



Department
for Transport

Taxi and PHV Update



- ▶ The Taxi and PHV Task and Finish Group
- ▶ Upcoming DfT guidance
- ▶ Accessibility



New Minister – Nusrat Ghani MP

- ▶ Nusrat Ghani MP was appointed Parliamentary Under Secretary of State at the Department for Transport and Assistant Government Whip on 9 January 2018. She has been MP for Wealden since 2015.
- ▶ The minister is responsible for:
 - ▶ accessibility across all transport modes
 - ▶ buses and taxis
 - ▶ high speed rail (HS2)
 - ▶ maritime
 - ▶ Maritime and Coastguard Agency (MCA)
 - ▶ maritime security
 - ▶ skills and apprenticeships
 - ▶ the Year of Engineering





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The Task and Finish Group on Taxi and PHV Licensing



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Terms

- ▶ Set up by former Minister John Hayes, and has been meeting since September
- ▶ The LGA is represented (see next slide)
- ▶ Broad remit, to make focussed recommendations about sector issues (bearing in mind the Law Commission recommendations)
- ▶ Invited written evidence from a range of stakeholders, and has also heard a range of oral evidence
- ▶ Report to the Minister due soon



Group Membership

- ▶ **Professor Mohammed Abdel-Haq** (Chair)
- ▶ **Ellie Greenwood** - Senior Adviser (Regulation), Local Government Association
- ▶ **Helen Chapman** - General Manager, TfL Taxi and Private Hire
- ▶ **Rt Hon Frank Field MP** (Birkenhead)
- ▶ **Saskia Garner** - Policy Officer, Suzy Lamplugh Trust
- ▶ **Michael Grenfell** - Executive Director of Enforcement, Competition and Markets Authority
- ▶ **Steve McNamara** - General Secretary, Licensed Taxi Drivers Association
- ▶ **Anne Main MP** (St Albans)
- ▶ **Mick Rix** - National Officer, GMB
- ▶ **Donna Short** - Director, National Private Hire and Taxi Association
- ▶ **Steve Wright MBE** - Chairman, Licensed Private Hire Car Association



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DfT Guidance

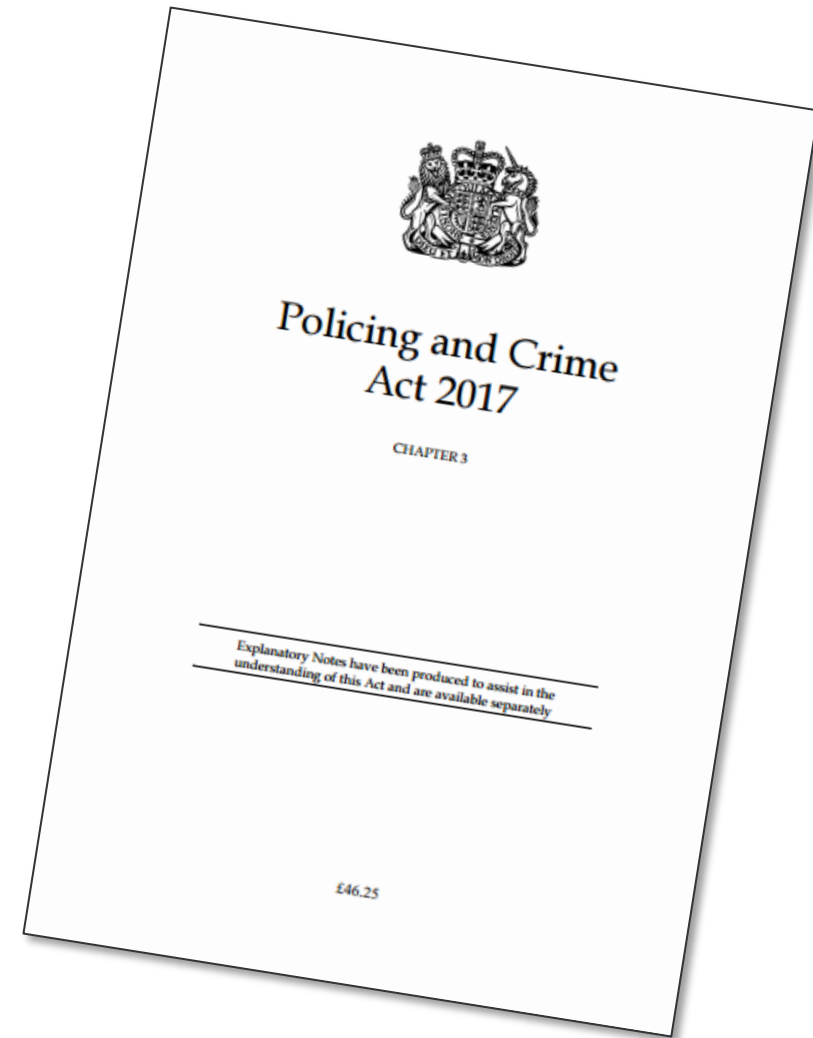


Statutory Guidance

- ▶ Licensing functions under taxi and PHV legislation:
protection of children and vulnerable adults

(1) The Secretary of State may issue guidance to public authorities as to how their licensing functions under taxi and private hire vehicle legislation may be exercised so as to protect children, and vulnerable individuals who are 18 or over, from harm.

(4) Any public authority which has licensing functions under taxi and private hire vehicle legislation must have regard to any guidance issued under this section.





Best Practice Guidance

- ▶ The statutory guidance is our first priority
- ▶ After consideration of the Task and Finish group report, we will look to consult on refreshed best practice guidance
- ▶ In due course, we also intend to refresh the 2011 guidance note on the scope of PHV licensing

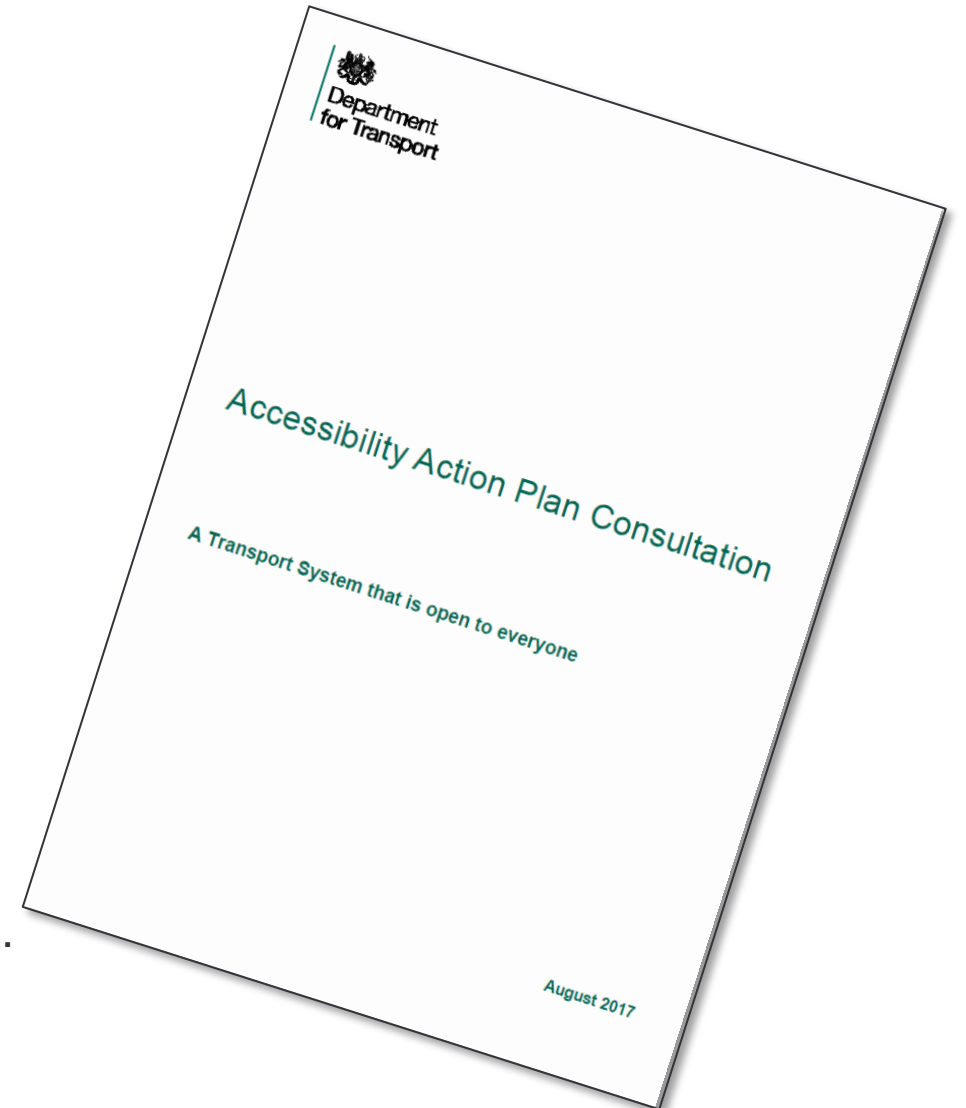


Accessibility



Taxis and PHVs for all

- ▶ Taxis and PHVs particularly valuable for many disabled people – facilitating door to door journeys.
- ▶ Many still face barriers when using the service, including:
 - Small numbers of wheelchair accessible vehicles outside metropolitan areas.
 - Wheelchair users refused carriage or charged extra.
 - Assistance dog owners refused carriage or charged extra.
 - Drivers unsure how to assist disabled passengers.





Taxis and PHVs for all: Legal Framework

Equality Act 2010:

- ▶ s20 requires taxi and PHV operators to make reasonable adjustments.
 - Enforced by users through Civil Courts.
- ▶ s165 to 167 requires drivers of designated vehicles to assist wheelchair users and not charge extra.
 - Applies only where vehicles are designated by LLA.
 - LLAs can exempt drivers who are medically unfit to fulfil duty.
 - LLAs responsible for prosecuting drivers at Magistrate's Court and/or using licensing sanctions.
- ▶ s168 to 173 requires drivers to accept assistance dogs and not charge extra.
 - LLAs can exempt drivers who are medically unfit to fulfil duty.
 - LLAs responsible for prosecuting drivers at Magistrate's Court and/or using licensing sanctions.



Taxis and PHVs for all: How LLAs can help

- ▶ LLAs have a vital role in facilitating provision of an accessible service:
 - **Applying the law and amend licensing conditions:**
 - Issuing a list of designated wheelchair accessible vehicles to protect passengers in wheelchairs, and ensure licensing conditions promote an accessible fleet and service.
 - **Supporting drivers to comply:**
 - Educating drivers about their responsibilities, through training and targeted communications, and provide a simple process to seek exemption.
 - **Supporting passengers who complain:**
 - Making it simple to report discrimination and take effective action, including prosecution, where sufficient evidence exists.
- ▶ DfT can help:
 - Guidance available on carriage of assistance dogs and wheelchair users.
 - Blank exemption notices available for s165 to help LLAs with initial implementation.
 - Email taxis@dft.gsi.gov.uk or use LGA KnowledgeHub for further help – though LLAs should seek their own legal advice.



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Any questions?