opened. And … during that protest on that Sunday evening [we] were having a chat between ourselves about how we could look at progressing forward…. And somebody had mentioned that there was a dedicated trade union, and so I went, 'Okay, we'll do a bit of research' … and we came across what we now know is the dedicated private hire trade union, which is the United Private Hire Drivers trade union, the UPHD. So, I got in touch with them…. So, we then formed the union and we've

> grown stronger and stronger. We now have over 100 members in Nottingham and, as a result, we applied pressure on the City Council to allow us to have dialogue, and that we were not going to be bullied; because it felt like we were being bullied, the drivers. And that is still the case today; we're a year on and we do still feel like we're being bullied and intimidated." (DWPE04, private hire drivers' organisation)

Such community links were described as having ongoing importance in overcoming drivers' isolation:

> "of course, we all know someone within our own communities, family, friends, who are Uber drivers, or taxi drivers…. So, we're slowly ...starting to increase our members within the union, and again we're reaching out to all our members and saying, 'Look, if you're a member, please reach out to your fellow drivers, your fellow family members, and get them to understand who we are, what we're trying to do, so that we have a voice." (DWPE04, private hire drivers' organisation)

Uber was singled out by this interviewee as refusing to engage or recognise them as a legitimate representative for drivers. This led to strike action in 2018, which was described by the interviewee as the first strike by private hire drivers in Nottingham for 30 years:

> "the Uber drivers in London were the vocal focal point, they were the most vocal, and because it was run by the union, we were asked to come and support them. And I took a step back and said ...it's a national strike ...we have Uber in Nottingham, [but] they're not listening to us either; we're trying to engage with them, but they keep saying, 'We'll take it under advisement, and we won't meet you'; and I'm struggling to meet them. And they've done nothing in the meantime. So ...you know what, let's go on strike. So, we did. In solidarity with London, we decided to strike in Nottingham…. Nottingham City Council made a statement as well…. So, there's probably between 450 and 500, 450 maximum I would say, of Uber drivers [working in Nottingham]. We had about 100 turn up; so we had a quarter. Now that's- the backdrop; [that] is, not a lot of them actually knew; because it was so last minute, we didn't really have the time or the infrastructure." (DWPE04, private hire drivers' organisation)

This points to some of the possibilities but also the challenges of organising with a small union made up of precarious workers. Further challenges were reported, arising from the isolated character of private hire drivers' work:

> "Uber are very good at keeping drivers disassociated. So, I created a WhatsApp group about eight or nine months ago … purely for educating drivers and seeing what their frustrations are and seeing if there's any commonality between all the drivers; and we are, we're finding common ground on all drivers. And so, it's always great to have that evidence, when you go and speak to somebody because we can say, 'Well, actually, we've got 90 people on this WhatsApp group; they're telling us, they're telling me, that this is what they're seeing.' So, I can speak for them; rather than you having drivers coming in, I'm just speaking on their behalf. And so, it's difficult because … they don't recognise any trade union." (DWPE04, private hire drivers' organisation)

They suggested that visibility was still a problem for the union:

> "a lot of drivers don't actually know we have a union, or they don't understand, because the last union in Nottingham was done locally by two individuals. It wasn't an organised trade union; it was two individuals who decided that they wanted to do something, and they did this 25 years ago … and it fizzled out, and nothing happened since…. But what we're saying is, 'No, this is actually a dedicated trade union. These guys are a trade union. They are phenomenal.' And that's giving them confidence. They're coming onboard, and so we're slowly starting to increase our members within the union." (DWPE04, private hire drivers' organisation)

In contrast, an interviewee from a Hackney drivers' organisation described a mixture of digital and physical means of communication between the organisation and members, with the rank itself providing an important space for organising and communication:

> "It's word of mouth. It's like [the] drivers, we're sitting here [on the rank], and everyone will know everything. It gets passed on so and virtually, if not on that day [then] another day, it travels. And we've got messages and groups and stuff; so everybody gets the information." (DWPE08, Hackney drivers' organisation)

The quotations above show the varied and complex approaches to voice and representation among drivers in Nottingham. These organisations provide a range of opportunities for drivers to voice their concerns, but interviews indicated a lack of willingness by the City Council, and even more so Uber, to engage in meaningful dialogue.

2.8 Equal opportunity and treatment in employment[53]

Consideration of equal opportunity and treatment for drivers calls for attention to the impact of national council and operator policies, as well as the interpersonal interactions with officials, operators and customers.

An interviewee from NCC, describing the process for assessing drivers' fitness to work, suggested that the law was quite unclear about this, creating the possibility for inconsistencies between authorities:

> *"the law is quite clear for us. It says that we must not issue a licence, unless we are satisfied that person is a fit and proper person. Helpfully, it then doesn't give a definition of what a fit and proper person is. So, the common definition that people tend to use is, 'Would I be happy for a member of my family to sit in that vehicle regardless of their condition with this person as the driver?' If yes, then fine; if no, then it's no licence." (DWPE06, individual from City Council)*

Interviewees from drivers' organisations showed intense feelings of unfair and unequal treatment by CPOs, with some suggesting that private hire drivers were unfairly targeted and others feeling that Hackney drivers were targeted because this was easier than dealing with private hire cars licensed in other cities, where there were less direct means of enforcement:

> *"it's become aggressive, and we feel that we're just being targeted because we are easy targets." (DWPE04, private hire drivers' organisation)*
>
> *"on a weekend at night, there's going to be over a hundred private hires in the city breaking that rule and everybody knows that they're breaking that rule … plying for illegal hire. So, I know that if I … [do] petty things, [like] I have not carried my badge, I'll get points for that and the Council are very good at giving out petty points. But where it matters … where safety is involved … they're not efficient…. and we know that, if a car has an out-of-city badge … it will not get DIPPS. Because they don't have the enforcement powers…. they can stop them and look for their tyres to see if they've got what you call it; but they don't even do that much…. I went to [a nightclub]. We have a rank [but] it was full of private hires [so]I had to park across the road… now if a [CPO] came, they'd look at those guys [out-of-city plates]. And they'd come to me because I've got- I'm an easy target and … I'm more catchable." (DWPE01, Hackney drivers' organisation)*

Criticisms were also made of the information provided by the Council about how to take an appeal against DIPPS to the courts:

> *"when I'm appealing … it says 21 days but how does those 21 days work?… So how would you say there's fairness in that and then it doesn't give you the clarity. You're going to appeal at the courts; there's no telephone numbers ...[for] the courts to [enable me] to register my appeal at the courts. But it doesn't give you the information [about] how they're going to appeal to the courts, what number, how much is the cost." (DWPE01, Hackney drivers' organisation)*

This lack of transparency and accountability was even more pronounced when it came to Uber, who were described as providing no information to drivers about their process for investigating complaints and offering no right to appeal:

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53 This is drawn from the Decent Work criteria.

> *"we don't know their policies, and we don't know what investigative skills they've used … so, for example, I have a driver who had a problem with Uber; they deactivated him permanently. He'd picked up a rider, a woman with a young child … they're in the back. The child is now on the back seat jumping around. They haven't secured the child, and the driver has turned round to the child I believe … I'm assuming it's maybe a little bit older, not a toddler, not a one or two-year-old, and said, 'Look, can you please sit down, for your own safety.' I don't know the tone in which that's happened; I can only say what the driver has told me [as] there's always two sides to a story and I wasn't there so I don't know. So, I don't know what the tone was and the position around that tone. The rider has felt it was inappropriate, in their opinion, [and] made a complaint to Uber; and Uber has said, effectively, because you addressed the child, we are now going to deactivate you permanently; you'll never be able to work for Uber again. Now again, I'm getting his side of the story, but I don't know what the proof is. So worst case scenario, if he's shouted at the child, then you can understand, but we don't know what investigation's been done by Uber; they won't tell us: 'We have an internal process, we will do the investigation, and we will tell you what the outcome is by telling the driver if he's been reactivated or deactivated.' We don't know what happens in between…. the other thing that we want is that we're treated fairly. And some drivers have been deactivated by Uber, for no probable cause…. There is no appeal process, and the only thing that we can now do is potentially look at a workers' rights case and get you compensated for being deactivated and for the years of service that you did, because they can back-date it, if we win. We have no dialogue ...they're not prepared to talk to us." (DWPE04, private hire drivers' organisation)*

This means that drivers' ability to work is heavily reliant on decisions made at a distance by Uber, which are extremely opaque, and decisions by Council officers that are more transparent and open to challenge, but only if drivers have the necessary information about how to do so. While it is beyond the scope of this research to assess the accuracy of these perceptions, it is worth noting that NCC relies on a single officer to make decisions about the award of DIPPs and a single officer to make rulings on the first stage of appeal:

> *"we're concerned with, you know, the average CPO, if he doesn't like somebody's face or … it could be an abuse of power, basically. That's what we weren't happy with … We don't like the process that it's only one person who makes a decision and then if you want to challenge his decision, you have to go to the magistrate's court. We think there should be at least three or a three [person] panel team." (DWPE07, Hackney drivers' organisation)*

This would seem to make the Council more liable to accusations of bias, compared to some other local authorities where these judgements are made by a larger panel.

2.9 Economic and social context for decent work[54]

The economic and social context clearly has several impacts on working conditions in Nottingham's private hire and hackney sectors, including the lack of other opportunities in the local labour market, Britain's individualised consumer culture, and the role of alcohol in the night-time economy.

First, a lack of opportunities within the wider labour market for some groups may lead to the perception that there is no viable alternative for employment, potentially contributing to the over-supply of private hire drivers:

> *"So, we do have a high proportion of people who come to the country as migrants and see taxi driving as a good opportunity for a job. We do tend to see sometimes that people who can't get jobs in other areas because they have criminal records seem to think that's a good place to go as a last resort…. it isn't a job of last resort; it is actually quite a responsible job. But people do come with that mindset,' I've tried everywhere else, you're my last hope.'" (DWPE06, individual from City Council)*

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54 This is based on the Decent Work criteria. It does not feature significantly in the Good Work criteria, supporting Bales et al.'s (2018) contention that the 'good work' framework developed by the Taylor Review has an individualist and neo-liberal bias. Bales, K. Bogg, A., and Novitz, T. (2018) 'Voice' and 'Choice' in Modern Working Practices: Problems With the Taylor Review, Industrial Law Journal 47(1), 46–75, doi:10.1093/indlaw/dwx028

Another interviewee spoke about turning to private hire as a buffer when their other employment became more precarious:

> *"about three years ago my job position changed somewhat … my 9-5 job was looking a bit precarious, to be honest. And then having a relatively older family to support, mortgage and kids and bills etc, it then got to a position where, 'You know what, if I do lose my job, I've got to be in a position where I've got a Plan B.' So, I decided to reapply and get my badge…. And [now some drivers are] becoming disillusioned, they're saying, 'Well how do I get out?' and that's the problem. For some of these guys, it's the only line of work they'll know, and it's their career." (DWPE04, private hire drivers' organisation)*

Furthermore, an individualised consumer culture, which has been actively promoted in Britain by major businesses and governments over decades, encourages people to prioritise individual convenience, influencing consumer behaviour, and this takes on a particular form within a night-time economy focused on the consumption of alcohol:

> *"there's also a little bit of tension, particularly on nights out, between taxi drivers and students, particularly drunk students because we've had situations where taxis will refuse to take people. Obviously, they run the risk of them throwing up or anything like that. If they see somebody stumbling along the side of the street or falling over, the taxi driver's completely within their rights to say, 'I'm not prepared to take you', and we're not going to dispute that … but for students, I think they forget that…. they think, 'I just want to be home and you're not taking me'; and that can quite often cause some issues. But it's almost like they forget that they're somebody just trying to do a job whereas students, not all students obviously, but when you're tired, and it's 2 a.m. or 3 a.m. and you've had a little bit too much to drink, you just want your bed and a piece of toast" (DWPE05, student organisation)*

Wider economic and social conditions thus appear to play a significant role in shaping both the oversupply of drivers and the difficult relationships some drivers report in their interactions with customers, operators and the City Council, and need to be taken into account when devising solutions.

3. Strategies to improve working conditions

Interviewees proposed a wide range of strategies aimed at improving drivers' working conditions. These proposals helped to inform the focus of the literature review, which aimed to identify examples where similar approaches had been tried elsewhere and draw lessons to inform strategies in Nottingham. These strategies have been grouped into state interventions, driver self-organisation, and the identification of common ground between stakeholders as a basis for dialogue. The discussion below draws on interview data to explain local stakeholders' reasons for proposing particular strategies and perceived barriers to their implementation, together with findings from the literature review to help inform their further development.

3.1 State regulation and enforcement

In Nottingham, the Council plays the major role in regulating private hire vehicles and taxis, on terms set by national government. Discussion generally focused on the actions of the local state, in the form of the City Council, other local authorities, and the police; but in many ways these interventions were shaped by decisions made at a national level, both through the allocation of resources and the establishment of powers.

An interviewee from the Council described the range of enforcement activities:

> *"we work very closely with the police; we have our own compliance officers who will go out, they'll deal with the customer complaints, they'll go out to make sure that operators are complying with the terms of their licence and they'll check the records, make sure that they're keeping proper records; and they'll check the vehicles, make sure everything is correct on those, with the drivers as well. We employ four uniformed officers that work nights, 8:00 at night till 6:00 in the morning Monday to Friday, sorry Monday to Sunday. They have a uniform presence on the street…. They'll make sure that people are parking ... if they think that people are illegally plying for hire, etc., they will deal with those at the time. But they're also trying to keep customers safe, making sure they are getting into the correct vehicles, that they've got bookings, etc." (DWPE06, individual from City Council)*

Furthermore, they described efforts to publicise enforcement activities, intended both as a deterrent and a reassurance to law-abiding drivers:

> *"we try and put out where we've had an illegally plying for hire operation just to let the law-abiding drivers know what we're doing because, to be fair, 80% of drivers are just going about their daily business. They do what they're supposed to do. 10% occasionally come and do something wrong and 10% are actively doing something wrong. The temptation is, if they don't, if the law-abiding drivers don't think you are doing anything, temptation is for them to cross the line and do things they're not supposed to. So it's all about getting that communication out there saying, 'Yes, we are on your side and we are trying to tackle the drivers that are illegally plying for hire and the private hires that are parked in front of the Hackneys in the Hackney ranks and try to encourage people in'." (DWPE06, individual from City Council)*

As discussed earlier in this report, the DIPPS scheme is a major element of the City Council's strategy to improve passenger safety and customer experience but is a frequent point of contention with the majority of drivers' organisations who agree with it in principle but feel that the way it is implemented often impacts negatively on drivers:

> *"The City Council in Nottingham introduced what they called the Driver Improvement Penalty Points System…. the backdrop to the introduction was to eliminate the rogue element, so those that were illegally plying for hire, those vehicles not quite up to standard, etc…. And so, in principle, I think every driver would agree with that. But what we found, once it was implemented, was that legitimate drivers were the ones being targeted. Or they felt legitimate drivers were being targeted. So whether you were parked in a bus stop, whether you were parked in a double yellow line, there were drivers who were pre-booked for jobs waiting for their riders to turn up, they were being handed out penalty points, and they felt that it was a little bit overboard, a little bit over-zealous, by some of the CP- the dedicated CPOs." (DWPE04, private hire drivers' organisation)*

They described drivers' concerns about the implementation of DIPPS as the primary motivation behind the formation of the local union branch, and a flashpoint for wider concerns:

> *"I mean a lot of the drivers, they are feeling victimised and bullied, and they are in that precarious position. And DIPPS has just highlighted it so dramatically for them." (DWPE04, private hire drivers' organisation)*

Some Hackney drivers also expressed concern:

> *"the DIPPS scheme is okay … to a certain extent. Okay, there are DIPPS [which] have been given where drivers have been non-fault basically because it all goes down to the fact-finding evidence…. But when we appeal, when you ask for the evidence, the evidence is not given in detail…. the reason why we got a strong objective on this is the decision-making of it is just one person on every DIPPS." (DWPE01, Hackney drivers' organisation)*

Another interviewee described a lack of Hackney ranks in the city creating conditions where there is sometimes nowhere for Hackney drivers to park legally, leaving them liable to enforcement:

> *"The impact is that you know people have to park illegally in a way, while they're waiting to get onto the rank. So, if they're unfortunate, that it's a very slow day, then the parking CPOs would come and just give them DIPPS now. So, it's tough in that sense. ... you're trying to do your work and you're trying to avoid the parking services." (DWPE07, Hackney drivers' organisation)*

The manner of enforcement was also criticised by some drivers. An interviewee from a private hire drivers' organisation suggested there was a tendency for CPOs to side with customers, ignoring evidence that suggested they were in the wrong:

> *"I had a driver … four riders, three females and one male, a female jumps in the front, two females either side in the back and the male sits in the middle. And they're only going half a mile up the road…. and they've all got drinks in their hand. They've been to McDonalds, they've had a night out, they've had a bit to drink … and the driver has politely said, 'Look guys, do you mind just hang[ing] on to your drinks. Don't spill them; just be careful.' The chap in the back has took a real issue with the way he's said that to him, for whatever reason, [and] we don't know why. The driver I know personally. He's not an aggressive kind of driver; he's relatively calm. He's [the passenger] took an issue with it, kicked off, and the driver's said, 'Look, I'm just being polite. Just be careful; otherwise, there'll be a soil charge, and I don't want you to get a soil charge.' And he [the passenger] then decides he doesn't want to take the ride, he wants to walk, so he's asking one of the girls to move so he can actually get out, by which time they've all decided, 'Well, we're not having any of this now, we're all going to walk.' So the girl whose Uber it was is sat in the front and has a milk shake in her hand. So she's jumped out of the vehicle and gone, 'I don't like your attitude, beep beep beep beep [swearing], here you go'; and she actually spills all of her milkshake inside of his vehicle. He's obviously now got out, an altercation occurs, and the CPOs happen to be walking past; they actually take her side, and as far as I see, CPOs should be independent, and if anything, they need to de-escalate the position rather than take sides, because that just makes it even worse. They've taken sides. There's a chap in the doorway that's seen the whole thing, and he's actually come over and said, 'I've seen everything', and says to the driver, 'I'm actually quite prepared to be a witness to what's happened, because these CPO officers are actually in the wrong. You've clearly not done anything. She's the one swearing at you and effing and blinding and all the rest of it, and you're the one trying to calm her down, and so I think you're the one being harassed here'. So, the CPO's calmed his position down and says, 'Can you go your own ways.' So, the driver's obviously cancelled the ride, she [the customer] gets straight onto the Uber app, makes a complaint, the following day the driver is deactivated [removed from the app by Uber], and he's deactivated for three weeks while they investigate. At no point does Uber ring the driver and say, 'Can you tell us what actually happened?' He's trying to speak to Uber. Uber says, 'Well, we're investigating'; so they hide behind this, 'Well, we're investigating.' But thankfully they did put him back on, but three weeks he's now got no income ... What does he do? And so this is the precarious position that we're in." (DWPE04, private hire drivers' organisation)*

A different role for CPOs was presented by a students' organisation, who described CPOs and a Council

Taxi Marshall playing a positive role in mediating relationships between drivers and customers in the night-time economy:

> "there was a Taxi Marshall outside of Rock City for quite a long time and that was I think one of the best inventions that Council came up with. It was so useful to have somebody there particularly with … a long line of Hackney cabs going up the road and a few private hires as well and then the Taxi Marshall would kind of organize it, which made it so much easier. It gave students somebody to go to rather than having to go along the cabs and try and work out how they're gonna get home. If you go straight to the Marshal and say this is where we need to go and the Marshall would be like, 'Right get in this one'; and it would be almost like having that middleman who could alleviate that tension and alleviate pressure. But I'm not sure if they're still doing that; I haven't seen him recently out and about. But yeah, I think there have been instances, particularly when the CPOs are patrolling on the night-time economy, if it's difficult getting somebody in a taxi or somebody's causing tension or there's a problem, the CPOs provide that level of authority which can be really beneficial, if you've got somebody who's being not aggressive, but they're being a little bit agitated or they're frustrated or anything like that, to have that authority figure…. I think it alleviates a lot of, it almost gives them that time to breathe, to go, 'Okay, it's fine, I don't have to deal with this; I can kind of pass this off to somebody else to help' …rather than it just being - because … one of the things about being a taxi driver is, it's just them, it's just them in their car with this group of four or five rowdy people in the back and that puts them in a very precarious position …you're having to navigate your own safety, you're having to navigate your own well-being, and I think sometimes having somebody there to just coordinate it and help it run a little bit more smoothly, it takes a lot of the pressure off. So, I think they are, it provides a really important resource" (DWPE05, students' organisation)

Public safety was suggested as the justification for a 'hard' enforcement approach:

> "private hire … don't like the fact that we enforce so hard, but we have no choice ... we have to do it as public safety." (DWPE03, Individual from City Council)

Another interviewee from NCC described the training provided to CPOs, with an emphasis on being understanding towards drivers who are attempting to do a job:

> "they [CPOs] all go through the training … If a driver has genuinely got a, they're waiting for a customer it will be on their data unit, so they only have to the show [the] officer, 'I've got a pick-up, this is the location, it's only just come through'…. The training, it covers the Driver Improvement Penalties Point Scheme, it explains what that is, how to use it, why we use it, all the processes. But it also … gives them the background to different types of vehicles, so they understand what a Hackney carriage is and can do, so they understand what a private hire vehicle is and can do and the drivers, etc, it gives them a bit of background to what's expected of them. But also, again [it] tries to help them understand that they [drivers] are doing a job. We're not out to persecute them. It's allowing them the opportunity to pick up and drop off but making sure that it's done safely and also to tackle the issues of those that are taking advantage of people who don't know the legislation and just see a taxi because everybody assumes it's a taxi and they can just get into it and get home." (DWPE06, individual from City Council)

However, this is called into question by the suggestions made by other interviewees, discussed above, that enforcement was so punitive as to push some drivers to the margins of the sector, creating pressure to work illegally, by plying for hire, and thereby jeopardising passenger safety because they are not then covered by insurance.

When it came to the perceived unfair competition from private hire drivers, some hackney drivers called for more proactive enforcement, implying a belief that this could benefit their drivers' conditions, if it were properly applied:

> "There's only four CPOs, and only two work at night; two will be on and two will be off…. If one is off sick or is on a bereavement or stress or any kind of reasons, the other one cannot go out on its own and two cannot maintain the city as a deterrent because it turns into a cat and mouse game and … they try their very most but they don't have the resources to reprimand the regulars who abuse…. The solution would be … more undercover operations happening more regular[ly], on a weekend … the Council's always

> *lacked ... resources … they're not basically operating the standards to be honest with you and that [means] they need to review the policy and get a deterrent policy that will work"* (DWPE02, Hackney drivers' organisation)
>
> *"considering how many private hire [vehicles] there are, there's not enough enforcement officers. And the point is, they can't put more enforcement officers [on the streets] because that money [from licence fees] is going to the other council [where an out-of-town driver is registered] rather than Nottingham City Council."* (DWPE07, Hackney drivers' organisation)
>
> *"Well, the licens[ing] authorities that we deal with, Nottingham City licence office, are doing their best but funding is not enough. So we hear that they don't have enough funds to put more officers on duty…. So, we feel that, if more officers were put on the streets regarding catching up illegal plying for hire then it would make [Nottingham] a safer city. We find many vulnerable people at night time, especially when they've had a drink; they just want to go from here straight home."* (DWPE08, Hackney drivers' organisation)

These drivers' accounts suggest that state interventions are both inadequately resourced and poorly directed, with negative consequences for drivers' working conditions.

Interviewees from the Council took quite a different view, seeing the DIPPS scheme as generally effective:

> *"it's quite successful in sort of trying to change the driver behaviour, improve customer service, driver safety standards for our drivers. If they get caught parking, say, in a bus stop, when they shouldn't or in an area that's not safe, we can issue a DIPPS notice."* (DWPE06, individual from City Council)

They also described the wider range of staff involved in enforcement, in addition to these four dedicated CPOs:

> *"We work with our civil enforcement officers. So, they'll run operations for us as well. They'll go out issuing the parking tickets again for the drivers that we know are hanging around the hot spot areas such as outside the 24-hour McDonald's, outside of nightclubs, trying to encourage people to come into their vehicles. We work with CCTV; they will keep an eye on ...the hot spot areas for us as well, record issues that we need to look at and then we'll bring drivers in for an interview."* (DWPE06, individual from City Council)

However, another interviewee pointed out that the police had also had their resources reduced over recent years, leading to a reduction in collaboration with drivers' organisations:

> *"new recruits to the police … we used to do a talk to them and say what's the difference between the Hackney and the private hire. But now the police … their budget has been cut so much ...they can't dedicate a team to that. They do ... joint operations with the Council, but ...it's like a couple, about four operations a year. I mean, it's neither here nor there really."* (DWPE07, Hackney drivers' organisation)

A Council interviewee also suggested a lack of clarity in the law made enforcement difficult:

> *"The law for illegally plying for hire is quite difficult to prove anyway, [as] there is no definition of what illegally plying for hire is; that's one of the recommendations that the committee has asked the government to bring in. We have to go down the route of working with the local police to set up operations, bit of an agent provocateur to bring, to catch people out who are doing it because we have to prove that they've picked up, illegally plying for hire, that they've picked somebody up – we can suspect they are but they'll come up with excuses like I'm not working, I'm waiting for a friend, just picking my son up from the nightclub. So it's very difficult, but we know what they're up to;they know that we know what they're up to but we've got to prove it and that's why we had to use the police and obviously, with the cutbacks, that gets more and more difficult."* (DWPE06, individual from City Council)

The limited enforcement powers available to the City Council against private hire drivers registered with

another council but operating within the city was a frequent complaint, as described by an interviewee from the Council:

> "I think the private hire market is a mess at the moment. The Deregulation Act of 2015 just threw a hand grenade in the middle of the ability of licensing authorities to license in an effective way…. The legislation requires us to be primarily concerned about public safety and it's a bit of a challenge with the way that private hire [drivers] can register anywhere. We don't … know that the information we have about drivers is accurate, and in terms of what it means for the marketplace, you play a cat game of cat and mouse with drivers quite a lot…. it means we have a differentiated approach. We have to build relationships with other authorities to enforce against drivers from other authorities. Some authorities want to, will play ball, [whereas] others won't …. One particular … authority, they've gone from 2,000 private hire vehicles on their books ten years ago to nearly 15,000 now; there is no city in the [region] that can support 15,000 private hire vehicles, despite what they say. They're doing it as a money-making exercise, even though the law says they can't…. There are other authorities that are close by but we have good relationships with them so enforcement can be done through a variety of different means…. If there are issues that we would take up with their own ...drivers directly, we can refer them back to their authority, the local authorities, and they're pretty good. The differentiation of moving vehicle violations is a bit of a problem, especially around plying for hire, which ...is a problem at the moment. But of course, it's a criminal activity, and therefore it's dealt with by the police and we have limited ability to deal with that. But then we deal with enforcement around no-stopping zones and stuff like that. And there are things on the horizon that we're introducing, more red routes, because a private hire vehicle stops there, we instantly ticket them, and we'll have to do more of that because there's just far too many private hire drivers…. We're looking to try and get the law changed so that ...[if] you operate in an area, you [have] ... [to] be licensed in an area. You know, I don't think it's acceptable that you're licensed by a city that's 70 miles away from here…. So, obviously we work with legislators to try and get them to change their minds and to shape new stuff that's going on." (DWPE03, Individual from City Council)

Another interviewee from the City Council suggested that removing this inter-city mobility, together with changes to legislation to allow the number of private hire vehicles to be capped, could improve the availability of work and consequently pay:

> "I think it would help certainly to have tighter regulations among the recommendations that have been put before the Government and certainly restricting the access to a licensed area from out-of-towners would help; it would be fairer to the drivers who have paid their fees to be licensed in Nottingham to be able to work in Nottingham … without everybody else piling in from outside and diluting the share of the work. So, I think that would be a big benefit. Whether it might be fairer to limit the number of licensed private hire vehicles than drivers in total, it might be easier to limit the number of private hire vehicles because sometimes vehicles are shared by different drivers. So, if there's only so many vehicles and then so many drivers can take them out at any one time. So, a cap of private hire vehicles again might make it fairer: you're limiting the number of vehicles, [and] there'll be more work for people, more opportunity to probably make a living wage." (DWPE06, individual from City Council)

This indicates that improvements at a local level require changes to national legislation.

A drivers' organisation proposed that the Council should include drivers' working conditions in the terms of its licence for operators. One stakeholder suggested that the oversupply of private hire vehicles could be addressed by placing a responsibility on operators to register only as many drivers as they have work for:

> "if the [operator] bases were targeted to say look ...if you've employed so many PHV drivers on your books … and your drivers are just parked ...acting as freelance rather than doing your work then … they should not have a licence. And ...they shouldn't be affiliated to you and then it would put pressure on these drivers." (DWPE07, Hackney drivers' organisation)

This raises questions about the powers, capacity and willingness of the Council to place such a responsibility on operators. Interviewees from the Council argued such things were beyond their remit, according to national legislation:

"it's a conversation I have with private hire drivers quite a lot, which is, I absolutely understand their problems around the gig economy and stuff. But I'm the licensing authority. I'm not the legislative authority. I can't dictate terms and conditions to operators. I can't tell them to pay ...whatever. I mean, they have ...legal responsibilities, but I think the law's a bit complicated on this ...they do have a responsibility to pay the living wage but there are ways around that and I have no powers to do anything about that…. I can only measure it against the legislation. The primary thing is [that] they operate a safe business: they operate a business that doesn't put their passengers and the public at risk. And that's what the law tells me I have to do." (DWPE03, Individual from City Council)

The interviewee above suggested that, even if the City Council was be granted powers to enforce driving conditions against operators, there would be problems implementing this due to resourcing:

"given where we are, I'd be reluctant to be policing that because that is really difficult for us to do; we don't have the resources…. Imposing and policing large operators, because that's what it'll mean, about their terms and conditions, is a bit beyond our scope anyway. It's not something we do … we might be able to do it, if we increase our licensing fees to cover that sort of cost, but I would rather go around a route of trying to negotiate change with them." (DWPE03, Individual from City Council)

A private hire drivers' organisation described this position from the Council as part of a wider neglect by the state, such that drivers felt they were left to fend for themselves:

"the Council likes to shy away from their responsibility and place everything on the shoulders of the driver; no one seems to want to protect the taxi driver. So, the driver has a problem with a passenger, the police say ...that's a civil matter, you speak to Uber or your operator and the operator says ...that's between you and your rider; and so it's the driver that's left in limbo and not getting any assistance. And so, we're in a precarious position; we get no assistance from anywhere, and so we're left to fend for ourselves." (DWPE04, Hackney drivers' organisation)

A councillor also expressed the challenges that the Council faced in balancing the needs and interests of different parts of the population, which may sometimes lead to drivers losing out:

"cities are complicated machines. You have to keep them working together. You can't … always give a special- sometimes you do, Hackney drivers can drive in bus lanes now, but you can't always just say, 'Well … just to make your life easier, we'll keep that road open just for you' because that's not how it works. You do … have to think about it. I mean, the reason why we're doing that over there is [because] there is a structure around it which is access in and out of a new car park, a new bus station and some taxi ranks that will service that area but, you can't have everything in the area because you need freedom of movement for all those other vehicles. So …it's not an ill-considered approach. It's just that …you have to balance up what the needs of the project are against what the needs of other groups are and sometimes they lose out." (DWPE03, individual from City Council)

This highlights the need for working conditions to be included in wider democratic debates about how to organise society to meet everybody's needs.

The regulation of the sector has been subject to discussion at a national level in recent years, although with little attention to working conditions for drivers. A report by the Urban Transport Group (a membership organisation for city region transport authorities) in 2017 assessed the far-reaching implications for cities undergoing transformational change and growth in the taxi and private hire sector, and called for a new approach to policy that can ensure both good service for users whilst also ensuring that the sector is able to achieve public safety, congestion reduction, economic inclusion and air quality. The report found that the taxi and private hire sector had often been neglected by policy makers in the past, and makes the case for a more strategic approach to the taxi and PH sectors, stating that 'it is more important than ever to integrate the taxi and PH markets into wider transport planning and strategy'.[55] One suggestion for how this can be achieved rests on improving engagement between central and local

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55 Linton, C., & Bray, J. (2017). Issues and Options For City Region Taxi And Private Hire Vehicle Policy. Retrieved from: http://www.urbantransportgroup.org/system/files/general-docs/UTG%20Taxis%20Report_FINALforweb.pdf, p.40.

government and the taxi and private hire sectors, when addressing a range of public policy goals and challenges and shifting council approaches beyond the current focus on passenger safety and customer satisfaction.

At the very beginning of their strategy statement, Nottingham City Council acknowledge the important challenges that the taxi and private hire vehicle industry is facing, with regards to the type of service it needs to deliver, whilst adapting to changing demographics and, notably, the increased competition arising from technological advancements (including new markets created by rideshare services). However, aside from one mention of Uber, there is little further to indicate regulatory considerations have been made for the concerns raised by the industry on platform-based rideshare services, which is surprising given the increased focus on public safety at national and local levels.

Much of the literature on the topic of passenger safety suggests that there is actually a great deal of support from taxi and private hire vehicle drivers for tighter regulations within the industry, specifically those which safeguard the wellbeing of passengers and drivers. However, the issues which seem to continue to arise are, not only the flooding of the market by rideshare companies like Uber, but also the related issue of precarious conditions for drivers. In New York City, officials are now looking at limiting the number of rideshare vehicles allowed to operate in the city.[56] This is reflected in ongoing protests staged by drivers in many cities around the world.[57]

Skok and Baker,[58] also highlight some of the many issues that regulators need to consider, from market dominance and monopoly control, to the 'grey areas' of worker exploitation and self-employment. Yet there has been little to demonstrate a willingness to consider how Uber and other app providers across the world tend to 'avoid' determining responsibility for either the actions of drivers or their working conditions, and the implications of this for passenger safety and liability. Indeed, Pfeffer-Gillett suggests that, 'a string of passenger safety incidents has raised doubts about whether these services are ready to safely replace traditional transportation services'.[59] Some, such as Daus, argue that a continued lack of regulation in this area has already lead to a 'Wild West' environment, whereby a flooding of the market, together with a lack of comprehension from many regulators, means that there are 'some apps that may simply not be legal'.[60]

Whilst there have been some updates to the licensing laws made in the 1970s, and in London in the 1990s, there has been little attention paid to national legislation, despite significant changes in population numbers, consumer behaviour, and technological advancements having major impact on the industry. Policy makers have, for a great deal of time, failed to address these issues on a national level, even with increased calls in recent years to do so.[61] The Law Commission published a comprehensive overview of the industry and how it should look going forward,[62] suggesting that the failure to update national legislation has resulted in a complex and fragmented licensing system, whereby the relationship between

56 Reichert, C. (2019, June 12). Uber, Lyft must continue to limit size of fleets in New York City. C|Net [San Francisco]. Retrieved from: https://www.cnet.com/news/new-york-city-extends-rideshare-cap-for-uber-and-lyft-limits-vehicles-that-cruise-empty-in-manhattan/

57 Grafton-Green, P. (2018, January 15). London taxi protest: Black cab drivers stage demo against TfL and Uber. The Evening Standard. Retrieved from: https://www.standard.co.uk/news/london/london-taxi-protest-traffic-chaos-at-elephant-and-castle-as-black-cab-drivers-descend-to-protest-tfl-a3740711.html; Barnes, T. (2019, January 23). Madrid Uber protests. The Independent. Retrieved from: https://www.independent.co.uk/news/world/europe/madrid-uber-protests-yellow-vest-taxi-roads-blocked-tourism-conference-arrests-a8742106.html.

58 Skok, W., & Baker, S. (2018). Evaluating the impact of Uber on London's taxi service: A critical review of the literature. Knowledge and Process Management, 26(1), 3-9. doi:10.1002/kpm.1573

59 Pfeffer-Gillet, A. (2016) 'When "disruption" collides with accountability: Holding ridesharing companies liable for acts of their drivers ', California Law Review, 104(1): 233-68, doi: 10.15779/Z380854, p.233.

60 Daus, M. W. (2012). "Rogue" Smartphone Applications For Taxicabs And Limousines: Innovation Or Unfair Competition? - A National Regulatory Review Of Safety, Accountability And Consumer Protection Legal Issues. Transportation Practice Group. Retrieved from: http://www.windelsmarx.com/resources/documents/Rogue%20Applications%20Memo%20(updated%208.6.12)%20(10777883).pdf, p.32.

61 Page, T. (2015). Taxi and PHV Licensing Councillors' Handbook (England and Wales). Retrieved from: https://local.gov.uk/sites/default/files/documents/taxi-and-phv-licensing-bc3.pdf

62 The Law Commission. (2014). Taxi and Private Hire Services (Law Com No 347). Retrieved from: https://s3-eu-west-2.amazonaws.com/lawcom-prod-storage-11jsxou24uy7q/uploads/2015/03/lc347_taxi-and-private-hire-services.pdf

taxi and private hire services is no longer clearly defined. It went on to state that the balance between national and local rules lacks an 'overarching rationale', resulting in 'duplication, inconsistencies and considerable difficulties in cross-border enforcement'. Interestingly, the report found that the insufficiencies in these areas had undermined the fundamental goal of 'protecting the travelling public'. The report made a total of 84 recommendations, including:

- Replacing the concept of plying for hire with a new scheme of offences, resting on the principal prohibition of carrying passengers for hire without a licence, alongside a new offence making it unlawful for anyone other than a local taxi driver to accept a journey starting 'there and then'.

- A statutory definition of pre-booking in order to create a clear distinction between the work of a taxi in its licensing area and the work of a private hire vehicle.

- Operators across England and Wales should be under a duty to provide a price or an estimate of the fare on request, as is the case in London.

- Licensing authorities should be under a duty to consult on the need to alter rank provision and to consider whether new ranks should be appointed, or current ones moved or removed, on a periodic basis not exceeding every three years.

- Those acting in the course of a business who pass taxi or private hire bookings to providers who they know or suspect to be unlicensed should be guilty of an offence.

- Licensed operators should be retained as a necessary element of the regulation of private hire services.[63]

In her briefing paper to the House of Commons in November 2018, Louise Butcher (Senior Specialist, Transport Select Committee) stated that, although the Coalition Government at the time accepted a small number of the Law Commission's recommendations and legislated for them in 2015, 'nothing further has been done' and that, despite the Commission's conclusion that statutorily defining 'plying for hire' could prove difficult, subsequent calls for this have been 'ongoing'.

In its September 2018 report, the Task and Finish Group,[64] advised that in order to be supportive of the two-tier system differentiating taxis and private hire vehicles, clarity must be provided which can effectively distinguish those two tiers and argued that defining 'plying for hire' is essential to that. In light of this, the Group recommended that the Government introduce a statutory definition of both 'plying for hire' and 'pre-booked' and that the definition should include reviewing the use of platform-based technology and vehicle 'clustering' as well as ensuring taxis retain the sole right to be hailed on streets or at ranks. However, independent policy consultancy firm Inline Policy, reported that the Task and Finish Group had 'failed to bring stakeholders together' and 'accurately' develop their consensus positions, leading to significant room for debate over the legitimacy of the report's recommendations.[65]

The Government responded, stating that:

- PHV operators, and companies that act as intermediaries for taxi bookings, do perform functions that appear very similar. However, the Government is not convinced that there is a compelling case for the licensing of taxi intermediaries (such as taxi apps or radio circuits).

- An operator is fundamental to the booking of a PHV, and so has a distinct and legally necessary role in the regulatory system. Conversely, when a taxi is requested via an intermediary, that intermediary is doing nothing more than passengers could do themselves and they merely convey the request from the passenger to a taxi driver.

- This is unlike the situation with PHVs where it would be illegal for the passenger to engage the services of the driver directly, and the involvement of the PHV operator is necessary to make

63 The Law Commission. (2014). Taxi and Private Hire Services (Law Com No 347). Retrieved from: https://s3-eu-west-2.amazonaws.com/lawcom-prod-storage-11jsxou24uy7q/uploads/2015/03/lc347_taxi-and-private-hire-services.pdf, pp.267-277.

64 Task and Finish Group. (2018). Taxi and Private Hire Vehicle Licensing Steps towards a safer and more robust system. Retrieved from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/745516/taxi-and-phv-working-group-report.pdf

65 Niblett, M. (2019, February 13). New regulations for taxis and ride-hailing in the UK [Blog post]. Retrieved from: https://www.inlinepolicy.com/blog/new-regulations-for-taxis-and-ride-hailing-in-the-uk

- the journey a lawful one. This distinction reflects the greater degree of regulation applied to taxis than PHVs.
- The Law Commission also considered this, and concluded that intermediaries working solely with licensed taxis should not require licensing.[66]

A core justification for taxi and private hire regulation centres on the safety of passengers, together with ability of the driver to deliver those services. Indeed, regulations set for PHV and taxi workers were 'borne out of protection for passengers'.[67] Nonetheless, current research highlights that those working within the taxi and private hire vehicle industry are susceptible to a considerable number of negative environmental and social situations within their occupation. Drivers are often vulnerable to precarious and economically unpredictable conditions; and (particularly in the case of the night-time economy) workers may find themselves in stressful and physically dangerous situations, or even exposed to criminal elements as part of the environment in which they work.[68] Previous studies on driver experiences have demonstrated that some regulatory amendments (that of on-board cameras, for example) have been received positively and have helped to address some of these issues. In his thesis on the experiences of taxi drivers in the night-time economy, Huddleston,[69] notes that the safety and overall working conditions of drivers can often be perceived as secondary to that of the passenger, when in fact the two should be considered interlinked.

Taxi drivers perform a vital service in catering to the transport needs of those revelling in the pubs and clubs of the inner city at night, particularly at times when public transport is unavailable within and/or to and from certain areas. As Melisa Wickham notes, in her work on alcohol consumption in the night-time economy,[70] the 'predominance of intoxicated passengers, who may engage in anti-social behaviour', can also deter some taxi/minicab drivers from operating during peak evening/night times, reducing supply. Wickham states that 'over 21% of all drivers surveyed in Glasgow reported that passenger behaviour affects the times they choose to work… this rose to 53% of night time drivers – so there is clearly either greater awareness or caution for those considering working at night'.[71] Huddleston suggests that 'a stressful job characterised by economic insecurity, fatigue, and boredom is further made worse by the fear of victimisation inspired by the hedonistic excesses of the night time economy'.[72] Furthermore, his study found that drivers are also often at great risk of falling victim during night-time working to criminal acts such as robbery, assault, and even potentially murder, and that a number of participants had been assaulted or knew of someone who had been assaulted. It is not surprising that many of these instances occurred at night, and it was 'overwhelmingly' reported by those interviewed that the chance of being victimised was greater during late night/early morning periods. Such issues have, sadly, long been a reported 'characteristic' of the profession, reflected in earlier work on the topic of violence at work in the transport sector, in which researchers have consistently stressed the need for local and national governments to better recognise the threat of occupational violence within the industry (in particular,

66 Department for Transport. (2019). Government Response: Report of the Task and Finish Group on Taxi and Private Hire Vehicle Licensing - Moving Britain Ahead. Retrieved from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/775983/taxi-task-and-finish-gov-repsonse.pdf, p.8.

67 Skok, W., & Baker, S. (2018). Evaluating the impact of Uber on London's taxi service: A critical review of the literature. Knowledge and Process Management, 26(1), 3-9. doi:10.1002/kpm.1573, p.7.

68 Denscombe, M., Dingwall, G., & Hillier, T. (2009). Ethics First: Reflections on the Role of Research Ethics at the Initial Stages of an Investigation into Taxi Drivers' Experiences of Crime. International Review of Victimology, 16(3), 301-308. doi:10.1177/026975800901600304; Machado Sanchez, H., Gouveia de Morais Sanchez, E., Alves Barbosa, M., Celeno Porto, C., & Silva Approbato, M. (2019). Comparison of Quality of Life and Work Ability of Taxi and Motorcycle Taxi Drivers: Evidence from Brazil. International journal of environmental research and public health, 16(4), 666. https://doi.org/10.3390/ijerph16040666

69 Huddleston, M.R. (2014). Taxi Drivers in the Night Time Economy: An exploratory study on their experiences (PhD thesis). Auckland University of Technology. https://core.ac.uk/download/pdf/56364959.pdf

70 Wickham, M. (2012) Alcohol consumption in the night-time economy, London: GLA. Retrieved from: https://www.london.gov.uk/sites/default/files/gla_migrate_files_destination/alcohol_consumption_0.pdf

71 Wickham (2012), p.28.

72 Huddleston, M.R. (2014). Taxi Drivers in the Night Time Economy: An exploratory study on their experiences (PhD thesis). Auckland University of Technology. https://core.ac.uk/download/pdf/56364959.pdf, p.95.

those working within the night-time economy).[73] In addition, groups such as the Institute for Race Relations have also voiced concerns about the threats and abuses to migrant and BAME taxi and PHV drivers, who 'are bearing the brunt of late-night drinking and aggressive racist behaviour'.[74] Such experiences among Nottingham taxi drivers have been well documented in previous research.[75]

These are some of the issues that directly impact on both the wellbeing of workers and their ability to provide a high-quality service. There is a growing consensus that regulators need to ensure that platform operators are held to the same regulatory conditions as PHV and taxi services. In addition, there are valid concerns surrounding the way in which regulators have failed to restrict Uber's market dominance and monopoly control, opting instead to allow these platforms to 'thicken the market' in the name of innovation.[76] Indeed, recent research undertaken about labour conditions for both taxi drivers and Uber drivers argues that 'on-demand services have implications beyond the experiences of those directly involved, and as such, they are not solely a matter of private consumption'.[77]

3.2 State-directed procurement

Another role for the state may be through the procurement practices of local authorities and other institutions directly connected to significant private hire and Hackney usage: for example, hospitals and council-funded care homes. There was a suggestion that council support might be possible should a drivers' cooperative be established:

> *"drivers need to create opportunities, which they can … creating coops and stuff like that … we have contracts that we offer out for taxis and private hire for all sorts of things. They don't have to go to the same old operators ...[they] can go to other organizations of drivers. But they need to be organized and they need to show how they're going to organise, and it's probably easier than it has been for a long time; they don't need to invest in a huge amount of infrastructure [because] the infrastructure is already on the phone…. If we could create opportunities for drivers to work together … and create opportunities for them to create cooperatives or small businesses to deliver a service then I would be more supportive of us having a role to help facilitate that because I think there's something in that for us." (DWPE03, Individual from City Council)*

Even in the absence of a cooperative, it may be possible for procurement processes to include ethical criteria for good employment practices to influence private hire operators. UniCab provides another possible model, where universities work with particular operators who agree to special terms for students, offered through a dedicated digital platform – such a platform could be extended beyond students and could include criteria for working conditions as a condition for operators who wish to sign up.

A City Council interviewee also suggested a role for the City Council in encouraging drivers and operators to develop a longer-term strategy, to protect the industry against potential threats arising from developments such as driverless cars:

73 Essenberg, B. (2003). Violence and stress at work in the transport sector. Geneva: International Labor Office; Gambetta, D., & Hamill, H. (2005). Streetwise: How Taxi Drivers Establish Customer's Trustworthiness. New York, NY: Russell Sage Foundation; Chappell, D., & Martino, V. D. (2006). Violence at Work. Geneva, Switzerland: International Labour Organization.

74 Singhji, M. (2010, October 14). Alone and unprotected, taxi drivers fear for their safety. Retrieved from: http://www.irr.org.uk/news/alone-and-unprotected-taxi-drivers-fear-for-their-safety/

75 Legg, S., & Nottingham Citizens (2019): 'No place for hate': community-led research and the geographies of Nottingham citizens' hate crime commission, Social & Cultural Geography, DOI: 10.1080/14649365.2019.1697460

76 Harding, S., Kandlikar, M. and SumeetGulati. (2016) 'Taxi apps, regulation, and the market for taxi journeys', Transportation Research Part A: Policy and Practice, 88: 15-25; Qian, X. and Ukkusuri, S.V. (2017) 'Taxi market equilibrium with third-party hailing service', Transportation Research Part B, 100: 43-63, doi: 10.1016/j.trb.2017.01.012; Skok, W., & Baker, S. (2018). Evaluating the impact of Uber on London's taxi service: A critical review of the literature. Knowledge and Process Management, 26(1), 3-9. doi:10.1002/kpm.1573

77 McGregor, M., Brown, B., Glöss, M. and Lampinen, A. (2016). On-demand taxi driving: Labour conditions, surveillance, and exclusion. Paper presented at the The Internet, Policy and Politics Conferences, Oxford Internet Institute, University of Oxford, Retrieved from: http://blogs.oii.ox.ac.uk/ipp-conference/sites/ipp/files/documents/McGregor_Uber%2520paper%2520Sept%25201%2520PDF.pdf, p.9.

> *"I suppose, if I was to make one criticism of the trade in its widest sense is that it only thinks about tomorrow; it doesn't think about next year and it doesn't think about periods after there. So, with Hackney cabs we brought in the policy, which means that all of those vehicles that are out there that are not U-CAT6 or ULEV have got to be replaced by next year. Now it's expensive for them … but the reality of the situation is that, if they don't invest in their trade and don't invest in their vehicles and … don't improve their service then there will be no trade for them in a few years' time. Automated vehicles will be here and unless they've got an offer, why do I want a driver [as] it's more expensive. Well ...they get out of the car, they open the door for me, they load up my things…. None of the private hire trade are very good at service…. I often watch, Hackney and private hire, I watch someone come out of a hotel; they've got bags [and] the taxi driver [is] sitting in the front, playing on his phone. He'll click the catch for the boot and the boot will come up and they'll just let the passengers … load their own vehicle; and then they don't get out and open the doors. It doesn't happen in other cities. Service levels are much higher…. They got to ask the question, why are people paying for a service? I know it's to get from A to B, but … service levels might make it more attractive to do it ... if you felt more loved by the drivers, people might use them a bit more." (DWPE03, Individual from City Council)*

An example of how the state might positively influence drivers' working conditions via procurement is provided by Preston, a small city in the North West of England. Until very recently, Preston had 'consistently failed to deliver its full economic potential', attracting very little inward investment between 2004 and 2008, and, like many other areas outside of London, had suffered since 2008 as a result of the financial crisis and subsequent austerity measures. In 2013, Preston City Council and the Centre for Local Economic Strategies (CLES) sought to reverse this trend, beginning with reform of the city's public procurement processes, via 'community wealth building'.[78]

What has been called the 'Preston Model' has since become an economic policy proposal for the Labour Party and a model for other small cities:

> *"It is no surprise that local wealth building has begun to gain traction in the last decade. Across the world, communities are beginning to fight back against a political and economic system in which wealth is hoarded by a narrow few, public services are cut to the bone, and the many are consigned to lives of economic precarity and political disenchantment."[79]*

An official strategic partnership with CLES began in 2013, in order to reform the city's public procurement processes by 'harnessing the potential of anchor institutions'.[80] Based on previous work conducted in Birmingham and Manchester, these 'anchor institutions' were defined as local institutions or local enterprises, such as councils, universities and hospitals, which held deep roots within the local community. They are considered to have specific goals of 'invested capital', and 'control significant economic, human, intellectual and institutional resources' within their community.

The aim in Preston was to generate more local wealth through anchor institutions by encouraging them to transfer external spending into the local economy via 'progressive procurement processes'. In Preston itself, the anchor institutions that were engaged throughout the initiative included:

- Lancashire Constabulary
- University of Central Lancashire (UCLAN)
- Preston College, a further education institution
- Community Gateway Association.

CLES modelled their reform on 'community wealth building', a model previously developed in the American city of Cleveland, Ohio by The Democracy Collaborative.[81] It is best described as a collection of

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78 Schaefer, L. (2018, November 15). The Preston Model of Community Wealth Building in the UK [Online source]. Retrieved from: https://www.centreforpublicimpact.org/case-study/the-preston-model-of-community-wealth-building-in-the-uk/

79 Leibowitz, J., & Lloyd Goodwin, T. (2018, September 21). What next for the Local Wealth Building movement? [Blog post]. Retrieved from: https://cles.org.uk/blog/what-next-for-the-local-wealth-building-movement/

80 Schaefer (2018).

81 https://community-wealth.org

policy approaches/models which utilise specific policy strategies to prevent local financial resources from leaking out of the local economy. As Schaefer puts it, these strategies: "leverage procurement rules and investments from anchor institutions for 'community benefiting purposes'.[82] In order to achieve these objectives, the community wealth building model aims to:

- Increase asset ownership
- Anchor jobs locally by broadening ownership over capital
- Help achieve key environmental goals (including decreasing carbon emissions)
- Expand the provision of public services by strengthening the municipal tax base
- Ensure local economic stability.

Preston City Council adopted this approach and applied it to the needs of their city, calling it the Preston Model. Whenever the local economy was unable to supply the goods and services needed by anchor institutions, CLES and the City Council advocated for the creation of worker-owned cooperatives. These were meant to fill the gaps in the local economy, where the local economy was as yet unable to deliver the requested goods and services.'[83]

A recent report published by CLES and Preston City Council details the full scope of community wealth building in Preston thus far, reflecting on nearly eight years of research and collaborative action.[84] The aims of the next phase of the strategy include deepening existing activities; exploring new areas for collaboration; and 'pushing the agenda onto even bolder terrain'.[85] Preston's distinctive application of community wealth building has been described as lighting an 'intellectual fire that is undeniably exerting a positive influence on civic imagination across the country'.[86]

Municipalism is described as a 'philosophy loosely led' by the Fearless Cities Movement, which followed a successful campaign by Catalonian housing activist Ada Colau, who became Mayor of Barcelona in 2015.[87] It can be seen as a form of political organising based on 'assemblies of neighbourhoods' and the practice of 'direct democracy'.[88] In short, it is an alternative model to the centralised state, constructed of free communes or municipalities, and offering 'the opportunity to redefine the political arena and return power to the grassroots, to neighbourhoods, to local assemblies, to living rooms, to citizens'.[89] The movement attempts to set up connections between cities and towns across the world, with the goal of establishing a globalised movement that is built on the principles of municipalism and democracy. It has continued to garner the attention of researchers, activists, and politicians across the world. In his thesis on 'Resistance, Autonomy and Radical Democracy', Fowler describes attending the Fearless Cities International Municipalist Summit in Barcelona in 2017:

"Aware that this municipal movement must be internationalist if it is to form a coherent counter-hegemonic politics and bring about a sustainable liberation from the neoliberal policies of the EU and global capital… the conference was a chance to share and learn among diverse movements… and 'to put the international context in the centre of municipal debates and municipalism in the centre of global debates.' The workshops and policy roundtables were designed to share experience of macro-scale political

82 Democracy Collaborative. (n.d.). Community Wealth Building. Retrieved from: https://democracycollaborative.org/democracycollaborative/local-economies/Stronger%20local%20economies

83 Schaefer, L. (2018, November 15). The Preston Model of Community Wealth Building in the UK [Online source]. Retrieved from: https://www.centreforpublicimpact.org/case-study/the-preston-model-of-community-wealth-building-in-the-uk/, p.3.

84 Jones, F., & Leibowitz, J. (2019). How we built community wealth in Preston: Achievements and lessons. Retrieved from: https://cles.org.uk/wp-content/uploads/2019/07/CLES_Preston-Document_WEB-AW.pdf

85 Jones & Leibowitz (2019). pp.26-29.

86 Lockey, A., & Glover, B. (2019). The 'Preston Model' and the new municipalism. Retrieved from: https://demos.co.uk/wp-content/uploads/2019/06/June-Final-Web.pdf, p.57.

87 Colau, A., & Bookchin, D. (2017). Fearless Cities: A Guide to the Global Municipalist Movement. Retrieved from: http://politicalcritique.org/world/2017/from-citizen-platforms-tofearless- cities-europes-new-municipalism/

88 Cillero, M. (2016, January 18). United Explanations – What is municipalism and why is it gaining presence in Spain? [Blog Post]. Retrieved from: http://unitedexplanations.org/english/2016/01/18/what-is-municipalism-and-why-is-it-gaining-presence-in-spain/

89 Gellatly, J. and Rivero, M. (2018) 'Radical municipalism: Fearless cities'. Retrieved from: https://blog.p2pfoundation.net/radical-municipalism-fearless-cities/2018/04/03

organisation, such as the feminisation of politics and the creation of public commons, and micro-scale social and economic issues like transport, public space and remunicipalised energy services, among the 600 participants, 180 towns and cities and 100 municipalist platforms in attendance from 40 different countries".[90]

The Preston Model may be viewed as acting on a more localised scale, with a more explicit economic focus in its community wealth building lead by local councils. This means that it may not necessarily be deemed as having the same approach as the Fearless Cities movement. Nonetheless, it is still considered to be part of the same 'civic awakening' and 'an important and potentially transformative turn in progressive politics that all those concerned with the unequal distribution of power and wealth in Britain, not just progressives, should welcome'.[91]

These principles could be drawn on to develop a more democratic and inclusive approach to private hire and Hackney services in Nottingham, taking into account the perspectives of drivers' organisations.

3.3 Driver self-organisation

At present, drivers' organisations in Nottingham play a variety of roles, which are discussed above in Section 2.7, including representing their members' interests to the Council and operators and in some cases playing an advisory role to the Council regarding planning issues such as the creation of new ranks.

Interviewees from drivers' organisations indicated limits on their ability to represent drivers. For private hire drivers, this was particularly important where drivers were in breach of their licensing conditions:

"the union has taken a stance of abiding by the terms and conditions of your licence. Now, if that means that you're not supposed to ply for hire then we've made it very, very clear locally that, if you're plying for hire, we will not support you in any endeavours, whether you go to court, whether to try and put you in touch with barristers; we're not going to get involved. We've taken that stance because the union understands that there is a safety angle here; but, by the same token, the driver's safety needs to be looked at as well." (DWPE04, private hire drivers' organisation)

At the same time, they provided examples where direct allegations of breaching licensing conditions proved to be groundless, and formed part of a wider pattern that suggested possible victimisation:

"We had one driver who the Council tried to revoke his licence because he was allegedly plying for hire. But plying for hire is a criminal offence; there's a certain process that you have to go through to be convicted. They threatened to revoke his licence under plying for hire, but his vehicle never moved [at the time of the alleged offence], and they then sent him a letter, once they'd interviewed him, and said, 'We're actually going to revoke your licence under fit and proper; we don't think you're fit and proper to be a taxi driver.' So, he now has to pass the test of fit and proper… The thing is, he's never had an incident with the Council; he's never had a formal complaint; so, the onus is now on the Council to prove he's not fit and proper. He had one altercation with one CPO, in the 15 years he's been a driver. So, the union took it to court. We actually went to the magistrate's court and the licensing authority had no evidence ...they were running around trying to find evidence. They had nothing. They had one incident. So, they adjourned, they wrote to the head office, barrister, and they said, 'We'd like to withdraw the case. We'll let your driver come back, and give his licence back. You cover your costs; we'll cover our costs'…. That driver's licence, if he was not a union member, he would have lost his licence there; he never would have been able to drive again. He wouldn't have had the strength to challenge it because he would have said, 'The financial burden is too much.' Simply for the case to go to court, it's £2,500." (DWPE04, private hire drivers' organisation)

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90 Fowler, K. (2017) 'Tessellating dissensus: Resistance, autonomy and radical democracy', Dissertation, Schumacher College in partnership with Plymouth University, p.40.

91 Lockey, A., & Glover, B. (2019). The 'Preston Model' and the new municipalism. Retrieved from: https://demos.co.uk/wp-content/

This emphasises the importance of drivers' organisations that do not accept the Council's allegations at face value and provide a check and balance through the courts. One interviewee also suggested drivers' cooperatives could be beneficial for drivers; these do not currently exist in Nottingham, but their existence elsewhere was explored as part of our literature review.

The literature provides many examples of the possibilities for workers organising to defend their rights in the platform economy. Vallas, argues that workers' organisations have a vital role to play in a context where platform 'firms' have often been effective in 'pressuring state legislatures' to adopt pre-emption laws, and essentially deny local governments the ability to strengthen platform workers' rights. Therefore, one potential method for affecting change stems from workers adapting to an environment where a main source of leverage comes from a company's sensitivity to 'bad publicity'. By viewing the rise of the platform economy as an 'outgrowth' of the retail revolution of the 80s and 90s, Vallas reframes platform workers as logistics workers who are facilitating the 'movements of goods and people across the social landscape'. This suggests they may possess the same 'latent power' as logistic workers and share features with a broader group that also includes warehouse operatives, truck drivers, port drivers, etc., all operating within the 'circulatory system of contemporary capitalism'. As such, drivers might be able to leverage power through 'important vulnerabilities' that platform companies have previously exhibited:

"One source of worker leverage occurs in cases where platform workers share relational spaces in which to routinely interact. This was the case with the wave of protests in many European cities involving Deliveroo and foodora workers, who often congregate near the restaurants they serve. A similar pattern was observed in H. C. Robinson's doctoral dissertation, which was a study of Uber workers in Boston, where drivers used social networks based on ethnic ties and routine interactions at a common parking lot to wage a 'strike against the algorithm.' These instances have strategic value, since they suggest organizational possibilities that would otherwise remain invisible."[93]

Additional examples include Rahman's study of Upwork,[94] which found that contractors were successfully able to 'game the platform's reputational controls' and informally negotiate their reviews with clients. Although such phenomena are considered as being heavily reliant upon 'shared spaces', which platform workers are able to utilise, in the instances where platform workers have been isolated from one another, the absence of 'a common work space' also provides freedom from the normative controls of management. Whilst platforms rely on algorithmic controls along with reputational systems that often seem 'highly arbitrary', the loyalties of the workers should be considered equally contingent.

Uber-style platform companies have thus far benefited greatly from the rapid advancement of mobile phone technology, which has become such a ubiquitous feature of the digital age. This has, thus far, resulted in almost unwavering investor confidence in the profitability of platform companies, who, along with their ability to exploit gaps in employment law, are often backed through 'a powerful rhetoric of freedom and independence'. As a result, the economic and political power of companies such as Uber has proven difficult to counter, and is, Vallas suggests, compounded by existing racial and ethnic divisions within the workforce. This is demonstrated through the ongoing struggles over the presence of Uber in London, where previously the company has been able to gain support from many immigrant drivers who were 'historically blocked from entering that city's taxi industry'.[95] In addition, in New York existing racial and ethnic divisions have heavily impacted on the struggle to limit the number of Uber drivers on the City's streets, as it is thought that minority passengers found Uber 'far more accommodating than taxi drivers'; essentially allowing Uber to 'position itself as the more progressive social force…[adding]…to the support Uber derives from its user base… such ethno-racial divisions are likely to make organizing an even more challenging task'.[96]

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92 Vallas, S. P. (2018). Platform Capitalism: What's at Stake for Workers? New Labor Forum, 28(1), 48-59. doi:10.1177/1095796018817059'

93 Vallas (2018), p.54.

94 Rahman, Hatim, A. (2018) From Iron Cages to Invisible Cages: Algorithmic Evaluations in Online Labor Markets. Unpublished paper. Department of Management Science and Engineering, Stanford University.

95 Ghosh, S. (2017, July 4). Uber in London has become a war between white working-class cabbies and non-white immigrants. Business Insider. Retrieved from: https://www.businessinsider.com/uber-london-war-immigration-2017-7?r=US&IR=T

96 Vallas, S. P. (2018). Platform Capitalism: What's at Stake for Workers? New Labor Forum, 28(1), 48-59. doi:10.1177/1095796018817059, p.56.

Nonetheless, recent strikes by Uber workers have been well documented in various media sources. During May 2019, it was reported that 'hundreds' of Uber drivers in the UK were to hold strikes across London, Birmingham, Nottingham and Glasgow against poor pay and working conditions. This was organised through the United Private Hire Drivers Union.[97] UPHD also called on the public to not use the app or 'cross the digital picket line' by booking any journeys, describing Uber's business model as 'unsustainable' and heavily dependent on 'worker exploitation, tax avoidance and regulatory arbitrage'.[98] As part of a global day of action, they were joined by Uber Drivers across the United States, in cities such as New York, Chicago, Los Angeles, San Francisco, and Washington DC, who also saw their working conditions as unfair and financially unsustainable.[99] The strikes were organised via local driver networks, and came after years of drivers seeking improvements to their working conditions, and a greater say in how the company determined those conditions:

"For years now private hire operators have generated fabulous profits from abusive models that seek to avoid tax and worker rights obligations while passing on all regulatory, financial, operational and safety risk straight to drivers. The explosive growth of Uber in the market place has ignited a race to the bottom with drivers routinely working 90 to 100 hours a week earning little more than £5 per hour. In addition, the regulatory framework has also placed an unfair burden on drivers with little cost or responsibility on licensed operators. This has happened as a result of years of systematic exclusion of private hire drivers and maintaining an open door policy for big operators like Uber and Addison Lee."[100]

However, in Los Angeles, it was reported that the May demonstrations had not necessarily been very effective in causing disruption, with many customers still able to 'hail a car with ease'. It was therefore suggested that 'the biggest risk to Uber isn't that customers take notice…It's that legislators take heed'.[101]

Taxi cooperatives offer an alternative model that 'emphasizes job security and well-being, rather than just profits', with members often both drivers and co-owners.[102] It may be argued that this not only provides members with a voice, but also places them directly at the centre of any activity, including how the cooperative functions. At the time of conducting this research, there has been surprisingly little scholarly focus on the topic of taxi cooperatives in the UK, and indeed only a small body of work on this topic in general. This means that 'very little attention has been paid to the implications [for contemporary taxi services] for unconventional businesses like worker cooperatives',[103] despite a traceable history going back almost a century. City Cabs in Edinburgh, for instance, is a cooperative which has been owned and operated by its members since 1925, when it was established through a collective need to 'better benefit' Edinburgh's taxi trade. City Cabs were then joined by a Hackney cab cooperative called Central Taxis,[104] which was established in 1968 by 33 'like-minded cabbies' coming together to form a radio company. City Cabs currently boasts 400 members and more than 1100 registered drivers, whilst Central Taxis also have 400 members and over 1300 registered drivers. Both cooperatives pride themselves on being able to produce the highest standards of service for customers and acting as representatives for the city, with City Cabs stating that their philosophy is that the 'taxi driver is often the first contact a visitor has with Edinburgh, and as such City Cabs drivers realise the importance of first impressions and customer care'.[105] This philosophy is reflected in their comprehensive training programme, whereby the safety of

97 UPHD. (2017, June 13). Press release: UPHD joins the IWGB. Retrieved from: https://www.uphd.org/press-release-uphd-joins-the-iwgb/

98 Chapman, B. (2019, May 7). Uber drivers in UK cities go on strike in protest over pay and workers' rights. The Independent. Retrieved from: https://www.independent.co.uk/news/business/news/uber-drivers-strike-london-birmingham-glasgow-nottingham-pay-rights-a8898791.html

99 Conger, K., Xiuzhong Xu, V., & Wichter, Z. (2019, May 8). Uber Drivers' Day of Strikes Circles the Globe Before the Company's I.P.O. The New York Times; BBC News. (2019, March 18). Fears for taxi industry as overhaul in Wales is proposed. BBC News. Retrieved from: https://www.bbc.co.uk/news/uk-wales-politics-47571993#

100 UPHD (2017).

101 Bhuiyan, J. (2019, May 8). Los Angeles Uber drivers join cities across the U.S. in strike ahead of much-anticipated IPO. The Los Angeles Times. Retrieved from: https://www.latimes.com/business/technology/la-fi-tn-uber-driver-strike-ipo-20190508-story.html

102 Coca, N. (2018, April 16). Why Taxi Co-ops are Better for Drivers [Blog post]. Retrieved from: http://geo.coop/story/why-taxi-co-ops-are-better-drivers

103 Borowiak, C., & Ji, M. (2019). Taxi co-ops versus Uber: Struggles for workplace democracy in the sharing economy. Journal of Labor and Society, 22(1), 165-185. doi:10.1111/wusa.12388, p.181.

104 Central Taxis. (2017, June 29). Central Taxis - Edinburgh. Retrieved from: https://www.taxis-edinburgh.co.uk

105 City Cabs. (2019). A cooperative, owned and operated by its members. Retrieved from: https://www.citycabs.co.uk/about/

customers is considered paramount to their service. For instance, before joining City Cabs, all drivers must have a PVG (Protecting Vulnerable Groups) certificate that is less than three years old. This is mirrored within the Central Taxis model, where all drivers are vetted and expected to obtain Enhanced Disclosure Scotland with Childcare Certification/PVG Scheme Certification before admission, and complete customer service training during their induction. Both companies promote strong connections with the local community, including charity work and fundraising, as well as sponsorship of local business and sports events.

Conaty et al,[106] consider the ways in which trade unions and cooperatives may produce innovative ways of combating precarious work. Their report highlights both City Cabs and Central Taxis as cooperatives that have been incredibly successful, with an ability to engage local issues that allows them to provide a broader community function beyond that of 'just transportation'. Along with other operators and workers within the local area, these cooperatives have worked closely with Unite the Union to negotiate with Edinburgh City Council over policies and regulations as well as rates and licence conditions affecting the industry.[107] Aside from a brief period between 1985 and 1995, the number of licensed cabs in Edinburgh has long been strictly regulated. This includes Hackney cab plate numbers which are not only limited, but are also only transferable for a current cost of £30,000, which, it is suggested, ensures that all owners have made 'a serious financial commitment' and are therefore 'willing to invest in their vehicles as well'.

Another example cited by Conaty et al is the 'fully unionised' Green Taxi Cooperative model in Denver,[108] which the authors suggest is among those cooperatives that have been able to recapture some of 'the ground lost by traditional taxi companies'. The foundations of the Green Taxi Cooperative developed, when advocates and organisers pushed for innovative ways to reach a scale that could compete with the likes of Uber (who have approximately seven times more drivers on the streets of Denver than regulated taxis) but ran into what they describe as regulatory 'roadblocks' which hindered their progression; for example, the transportation licensing laws in Colorado seemed to make it easier to form a new worker-owned firm than to submit applications to expand the existing Union Taxi cooperative, which had been established by the Communications Workers of America (CWA) in 2008.[109] Thus, the Green Taxi Cooperative was created. The CWA provided 'unwavering support' to the Green Taxi Cooperative, through political leadership, lobbying, and outreach work; and also helped to change a key law blocking the Green Taxi Cooperative from obtaining a licence (Ji, 2016). Within a year of its inception, Green Taxi had gained '800 drivers, from 37 different nationalities…a market share of 37%… [and]… is now the biggest taxi company in the city, and… the second largest worker co-operative in the United States'.[110] The actions of the CWA went beyond serving as just an 'incubator', to becoming an essential component of Green Taxi's development, allowing the cooperative to expedite the licensing process from a trajectory of several years to just 10 months. This is also in no small part due to the work of the leadership and board of the Cooperative, which is made up entirely of migrant drivers from East Africa and Morocco. Current president of the Cooperative, Abdi Buni, was one of the co-founders of Union Taxi. A long serving advocate and organiser within the transportation industry, Abdi not only helped to create both Union Taxis and Green Taxi Cooperative, but also aided in the unionisation of other noncooperative taxi companies.[111]

The New Economics Foundation,[112] suggest potential for taxi cooperatives and designers to come together and produce their own platforms. This allows traditional cooperatives to incorporate aspects of

106 Conaty, P., Bird, A., & Ross, C. (2018). Working Together: Trade Union and Co-operative Innovations for Precarious Workers. Retrieved from: https://www.uk.coop/sites/default/files/uploads/attachments/working-together_final_web-version.pdf

107 Unite The Union. (2019, January 23). Cab drivers meet over 'crisis' in Edinburgh. Retrieved from: https://unitetheunion.org/news-events/news/2019/january/cab-drivers-meet-over-crisis-in-edinburgh/

108 Green Taxi Cooperative. (2019). Green Taxi Cooperative. Retrieved from: http://greentaxico-op.com

109 Union Taxi Cooperative. (2019). About Union Taxi Cooperative. Retrieved from: http://www.uniontaxidenver.net/about/

110 Conaty, P., Bird, A., & Ross, C. (2018). Working Together: Trade Union and Co-operative Innovations for Precarious Workers. Retrieved from: https://www.uk.coop/sites/default/files/uploads/attachments/working-together_final_web-version.pdf, p.29.

111 Buni, Abdi. (2015, April 13). House Bill 1316 Brings Competition and Opportunity to Colorado's Taxi Industry. The Complete Colorado: Original Reporting & Commentary. Retrieved from: http://completecolorado.com/pagetwo/2015/04/13/house-bill-1316-brings-competitionand-opportunity-to-colorados-taxi-industry/

112 McCann, D., &Yazici, E. (2018). Disrupting Together The Challenges (And Opportunities) For Platform Co-Operatives. Retrieved from: https://neweconomics.org/uploads/files/Disrupting-Together.pdf

the technology which enables Uber-style platforms to appeal to consumers in the digital age. However, as Scholz notes, along with lower pricing, Uber have developed a competitive brand with advantages over conventional taxi owners in the pre-booking and hailing markets, and cooperatives are likely to face 'copious amounts of challenges on the level of competition from dominant players like Uber, in terms of public awareness, allocation of work, as well as wage levels'.[113] Nonetheless, there is a general consensus that there is currently a real opportunity for taxi drivers and technologists to resist the monopolisation of rideshare platforms and create an app that equals or even outperforms their corporate opposites;[114] as Scholz suggests, this should allow taxi cooperatives to take back an element of control within the market.[115]

There are a number of examples where taxi cooperatives have already incorporated these ideas into their own model. Green Taxi already uses AutoCab, a booking and dispatch software capable of being tailored for their own use and branded with the cooperative's own logo and colour scheme, whilst Union Taxi Cooperative developed their own app.[116] In the UK, examples of taxi-hailing apps include Cabgo, an app developed by Paul McCormack of Phoenix Taxis cooperative in Liverpool, which is funded through 50 pence from a driver's fare, 10 pence of which is donated to the customer's chosen charity.[117] In London, Taxiapp was established in 2016, as an app designed specifically for fully licensed black cab drivers and built on 'transparency' and the promotion of 'fair economic growth'. It is fully owned by London black cab drivers, with no outside shareholders or investors, allowing passengers to book and pay like they would through Uber. However, the fare remains a metered charge, as opposed to a fixed price; and, unlike Uber, which deducts 25% of the fare in commission, Taxiapp charges a flat fee of £20 per month, plus a credit card fee, if the fare is paid through the app rather than in cash.[118]

In Europe, the rise of MyTaxi, which claims to be 'the world's first taxi booking app',[119] has also presented some interesting considerations on this topic. First developed and made operational in Germany in 2009, the app has been credited as 'paving the way' for modern rideshare platforms, including the likes of Uber and Lyft.[120] MyTaxi works as an app designed specifically for licensed taxi drivers; and, like Uber, provides a direct connection between passenger and driver, with an integrated GPS function that locates the passenger and allows them to track their taxi's arrival. This provides a convenient 'Uber-like' functioning app for customers and means that drivers are 'no longer reliant' on working with a dispatch operator in order to find customers. MyTaxi has expanded into several other major European markets, and also offer services in Washington D.C in the US, while, following the recent merger with Hailo in 2016, MyTaxi has entered the UK market. As mentioned above, it is already used by Nottingham City Council for its Hackney taxis.

MyTaxi has been subject to challenges that raise important wider questions about the pitfalls of online platforms. For example, in October 2018 Chris Johnson, a driver in London, raised £18,235 via the CrowdJustice funding website to bring a claim via an employment tribunal for basic worker rights against MyTaxi.[121] Johnson stated that, after working as a MyTaxi driver for 9 months he had noticed that the company was making requests that had the potential to put him in conflict with the conditions of his taxi licence, leaving him and fellow workers directly at risk of losing both their licence and livelihood. After

113 Scholz, T. (2017). Uberworked and Underpaid: How Workers Are Disrupting the Digital Economy. Hoboken, NJ: John Wiley & Sons, p.50.

114 Inamdar, A. (2013). Mechanics of Mobilization: The Making of a Taxi Workers Alliance. University of Pennsylvania Dissertation Retrieved from: https://search.proquest.com/docview/1443535104; Esim, S., & Katajamaki, W. (2017). Rediscovering worker cooperatives in a changing world. IUSLabor, (1); McCann, D., & Yazici, E. (2018). Disrupting Together: The Challenges (And Opportunities) For Platform Co-Operatives. Retrieved from: https://neweconomics.org/uploads/files/Disrupting-Together.pdf

115 Scholz, T. (2016). Platform cooperativism. Challenging the corporate sharing economy. New York, NY: Rosa Luxemburg Foundation.

116 http://www.uniontaxidenver.net/about/

117 Lake, H. (2015, July 13). CabGo taxi app raises funds for charity from every journey [Web log post]. Retrieved from: https://fundraising.co.uk/2015/07/13/cabgo-taxi-app-raises-funds-for-charity-from-every-journey/

118 https://www.taxiapp.uk.com/

119 https://us.mytaxi.com/jobs/about-mytaxi.html

120 Brad. (2019, January 10). MyTaxi: Where Is the World's First Taxi App Now?.com [Web log post]. Retrieved from: https://www.ridester.com/mytaxi-worlds-first-taxi-app/

121 Johnson, C. (2018, October 2). MyTaxi - Worker Rights. Retrieved June 8, 2019, from https://www.crowdjustice.com/case/mytaxi/

highlighting serious concerns in respect of public safety issues regarding the registration of drivers, whereby he felt that there was a genuine threat that fake or revoked drivers could access the MyTaxi platform and be offered 'App-jobs', he raised these issues with MyTaxi. Johnson believed that his contract was then terminated as a result, and used his removal from the app as an opportunity to 'raise questions as to whether MyTaxi and similar ride-hailing apps are in fact a booking platform or a ply-for-hire conduit'.[122]

These sentiments were echoed as MyTaxi introduced the 'rideshare' feature in Dublin, where drivers responded by staging protests amid concerns that it will not only affect the amount of business they receive, but also that the 'ridesharing' option, which essentially allows users to share taxi journeys with strangers who are fully or partially looking to book a journey on the same route, means that there are genuine concerns for passenger and driver safety.[123] Nevertheless, City Cabs decided to enter into partnership with MyTaxi, allowing the App to be used in Edinburgh for the first time. City Cabs Chairman George Aird stated that the partnership allowed the cooperative to move in line with technological advancements, whilst maintaining their fully 'vetted, safe and reliable' service, and to expand, bringing 'more business and payment is easier for the customer as all their details are on the app, but for our drivers it is also guaranteed'.[124]

This demonstrates the importance and potential of drivers' self-organisation as a way of improving working conditions within the sector.

3.4 Finding common ground and developing dialogue

Our interviews indicate a challenging context for any attempt to find common ground between stakeholders as a basis for dialogue around working conditions. First, as discussed in Section 3.1, there is the issue of responsibility, with the Council taking the position that private hire drivers' formally self-employed status drivers makes them solely responsible for their own conditions. Even among Hackney drivers' organisations, who tend to have closer connections to the Council, levels of confidence that the council would address their concerns were mixed. Second, widespread perceptions of competition for work between private hire and Hackney drivers, discussed in Section 2.4, created a powerful barrier to collaboration between drivers' organisations.

An interviewee from the Council reported that regular meetings do happen, even if they are quite sporadic:

> *"We do have regular meetings with both the Hackney trade and representatives from the private hire trade…. We listen to their concerns; where it is within our power to help or make changes we will." (DWPE06, individual from City Council)*

However, in the view of some Council interviewees, drivers were focusing on the wrong issues:

> *"One of the biggest frustrations, from a licensing point of view, is that you often end up having discussions, vigorous discussions, about things that really aren't that relevant. At the moment, it's all about enforcement of rules and stuff like that, which I think is important and needs to be done but actually drivers and firms need to be thinking about the state of their business in four, five, six years' time because the biggest challenge, which they still don't recognize at the moment - these driverless cars. Yeah, they're going to be here, [in] five years' time. It means drivers are going to be out of jobs and the operators are going to have even better ways of making money without paying out. So, I'd rather be having conversations about that and of course issues around the environment." (DWPE03, individual from City Council*

122 Richardson, P. (2018, November 9). London taxi driver looks to take app to employment tribunal claiming workers rights [Web log post]. Retrieved from: https://www.taxi-point.co.uk/single-post/2018/11/09/London-taxi-driver-looks-to-take-app-to-employment-tribunal-claiming-workers-rights

123 Cassidy, M. (2018) 'Mytaxi drivers protest at dublin headquarters over "dangerous" new feature', Lovin Dublin. https://lovindublin.com/news/mytaxi-cab-share

124 Stephen, P. (2018, May 14). Get the mytaxi app and City Cabs will pick you up in Edinburgh. The Edinburgh Reporter. Retrieved from: https://www.theedinburghreporter.co.uk/2018/05/get-the-mytaxi-app-and-city-cabs-will-pick-you-up-in-edinburgh/

This appeared to contribute to frustrations on all sides, as the various parties felt others were not taking the issues that they considered to be important seriously. The interviewee quoted above also suggested the Council could do more to facilitate communication involving drivers and operators:

> *"we could ... possibly be more of a conduit for discussion between operators and drivers in terms of how can we all work together to improve the trade ...more satisfied drivers, less aggressive operators, more opportunities to pick up and drop off in places in the city that don't cause congestion. All those sorts of things, we could all work together on them; but at the moment there is no structure for doing that. So ...it's simply me sitting in an office saying, 'I don't like this; we need to change it.'" (DWPE03, councillor)*

This suggests a willingness to extend discussion.

A Hackney driver suggested a more 'policed' regulatory environment could help to address antagonisms between Hackney drivers and private hire, and provide a basis for more unity:

> *"I think, before we can unite, the playing field needs to be policed and then we can unite." (DWPE01, Hackney drivers' organisation)*

A private hire drivers' organisation described a similar picture of current divisions, but suggested that drivers' shared frustrations at the Council's enforcement approach might provide a basis for unity:

> *"we ...reached out when we formed. They [a Hackney drivers' organisation] weren't prepared to talk to us. They felt - which is understandable - they felt that, because drivers were illegally plying for hire ...the union was a gimmick to try and cover up for those drivers. So, they said, 'You do it under our noses, and you actually smile as you drive past; so, you're rubbing it in our noses as well. So we're not going to dialogue with you.' Their agendas have changed over the last year, and so they now seem a little bit more receptive.... And so, they've now reached back out to us, because they now feel that- because DIPPS affects them as well … they feel the same wrath as we do." (DWPE04, private hire drivers' organisation)*

This interviewee also reported some progress in establishing dialogue with councillors by working through the Labour Party's local branches. These difficulties establishing dialogue at a local level informed a search of the literature for how stakeholders have come together in other cities, although a limited range of examples were found.

In London, like many other areas, there are often invitations from authorities for 'interested parties' to give their perspective when developing reports or introducing new proposals, such as Transport for London's recent initiative to improve the safety of private hire vehicles.[125] In June 2019, the Department for Transport (DfT) announced plans for a series of taxi and private hire vehicle reform workshops, to gain the views of local authorities, taxi and PHV operators and other interested stakeholders on proposed changes to the taxi and private hire system, aimed at changing cross-border hiring. The DfT said that the workshops were intended to provide an update on early thinking about the other commitments the Government had made in the response to the Task and Finish Group's report,[126] notably regarding the introduction of new national minimum standards and national enforcement powers aimed at mitigating the negative effects of cross-border hiring.[127]

Some other local authorities have bodies for the purpose of facilitating ongoing discussion. For example, in Bristol the Taxi Forum has been established to present draft policies and ideas 'to the trade and for trade representatives' to raise and discuss matters with the Council. The forum gives an opportunity for its members, informally, to ask questions of those involved in taxi licensing and to make suggestions about

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125 Transport for London (2018) TfL launches consultation to further improve safety for private hire passengers. Transport for London press release, Retrieved from: https://tfl.gov.uk/info-for/media/press-releases/2018/march/tfl-launches-consultation-to-further-improve-safety-for-private-hire-passengers

126 Task and Finish Group. (2018). Taxi and Private Hire Vehicle Licensing Steps towards a safer and more robust system. Retrieved from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/745516/taxi-and-phv-working-group-report.pdf

127 McCaffrey, S. (2019, June 20). Department for Transport set to open reform workshops aimed at changing cross-border hiring [Web log post]. Retrieved from: https://www.taxi-point.co.uk/single-post/2019/06/20/Department-for-Transport-set-to-open-reform-workshops-aimed-at-changing-crossborder-hiring

how taxi licensing policies can develop over time. Meetings are held on a regular basis and are normally led by the Chair of the Public Safety and Protection Committee. Membership of the forum consists of:

- an elected member of the Council's Public Safety and Protection Committee
- Council Officers
- Hackney carriage and private hire trade representatives (nominated by an organisation or community group)

The forum also has a list of meeting notes and 'Taxi Newsletters' which are freely available on their council webpage.[128]

In building alliances between private hire and Hackney drivers, an outstanding example of what is possible is provided by the New York Taxi Workers Alliance (NYTWA). The NYTWA was founded in 1998 and today claims a membership of 21,000 drivers, including yellow cab, green car, black car, livery and app-dispatched drivers. The union reports that since its inception it has 'increased drivers' incomes by 35%-45%, secured over $15 million in emergency aid to drivers, and provided pro bono or discounted legal, financial management, and health services to over 10,000 drivers and families'.[129] The NYTWA reports similar frustrations to Nottingham drivers concerning an over-supply of cars driven by Uber and Lyft, leading the union to campaign successfully for a cap on the number of drivers recruited to these apps and a targeted for reducing the percentage of the time cars spend without a passenger in certain areas. In their statement following their victory, they argue that all drivers' interests are served by these demands:

"The more cars there are, the fewer fares every App driver gets -- and the less reason App companies have to stop Deactivations or to guarantee job security to their drivers.

"Meanwhile, yellow, green, livery and black car drivers are drowned out by the traffic. For yellow and green cabs to be hailed, they have to be seen. No driver wins under the Uber/Lyft business model of flooding our streets with an infinite number of idling cars. But today with these rules, every driver won!" [130]

The NYTWA are also campaigning for a minimum fare rate across all vehicles and other rule changes from regulators.

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128 https://www.bristol.gov.uk/licences-and-permits/taxi-forum

129 http://www.nytwa.org/mission-and-history

130 http://www.nytwa.org/home/2019/8/7/tlc-votes-yes-to-extend-vehicle-cap

4. Conclusion and recommendations

This report suggests that the working conditions of private hire and Hackney drivers in Nottingham are strongly connected, and that both groups suffer multiple problems in their working lives. Economic insecurity, unpredictable income, and a weak correspondence between hours worked and money earned places drivers under constant pressure and requires them to use their relative autonomy to navigate between competing demands and constraints as they try to earn enough to survive. Unregulated competition contributes to divisions among drivers and leads to precarious conditions for many. After taking into account the costs of running a vehicle and operators' fees, the low income for some private hire drivers creates pressures to break the law and ply for hire, further increasing competition for Hackney drivers. Inflexible Council rules combine with a reliance on the subjective judgements of individual CPOs and Council officers, creating scope for bias, while appeal mechanisms may be inaccessible or obscure. The wider economic context channels new drivers into the sector and offers few alternatives for those wanting to change jobs, helping to sustain an over-supply despite low pay and insecurity. Given these pressures on drivers, it seems unlikely that increased enforcement by itself would produce the results some hackney drivers we interviewed hope for.

Recommendations from this initial stage of research include the following. Some of these would require changes to national legislation, but all stakeholders could play a role in advocating for these:

- Recognise private hire drivers as workers, who would thereby be entitled to an hourly minimum living wage from their operator; this could improve their economic security by reducing the incentive for drivers to ply for hire and for operators to recruit excessive numbers of drivers relative to customer demand;

- Restrict private hire vehicles to taking jobs within the domain of the council to which they are registered, to improve the consistency of enforcement powers;

- Introduce a cap for the maximum number of private hire cars registered in the city;

- Explore measures by which the Council could promote better practices by operators concerning drivers' pay, security and working conditions - for example, through a single local app on the model of UniTaxi, with conditions operators must meet in order to sign up;

- Address perceived bias and unfairness in Council enforcement practices, through increased resourcing and oversight of CPOs and establishing a panel to hear first-stage appeals for DIPPS;

- Assess the need for targeted employment support for private hire drivers who might consider moving out of the sector and into alternative work;

- Establish a regular forum to bring together hackney and private hire drivers' organisations, operators, and relevant departments of the Council, with a strategic vision to develop the sector in concert with other forms of local transport;

- Conduct further research into drivers' experiences and operators' perspectives, to build a more comprehensive picture.

Appendix: Methodology

Eight individuals were interviewed for this project, from four drivers' organisations, the City Council, and an organisation supporting students on nights out. The sample was selected through a purposive method, to seek out a range of significant stakeholders. 'Snowballing' was used to build the sample through referrals from those interviewed. As this was an initial stage of the research, it was beneficial to include other stakeholders – perhaps, most significantly, private hire operators. This gap was addressed by sharing a draft of this report with Uber and a selection of local operators and inviting their comments to be incorporated before publication. The same semi-structured interview schedule was used for all interviews. Interviews were transcribed and the data were subjected to a thematic content analysis, drawing on the approach of Miles and Huberman,[131] and using a set of themes drawn from the ILO measures of 'decent work', the Carnegie/RSA measures of 'good work', and the strategies proposed by participants that are addressed in Section 3. The methodology was approved by a Nottingham Trent University research ethics committee.

The literature review began with a wide search of materials relating to Uber and its impact on the transportation industry. It was important to maintain high standards throughout this study, with a primary focus on peer reviewed articles supplemented by other sources, including project reports, industry/policy papers, event publications and online media articles. It should also be noted that, as found by a previous extensive literature review of Uber's impact on taxi services in London,[132] UK-specific studies in this area are still quite limited, particularly with regards to cities outside London. With this in mind, the search was widened to encompass research concerning other geographical locations, including North and South America, Asia and continental Europe, with due considerations applied for differences in transportation policy and regulation, market behaviour, and other factors highlighted in the various studies that were reviewed. The long list of sources was prioritised according to proposals emerging from the preliminary interviews undertaken during the initial research for the literature review, concerning drivers' cooperatives, state regulation, and consultative forums. With regards to the potential for the City Council to impact positively on drivers' working conditions, the 'Preston Model' was also reviewed. Each of these areas is summarised in the report, along with additional relevant discussion sections which emerged during the research, including debates surrounding the wider social and economic context of the platform economy, and the impact of driver wellbeing on the capacity for maintaining high levels of customer service.

131 Miles, M.B. and Huberman, A.M. (2014) Qualitative data analysis: A methods sourcebook (3rd ed), Thousand Oaks: Sage.

132 Skok, W., & Baker, S. (2018). Evaluating the impact of Uber on London's taxi service: A critical review of the literature. Knowledge and Process Management, 26(1), 3-9. doi:10.1002/kpm.1573

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Work Futures Research Group

The rapidly changing world of work has been highlighted as an urgent concern by government, academics, and numerous professional bodies. The Work Futures Research Group builds on and consolidates areas of strength across the School of Social Sciences that are addressing some of the most challenging issues these changes present.

The group takes a distinctive approach in that it encompasses the wider social, economic, political, and organisational contexts in which work takes place and connects the study of work to the development of innovative work practices and healthy workplaces.

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