

BEST PRACTICE GUIDANCE

Very Important Revision of the Department for Transport's (DfT's) Draft Best Practice Guidance for Taxi and Private Hire Vehicle Licensing

Department for
Transport



Earlier this Year back in April we were asked for our considered response to the Consultation for the revision of Department for Transport's (DfT's) Draft Best Practice Guidance for Taxi and Private Hire Vehicle Licensing. A Draft of the proposed revision was published in Edition 46 of Private Hire News and circulated to over 8,000.

The DfT published its first Best Practice Guidance for Taxi and Private Hire Vehicle Licensing in 2006, the LPHCA having responded in October 2005 to the first Consultation. We said in our response 'We feel many local authorities fail to meet the Better Regulations Task Force five principles which are that good regulation should be:

- **Proportionate:** Regulators should only intervene when necessary. Remedies should be appropriate to the risk posed, and costs identified and minimised.
- **Accountable:** Regulators must be able to justify decisions, and be subject to public scrutiny.
- **Consistent:** Government rules and standards must be joined up and implemented fairly.
- **Transparent:** Regulators should be open, and keep regulations simple and user friendly.
- **Targeted:** Regulation should be focused on the problem, and minimise side effects.

Our current response is sent on behalf of the LPHCA Members, which are some 160 Licensed Private Hire Operators with approximately 12,000 – 15,000 Private Hire Drivers in their agency.

We also sent an earlier draft of our response to all members by email link to a secure area of our website for comment and amendment. As well as taking consideration from Members we have had dialogue with Regulators, our Political Team and our Legal Advisors.

We have produced a *factual, forthright and honest response* based on our own dialogue with the above, whose experience of the Private Hire Industry, is in our judgment second to none.

We are now due to meet DfT Officials to discuss matters further and to push the Department to ensure that the Guidance is constantly improved and most importantly taken up by Local Authorities to enable it to meet the requirements of the Industry, the Travelling Public and the Better Regulations Task Force five principles.

HERE IS THE LPHCA RESPONSE...


TAXI AND PRIVATE HIRE VEHICLE LICENSING – CONSULTATION ON REVISED BEST PRACTICE GUIDANCE

Issues on which we are seeking feedback


USEFULNESS OF ORIGINAL GUIDANCE

We are interested to know how useful stakeholders have found the original guidance, for example, the extent to which it prompted licensing authorities to review their policies or whether the trade found it to be a useful tool in approaching their local authority with suggestions of changes.


Q1 Have you found the Best Practice Guidance useful?

The Licensed Private Hire Car Association (The LPHCA) has found the original guidance useful for prompting Licensing Authorities to review their policies. We also found it to be very useful when approaching some but not all Licensing Authorities with suggestions of changes. 

Q2 Has your local authority, since publication of the Guidance in October 2006, undertaken a review of its taxi and PHV licensing policies?


The LPHCA, whilst predominantly based in London, (where over 40% of the Private Hire Industry is), feels that the London Licensing Authority TfL (Transport for London) has reviewed their policies but as with many other Licensing Authorities this is Ad Hoc and Enforcement in particular is not what the Industry or the travelling public 'reasonably expects' although London has considerably improved as a direct result of the new Mayor Boris Johnson doubling the numbers of police involved in enforcement. 

Q3 Can you offer any examples of instances where local policies have been amended to reflect the advice in the original Best Practice Guidance?

The sensible recommendations on Age Limits of Vehicles have been useful as rightly it points out that 'condition' rather than 'age' of a Vehicle is what counts. The 'Specification of Vehicle Types that may be Licensed' section as a whole has been helpful in amending policy as has the Vehicle Testing section'. 



Q4 Do you consider that any issues in the original guidance where changes are not proposed should be revised?

Yes. Vehicle Identification – We are not convinced that adding some words such as 'pre-booked only' helps with identification or deters passengers approaching Private Hire Vehicles; in fact we believe this sort of wording actually encourages the public to approach vehicles by implying that they can in fact be pre-booked by walking up to the vehicle. 

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Q5 Do you consider that there are issues which are not currently covered in the Guidance which could usefully be covered?

Yes. As the previous was the first 'Best Practice Guidance' it has been useful but the LPHCA feels that the guidance would be developed into Department / Government Policy in some areas.



BUS LANE USAGE

We feel there are several areas not covered by the guidance, which should be. For example, the inclusion of **positive guidance** on Bus Lane Usage by Private Hire Vehicles and Taxis should form part of the guidance.

The Travelling Public and Tourists are extremely confused by the fact that in one Local Authority area they can travel in the bus lanes in all modes of Public Transport yet in others they can't. We understand that there are just over 200 Councils with bus lanes and approximately that 2 thirds allow Taxis in them but less than a third allow Private Hire.

We would like to see in DfT Best Practice Guidance a strong statement of guidance for Local Authorities in this area, encouraging the removal of this arbitrary, discriminatory and confusing inconsistency.

The LPHCA believes that the DfT should have both Best Practice Guidance and Policy in this area and not devolve responsibility to Licensing Authorities to arbitrarily 'do their own thing' locally without such important guidance.



PARA 37 ENVIRONMENTAL CONSIDERATIONS

We would like to see within the 'Environmental Considerations' section a great deal more about the role that Local Authorities, Private Hire and Taxis can play. In London we are partnering with CabOperator in pioneering 'environmentally friendly compliance and licensing management', this in conjunction with the PCO (TfL) - the Local Authority Regulator) and LPHCA Member Licensed Private Hire Operators.

In London we have what we believe to be 'Best Practice Licensing' where the Operator, Driver and Vehicle are all regulated. Prior to the latest technological advanced systems being available, the licensing management and enforcement processes were onerous to maintain via predominantly 'paper based' systems. This meant keeping in filing cabinets reams of paper copies and much travelling to inspect these documents.

CabOperator via the Internet has brought Online Licensing Management to Operators and Regulators. The process happens via the scanning of required documents to a secure access Internet Server that can only be accessed by approved agencies, such as the Operator, the Regulator and Enforcement Officers / Agencies like the Police.

The reductions of paper usage and filing cabinets are substantial and the ability of Licensing Enforcement teams to access these records in real time without leaving their office, once again saves travelling and its associated carbon footprint. It also releases important time and resources to be used elsewhere.

We would like to see the Best Practice Guidance elaborate on such 'Environmental Considerations' where not only 'the environment gains' but Licensing Authorities, Operators and Enforcement Agencies do so too.

TfL Officers have suggested the possibility that Operators who consider using this type of system could potentially be given 'Reduced Licensing Fees' as incentives to adopt such environmentally friendly initiatives.



PROPOSED REVISIONS TO THE GUIDANCE

In many cases, the proposed revisions have been included to reflect developments since the original guidance was published (e.g. the fact that we have now published guidance about stretched limousines and the fact that the Legislative Reform Order concerning the amalgamation of taxi licensing zones has now been made). In other cases, we are proposing a substantive change to the guidance which the Department is providing (for example on medical fitness). We would welcome feedback on any of the revisions which we have proposed in the draft guidance.

Q6 Do you have any comments on the proposed guidance about accessibility (paras 13-19)? [Note, there is a separate consultation exercise about accessibility standards for taxis; this consultation asks about the advice we are currently offering to local authorities.]

The LPHCA does not feel it appropriate to comment about the requirement for Taxis however we do wish to say that Licensed Private Hire provides a considerable amount of 'Accessible Transport' for Disabled and Non Ambulant Passengers.

This is possible due to the non-prescription of regulations in this regard for PHVs. As the pre-bookable rather than a street hired mode, PHV specialist and indeed non-specialist vehicles can be provided by many Licensed PHV Operators via pre-booking.

Evidence given by the LPHCA, RADAR, the Suzy Lamplugh Trust and others to a Parliamentary Select Committee (circa 1993) supported the passenger's choice and ability to pre-book an appropriate PHV for the disabled. It was pointed out that a 'Standard PHV' rather than a specialist one was desired and indeed preferred by many disabled passengers.

We would therefore ask the Department to maintain the position of not giving guidance or prescription in regulations for PHVs in this regard as it is our considered view that the effect would be to reduce the numbers of vehicles and the extensive choice widely available to the travelling public of specialist and appropriate vehicles for disabled passengers.



With regard to the guidance statement 'For PHVs, it may be more appropriate for a Local Authority to license any type of saloon car, noting that some PHV Operators offer accessible vehicles in their fleet'. We would like to see this replaced with something stronger like 'It is best practice that Local Authorities License any type of saloon car, noting that some PHV operators offer accessible vehicles in their fleet'.



This in our view will give the public and those needing 'Accessible Transport' the best chance to obtain a wide range of appropriate vehicles.

Q7 Do you have any comments on the proposed guidance about the duty to carry assistance dogs (paras 20-21)?

The guidance seems appropriate but Local Authorities should disseminate the requirements at the time of licensing and at all other opportunities such as at licensing renewals.

It is also vital that Licensed Operators and their staff are made aware and indeed trained in all aspects of requirements. GoSkills produced the very useful 'This time every time' DVD and other excellent literature'.



Q8 Do you have any comments on the proposed guidance about duties under the Part 3 of the Disability Discrimination Act 1995 (paras 22-25)?

Local Authorities should encourage and support **disability awareness training** whilst balancing the appropriateness for **Drivers**. Once again **GoSkills** are a good source of help and guidance.



Q9 Do you have any comments on the inclusion of a reference to the national inspection standards drawn up by the Public Authority Transport Network (para 32)?

We are pleased to learn that there is a reference to the national inspection standards drawn up by the **Public Authority Transport Network** but dismayed that the **LPHCA** as a major stakeholder was not consulted for opinion.



Q10 Do you have any comments on the proposed guidance about drivers' personal security (paras 29; and 33-35)?

We welcome the proposed guidance about **Drivers' Personal Security** and the emphasis to partner on this with **Licensing Authorities** and others to encourage the **Taxi** and **PHV** trades to build good links with the **Local Police Forces**.

We would like to suggest that guidance encourages this and other dialogue and partnerships. It would be particularly helpful if **Local Authorities** and the **Police** could be encouraged to treat **Cab Crime** more seriously by involving the **Taxi** and **PHV Trades** in dialogue and by bringing offenders before the courts.

*There is an incorrect perception that when a **Driver** calls for the **Police**, it will be because there is a **fare dispute**, when often the case is actually fare evasion, threatening behaviour, drunkenness and assault, sometimes accompanied by racial abuse, where the driver is ethnic.*



It would be useful to show where **Local Authority / Police & Trade** partnerships have worked in best practice and how everyone can engage in dialogue on **Driver Safety**.

The suggested web links are helpful but further advise as to how **Drivers** can obtain **CCTV**, etc., detailing any funding available from **EU** or **Government**, would be appreciated.



Q11 Do you have any comments on the proposed guidance about stretched limousines (paras 38-40)?

Perhaps a précis of some of the guidance that can be accessed on the **Department's web-site** at <http://www.dft.gov.uk/pgr/regional/taxis/limousines> can be included in this **Best Practice Guidance** revision as some of the **LPHCA's Members** run these vehicles.



Q12 Do you have any comments on the proposed guidance about criminal record checks on drivers (paras 54-57)?

Whilst the guidance is helpful this whole area is 'in our opinion' in disarray, with differing requirements in different areas. This is compounded in our view by '**Enhanced**' being perceived as the '**Golden Standard**' when in fact we understand it **brings forward very little information** that can be used (apparently 0.02% on applicants), much of which is at best subjective intelligence and or unproven allegations about individuals.

Enhanced Checking is also the main reason for delays in Driver Licensing and often suitable applicants are lost to the trade due to the long processing times, particularly in London. The **POCA** and **POVA Protection of Children Act** and **Protection of Vulnerable Adults** lists, which deal with vulnerable adults and children, would seem far more appropriate to reference are bizarrely now omitted in London. This apparently because they are considered unnecessary but we suspect because of cost and lack of understanding of our trade by some, so in our view they are **far more relevant than the Enhanced Check**.

We have had dialogue with the **Department** on the **Independent Safeguarding Authority** requirements and more dialogue is sought. It is our view that **Private Hire Vehicle Drivers** can 'at any time' be required to transport the **young**, the **elderly** and the **vulnerable** and for this reason a review needs to urgently take place.

The statement that 'this is likely to affect some **Taxi** and **PHV Drivers** who, for example, regularly fulfil **Local Authority** contracts to transport **children** to school' illustrates the point we make about 'at any time' above being missed.

There are also **CRB** issues about portability, double checking and the reporting of offences not being a 'joined up' process. The statement 'provided Drivers are obliged to report all new convictions and cautions to the **Licensing Authority**' once again illustrates this point. This could be interpreted as 'A Licensed Driver who is prosecuted as a sex offender, a child molester or for violent conduct is obliged to report all new convictions and cautions to the Licensing Authority'.

This in our view illustrates why more **National Controls** are needed and important areas of licensing being devolved to hundreds of **Local Authorities** to make their own different decisions without a joined up process in place is in our judgement at best worrying.



Q13 Do you have any comments on the proposed guidance about the Notifiable Occupations Scheme (paras 58-61)?

The **Notifiable Occupations Scheme** information is a step in the right direction but once again could be subject to local judgement and inconsistency.

The mention of 'the absence of a national licensing body for Taxi and PHV drivers', in the proposed guidance revision, once again highlights the problems of safety and checking systems not being 'joined up'.

Furthermore the statement 'it is expected that all Licensing Authorities work together should they ascertain that an individual is operating under a different authority or with a fraudulent licence' is fine, the question is how? **Further guidance is therefore sought**.

We would not propose a '**national licensing body for taxi and PHV drivers**' but surely **there must be one place** where vital data is shared, accessible and disseminatable to **Local Licensing Authorities**.



Q14 Do you have any comments on the proposed guidance about Immigration checks (para 62)?

This new inclusion is useful.

Q15 The Government is minded to remove reference to the exceptional C1 arrangements in the original guidance. However, in making a final decision, we would welcome feedback from stakeholders about the possible change. Do you have any evidence about the extent to which taxi/PHV drivers are currently licensed on the basis of the C1 arrangements (paras 63-64)?

The LPHCA feels that some clarification on what exactly is due to be removed and why would be helpful. As C1 appears to apply to the drivers of small lorries it may be reasonable to remove. Once again we feel the time is right to review these medical requirements and for Taxi and Private Hire to have a standard of its own. (See response to Q17)



Q16 Do you think that it is appropriate for the proposed guidance to make no reference to the use of the C1 arrangements for insulin-treated drivers; please explain your reasons (paras 63-64)?

With regard to insulin-treated drivers we feel guidance is essential for the avoidance of doubt by all and the 'Best Practice Guidance' would seem the appropriate place for it to be.



Q17 Do you have any comments on the proposed guidance about medical fitness (other than comments in relation to the C1 arrangements) including the proposed references to use of medical practitioners who are trained in the application of Group 2 medical standards? Would this add to costs? If so, would this be justified? (paras 63-66)?

The LPHCA has consistently said that the medical requirements are not in our view wholly appropriate for Private Hire Vehicle Drivers. Whilst accepting the reasoning for a higher level of medical requirements set out above for PHV and Taxi Drivers, it in our view remains wrong that a system designed for 'those licensed to drive buses and lorries, as a benchmark is still being used for PHV & Taxi Drivers'.

The recent issue of 'Insulin Dependent Drivers' being arbitrarily and wrongly discriminated against and special arrangements subsequently made, illustrates just how inappropriate the blanket DVLA group 2 standard is for Taxi & PHV Drivers.

It is clear that driving a lorry or a bus is far more exacting 'physically and mentally' than driving a 'Taxi or a PHV,' as are the visual requirements.

The DVLA Group 2 Standard and its application has once again been found wanting by the indiscriminate way Drivers with Monocular Vision have been excluded from some Local Authorities yet allowed to work in others.

In London eyesight requirements have been reviewed by TfL to be far less prescriptive than they were previously, with the option to seek further expert medical opinion. Whilst this is a step in the right direction the 'DVLA Group 2 monocular vision anomaly' remains in place. It is the LPHCA's judgement that perfectly good and capable drivers are being lost to the trade where DVLA Group 2 is adopted.

The LPHCA has found no evidence that Drivers with Monocular Vision are a risk when driving a PHV or a Taxi when their field of vision meets 'DVLA Group 1 requirements' in their good eye.

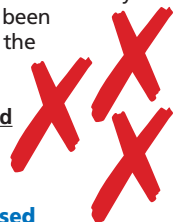
Lorries and Buses do of course often have poor or limited lines of vision, so it is understandable why DVLA Group 2 is applicable for them. Further evidence that the Group 2 Standard is not right for Taxis and PHVs comes from the Insurance Industry who do not load the premiums of 'Monocular Visioned Drivers' that meet 'DVLA Group 1 Requirements' as there is no evidence to hand that they are any more likely to have an accident.

With regard to this guidance in our opinion we feel it is poor but solely because the standard is wrong and because it is arbitrarily applied differently by Local Authorities.

An industry the size of Taxi & PHV with hundreds of thousands of drivers needs a standard that is appropriate to itself, not a standard developed for a larger, heavier and far more difficult to drive vehicles.

Finally, if enough evidence is not already in place to demonstrate its inappropriateness, the question needs to be asked as to why the DVLA Group 2 Standard for Taxi and PHV has been 'Grandfather Righted' as not required by some of the oldest drivers in scope?

In our view, a review, with policy change followed by amended guidance is the way forward.



Q18 Do you have any comments on the proposed guidance about language proficiency (para 69)?

The LPHCA believe it is essential to speak English proficiently in the United Kingdom in Taxis and PHVs as communication with the driver is a necessity for safety and many other reasons. This in our view should be a requirement not a guidance option.



Q19 Do you have any comments on the proposed guidance about other training (para 70)?

The Sector Skills Council for Passenger Transport GoSkills works closely with the Industry to discuss Training Options. The guidance therefore seems wholly appropriate in this area.



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Q20 Do you have any comments on the proposed guidance about topographical knowledge (paras 71-72)?

We concur with the main essence of the guidance but feel all Licensed PHV Drivers should be required to take a test of some form. This particular requirement of licensing of PHV Drivers is best set by Local Authorities, in conjunction with consultation with the local trade associations as collectively they are 'best placed' to know the appropriate requirements.

**Q21 Do you have any comments on the proposed guidance about criminal record checks on PHV operators (para 74)?**

The proposal to potentially include Criminal Record Checks on PHV Operators needs a great deal of consideration and consultation before any decision is made and the LPHCA would wish to consult all its members as part of that consultation process.

**Q22 Do you have any comments on the proposed guidance about the repeal of the PHV contract exemption (paras 78-79)?**

The repeal of the PHV Contract Exemption via Section 53 of the Road Safety Act 2006 and the change to the Private Hire Vehicles (London) Act 1998 was welcomed, lobbied for and actively sought by the LPHCA.



The guidance while always welcomed puts the LPHCA, not for the first time, at odds with the policy of devolving interpretation and implementation to hundreds of Local Authorities. This subsequently causes inconsistency and the potential for a variety of interpretations.

We feel that devolving this important measure, which protects the travelling public, children and the vulnerable in particular, is not satisfactory.



The note stressing that it was a matter for 'Local Licensing Authorities' to make decisions in the first instance and that, ultimately, the courts were responsible for interpreting the law in our view is very unhelpful.



The LPHCA looks to the Department and Government for a far more definitive set of guidance that ideally won't be subject to varying interpretation and expensive, stressful and unnecessary court cases.

It remains the LPHCA's and our esteemed lawyer's / advisor's views that anybody who transports passengers for reward, monetary or otherwise is 'in scope' of 'Private Hire Licensing' when using a vehicle to seat fewer than nine passengers that is made available with a driver for carrying passengers for reward.

We had dialogue with the Department and with the Minister the Right Hon Glenda Jackson CBE MP on the closure of the contract exemption way back in 1997 and we remain concerned that this story is still running although thank goodness much improved.

The Department will be aware that some Local Authorities won't test such matters in the courts and loopholes are then created that the Department and Government end up needing to plug as with the amendment to the 98 Act.

We therefore seek clearer and more definitive guidance from the Department followed by appropriate prosecutions and enforcement by Local Authorities.

The Industry rightly demands a level playing field and the travelling public rightly demand safety and consistency.

There is strong evidence on the Internet and elsewhere that 'Event Management Companies' and many others are taking and seeking to take passengers for reward without the safeguards and benefit of being licensed.

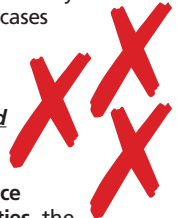


It would be most helpful if direction on the prevention and prosecution of such illegal activity can be forthcoming in the form of guidance from the Department.

**Q23 Do you have any comments on the proposed guidance about enforcement (paras 80-84)?**

Enforcement, rates highly alongside, equal usage of bus lanes, medical requirements and the Criminal Record Checking System, as one of the primary issues facing the PHV Industry.

The LPHCA and our Members are extremely frustrated at the inconsistent approach and attitudes across the country regarding the issue of 'Enforcement'. In some cases Operators and Drivers in the Licensing System are brought before the courts for what are in our view petty and bureaucratic reasons while serious unlawful activity remains unchallenged or dealt with inappropriately.



The LPHCA would like to see within Best Practice Guidance what is expected from Local Authorities, the Police and Other Agencies like the Crown Prosecution Service, Magistrates, the Courts, etc. The new guidelines that the Sentencing Guidelines Council have for the first time included about Taxi touting in their latest Guidelines for Magistrates, is particularly helpful.

It would also be helpful for guidance to encourage partnerships between the trade and these agencies to broker better understandings of problem areas, appropriate actions and policy.



The LPHCA is in dialogue with the Tfl the London Regulator about 'illegal activity and its enforcement'; some preliminary dialogue with the Department has also been had.

We would like the Department's Guidance to remind Local Authorities of their obligation and duty of effective enforcement to both the Industry and the Travelling Public.

**Q24 Do you have any comments on the proposed guidance about taxibuses (para 90)?**

We have no comment at the present time but we look forward to hearing from the Department with the separate guidance that will be provided.

**EXTRA LPHCA COMMENTS**

In addition to the 24 Questions where comment was requested The LPHCA wishes to comment on several items where questions were not asked on the following pages.



DRIVERS - Duration of Licences

The *Duration of Licences for Drivers* and the requirements at the time of *Re-Licensing* are interesting areas.

The **Department** in our view rightly in your guidance say that it can be good practice to offer drivers the choice of an annual licence or a three-year licence.



This however brings forward annual anomalies. For instance when other sections of the guidance says *'It is clearly good practice for medical checks to be made on each driver before the initial grant of a licence and thereafter for each renewal.'*

The anomaly being that this would mean that those drivers in authorities following this advice who licence annually would be required to have a medical annually rather than 3 yearly.

This is covered off for **CRB Checks** but not for **Medicals** with the best practice for **Criminal Records Bureau** by the guidance saying: -

Disclosures to be sought when a licence is first applied for and then every three years, even if a licence is renewed annually, provided drivers are obliged to report all new convictions and cautions to the licensing authority.'



Other renewal problems that the **LPHCA** has been made aware of happen precisely because the **CRB**, the **Medical** and the **Application** to renew all take place in the same window of time. **If there are delays in either of the above processes the outcome can be unemployment for the driver.**

The **LPHCA** has some proposals to put forward for discussion beyond the scope of this **Best Practice Guidance** consultation for the **Department**, **Licensing Authorities** and others to consider.



RECORD KEEPING

Para 75 rightly says: *'It is good practice to require Operators to keep records of each booking, including the name of the passenger, the destination, the name of the driver, the number of the vehicle and any fare quoted at the time of booking.'*

This information will enable the passenger to be traced if this becomes necessary and should improve driver security and facilitate enforcement. It is suggested that 6 months is generally appropriate as the length of time that records should be kept.'



We wish to point out to the **Department** and others that a simple 'where possible' could be inserted after *'It is good practice to require operators to keep records of each booking.'*



Anyone who has worked in the trade for any length of time will tell you that the existing advice is not possible on many occasions. For example bar staff, waiters, concierges, porters and receptionists are amongst many who book cars. They do not always take or even ask for the passengers name and or their destination. Sometimes passengers are also not sure at the time of booking of their exact destination, particularly late at night. Some passengers are also reluctant to give the full destination and can become aggressive when asked.

The guidance we believe needs to reflect the facts that many people book cars by room number, table number, description and a host of other genres. It is absolutely wrong for **Operators** to be threatened with penalty for not providing the impossible and **Local Authorities** in our view should be reasonable when seeking acceptable booking details as part of administrative rules or regulations.



LICENSING AND THE INTERNET

The Internet brings many positive aspects to Transport and the booking of Public Transport Modes like Taxi and Private Hire. There are further positive opportunities as mentioned previously for Licensing Management and Enforcement.

The Internet however also raises in itself new issues and throws up new questions that are totally Licensing Management and Enforcement related. Recently the LPHCA has found or learned of what we believe are many illegal entities trading on the Internet, in some cases questionably facilitating bookings and in other cases undertaking hirings for reward without being Licensed.

These entities and their Drivers are almost certainly not appropriately insured. Their Drivers will not have been criminally or medical checked for fitness and suitability. Vehicles will inevitably be unlicensed.

There are big issues for Licensing Authorities, the Department, the Trade and the Travelling Public. We feel it is appropriate to raise this here as guidance and indeed policy is needed and the LPHCA will want to engage in the process and debate with all stakeholders.

With an Olympic Games on the horizon some urgency is needed on some of the matters we have raised here.



LOCAL TRANSPORT PLANS

Para 92 points out that *The Transport Act 2000* requires most Local Transport Authorities in England (not London) to produce and maintain a Local Transport Plan (LTP), having regard to any guidance issued by the Secretary of State.

We think it would be useful to mention that in London the 'Mayor's Transport Strategy' and the 'London Plan' make substantial transport considerations, (the former, which is being considered by the Transport for London Board at present).



We wish to comment that whilst generally 'Accessible Transport' is heavily considered in Local Transport Plans and Planning, basic provision for Private Hire Vehicles and Taxis including, parking, picking up and setting down are generally not.

We feel that Local Transport Plans and Planning should embrace the needs of the millions who are transported daily by Taxis and PHVs. Private Hire is often the primary mode that many Local Authorities use for 'non ambulatant' passenger transport, with social services and special needs transport, being primary examples.

This guidance could be utilised to suggest that Local Transport Plans incorporate the needs of the many transported by PHVs (the primary, 24 hour, door to door mode of Public Transport).



Drivers in both modes (Taxi and PHV) are subject to much ticketing by Local Authorities, when dropping passengers off in the most appropriate, safe and accessible place, particularly now camera enforcement is commonplace. This ticketing is costly, stressful and the cause of much unhappiness in the trade, so some guidance for transport planners we feel would be useful.



Another area that Transport Planners and Transport Plans should both consider and cover in our view is Bus Lane Usage. As already mentioned the anomaly of Licensed Taxis getting access in most bus lanes while Licensed Private Hire is only getting access in some, is discriminatory at best.

Much social and door to door transport travels where bus lanes exist and it is quite unfair that one mode is discriminated against when performing the same primary function of transporting fare paying passengers in small vehicles.



Examples of Best Practice allowing Private Hire usage in bus lanes, as previously mentioned exists in some but not all Licensing Authorities in the U.K. Transport Planners therefore in our view need to consider the reduction in emissions and the encouragement for less car usage that is gained when the last part of public transport journeys are completed in a PHV or Taxi rather than by a Private Car.

EU Countries like Malta have got this right with Dublin and Edinburgh showing the way in capital cities in Scotland and Ireland.

In our view all Local Authorities should reasonably be expected to fully consider all of the above in Transport Planning and should ideally engage with the both the Taxi and Private Hire Trades when formulating their Transport Plans.



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We sincerely thank you for the opportunity to comment on your Best Practice Guidance and hope that the frank views we express on behalf of our members and we believe the travelling public are helpful.

Steve Wright MBE, Chairman LPHCA