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## **Secretariat memorandum**

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### **Response to TfL's Private Hire Vehicle regulations review**

#### **1 Purpose of report**

- 1.1 Members have asked to discuss our response to TfL's proposed changes to Private Hire Vehicle regulations. This report forms a draft comment for members comments.

#### **2 The provision of accessible Private Hire Vehicles**

- 2.1 The single most important change we would like to see is the provision of accessible vehicles by the private hire industry. There is clearly a discriminatory position insofar as a section of the community do not have the option to use Private Hire Vehicles. We would welcome further proposals as to how this may be achieved. Our view is that there should be a mix of quotas and incentives to increase the number of accessible vehicles in London's fleet. The Law Commission proposed a quota for large operators which we supported. Small operators could be incentivised.
- 2.2 Proposed responses to the consultation questions are set out at the end of this report.

#### **3 Recommendations**

- 3.1 Members consider this report.

#### **4 Equalities and inclusion implications**

- 4.1 Taxis and Private Hire vehicles provide door to door transport for passengers that are unable to use mainstream public transport and have no access to private transport. It is therefore important that this aspect of the service is considered.

## **5 London TravelWatch priority**

- 5.1 Whilst Private Hire Vehicles journeys are small in number they nevertheless they play an important part in London's public transport. They provide transport at times and between locations that may not be well served, or where passengers are encumbered with luggage or are just in a hurry. Most importantly they could provide door to door accessible transport for passengers that are unable to use mainstream public transport and have no access to private transport. Therefore it is appropriate that the Board respond to this consultation.

## **6 Legal powers**

- 6.1 Section 248 of the Greater London Authority Act 1999 places upon London TravelWatch (as the London Transport Users Committee) a duty to consider - and where it appears to the Committee to be desirable, to make recommendations with respect to - any matter affecting the functions of the Greater London Authority or Transport for London which relate to transport (other than of freight).

## **7 Financial implications**

- 7.1 There is no financial implication for London TravelWatch as a result of this report.

## Summary of questions and responses

### **PART 1: PRIVATE HIRE OPERATORS**

**Q 1. Operators must provide a booking confirmation to passengers containing the driver photo ID and details of the vehicle being used to discharge the booking.**

A We support this proposal.

**Q 2 & 3. Operators must provide booking confirmation details to the passenger at least five minutes prior to the journey commencing**

A We do not support the proposal to introduce a time delay into the process of calling a mini-cab and the journey commencing because this will simply delay a passengers journey and frustrate passengers, particularly if the passenger can see the vehicle is ready to commence the journey.

**Q4. Operators will be required to seek TfL approval before changing their operating model**

A We support this proposal as this will enable TfL to properly assess and regulate operators.

**Q5 &6. Security for app based booking platforms**

A If this is feasible we support this proposal. Otherwise a greater level of enforcement to ensure that the driver taking the booking is in fact the one driving the vehicle.

**Q7 & 8. Operator must offer a facility to pre-book up to seven days in advance.**

A. The provision of this facility would be of benefit to passengers as it provides some comfort that a trip will be provided and so is supported. It would allow disabled passengers to have some comfort that they have their journey booked in one of the small number of accessible PHVs.

**Q9 & 10. TfL proposes to no longer issue licenses for in-venue operators or temporary events**

A We know that these type of licenses are open to abuse and lead to unsatisfactory record keeping. We support this proposal. Venues should, however, be encouraged to give their guests good travel advice to get home.

**Q 11. Operator must have a fixed landline telephone which must be available for passenger use at all times**

A We support this proposal and think it particularly important both for the reasons suggested, but also because some operators using Apps have details of a customers bank details and so should be contactable in the event of any problems with its use.

**Q 12. Operators must not show vehicles being available for immediate hire, either visibly or virtually via an app**

A We do not support this proposal. Showing where the vehicles are and what type of vehicles they are on a smartphone device will be of benefit to passengers who might know they can get into one make of vehicle more easily than another. Passengers will also want to know if there are any nearby vehicles that are available to hire as they can then make a decision as to whether or not they should call and wait, or take an alternative.

We would, however support restrictions on Private Hire Vehicles ranking on the street as this will provide cover for vehicles illegally touting. There is an additional problem with informal ranking insofar as, from observation, PHVs can park in places that inconvenience other travellers. For example, mini-cabs have been observed ranking in bus stops. Essentially Private Hire Vehicles should have to be called by a potential passenger in order that proper records can be kept.

**Q 13. Operators will be required to provide specified information including details of all drivers and vehicles to TfL on a regular basis**

A We support this proposal because it will support TfL's enforcement efforts, which is really important for passengers.

**Q 14. Operators must specify the fare prior to the booking being accepted**

A This will be welcomed by passengers and is supported.

**Q 15. Operators must record the main destination for each journey which must be specified at the time the booking is made**

A We had been under the impression that the destination was recorded presently. We would welcome its mandating along with the origin of the journey.

**Q 16. Limit on the number of business names attached to each Operator's licence**

A We support this proposal because it will support TfL's enforcement efforts, which is really important for passengers.

**Q 17. Harmonise retention periods for records**

A We support this proposal.

## **PART 2: PRIVATE HIRE DRIVERS**

### **Q18 & 19. Specific requirement for an English Language test**

A We support this proposal, but have no experience of English language competency standards. We would not support an unnecessarily onerous level of English.

### **Q 20. Drivers to only work for one operator at a time**

A On balance we do not support this proposal. Passengers do not want drivers to be over tired and they want the regulator to be able to connect driver and operator for any particular journey. However, we don't think this should be achieved by restricting drivers to working for one operator at a time. This proposal may lead to disproportionate difficulties for smaller operators which would limit consumer choice. We also do not know what the wider impacts would be, for example it may lead to a mismatch between supply and demand. TfL should, perhaps, investigate other ways of restricting the numbers of hours worked as in other driving industries.

### **Q 21. Driver and Operator licence applicants to provide National Insurance numbers and share with Department for Work and Pensions (DWP)**

A Personal safety is very important to passengers. As such if it can be demonstrated that this would assist in this regard we would support the proposal.

### **Q 22. Vehicle licence to be revoked if driver licence revoked**

A Personal safety is very important to passengers. As such if it can be demonstrated that this would assist in this regard we would support the proposal.

### **Q 23. Checks on convictions of operator staff**

A Personal safety is very important to passengers. As such if it can be demonstrated that this would assist in this regard we would support the proposal.

### **Q. 24 TfL stop accepting payment by PO and cheque**

A This is purely an administrative issue and as such we have no view.

## **PART 3: PRIVATE HIRE INSURANCE**

### **Q. 25 Hire and Reward insurance to be checked at point of licensing and must be in place for duration of vehicle licence**

A On the face of it this should not be necessary as the licence requires insurance is in place whilst the vehicle is working. However, it is really

important that this is the case and so we would support the proposal to ensure that it is.

**Q. 26 & 27 Drivers to carry or display a copy of insurance details at all times**

A This seems to be a reasonable requirement to facilitate an important aspect of enforcement.

**Q. 28 Hire and Reward fleet insurance in place by operators**

A This seems to be a reasonable requirement to facilitate an important aspect of enforcement.

**PART 4: PRIVATE HIRE LICENSING**

**Q.29 Operator licence type**

A We would support the cost of the operator's licence being proportionate to the enforcement effort necessary. Perhaps a graduated fee could be charged whereby those operators that are consistently non-compliant are charged more. This would incentivise compliance which is important to passengers.

This is the only proposal that could encourage the provision of accessible vehicles. As such we would strongly recommend that if at all possible this proposal is used to encourage the provision of accessible vehicles. However, it would seem that the sums of money would be too low and that another mechanism would be necessary.

**Q. 30 Controls on ride sharing in licensed vehicles**

A There is a potential benefit for consumers in formalised ride sharing, although we appreciate there will also be personal security concerns for some. We support investigation of this issue as it could lead to the problems described in the consultation document.

**Q. 31 Amendment of advertising regulation to include "in" vehicle**

A This is not obviously a passenger issue and we do not have a view.

**PART 5: ADDITIONAL MEASURES**

**Topographical skills**

We support proposals to improve mini-cab drivers understanding of London's topography, although with the use of navigational equipment being readily available should mean a high level of topographical knowledge is not now necessary.

## **Complaints**

We strongly support a greater role for TfL in customer complaints. TfL is advised to discuss this matter with London TravelWatch as it represents passengers interests and we would have a formal role to play in any appeals..

## **Disability awareness**

We support proposals to raise the level of disability awareness. Indeed we would want to see this go further and for drivers to understand that disabled passengers just want their needs for transport met like anyone else.

## **Driver training**

We support driver training. Passenger views should inform any training packages.

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