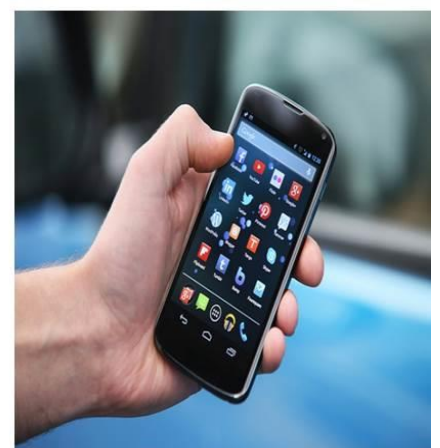


Future proof Taxi and Private Hire Services in London

December 2014



Transport Committee Members

| | |
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Role of the Transport Committee

The Transport Committee examines all aspects of the capital's transport system in order to press for improvements for Londoners. Its remit includes: mainline rail, the Tube, buses, trams, taxis and minicabs, walking, cycling, roads, and issues such as congestion, transport safety and transport sustainability. The Committee pays particular attention to how the Mayor's Transport Strategy is being implemented, and looks closely at the work of Transport for London and other transport operators. For more information visit: <http://www.london.gov.uk/mayor-assembly/london-assembly/committees>

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Chair's foreword



What does the future hold for taxi and private hire services in London?

Black cabs are one of the oldest and most instantly recognisable icons of London transport and, together with private hire vehicles, form a vital part of the public transport network for both Londoners and visitors alike. But the future prosperity of these industries is under threat, not from new technology, but from a lack of strategic leadership for the development of these services.

Much of the recent discussion about taxi and private hire in London has been fixated on issues around new apps and how these will benefit or damage the existing industries. Our investigation finds that this is the tip of the iceberg when it comes to the challenges facing the taxi and private hire trades, and TfL as their regulator. The ongoing debate on the role of new technology has diverted attention from other critical issues facing the trades which must be addressed. Ensuring safe, accessible services to all passengers, at times and in places where they are needed most, must be made a priority.

Serious doubts have been expressed about whether TfL has the appetite, and capability, to oversee these industries effectively. We are also deeply concerned at the continued decline of the relationship between the taxi and private hire trades and TfL. It is time for the Mayor and TfL to get a grip on this spiralling situation and to develop a long term strategy that will enable these vital industries to flourish and ensure that the needs of passengers are addressed.

Everyone involved in these industries - drivers, operators, trade associations, enforcement agencies, and above all, the Mayor and TfL - must work together constructively towards a better future for these services.

I would like to put on record our thanks to the huge numbers of people who contributed to our investigation by participating in surveys, providing written submissions and attending meetings to inform our work. Our report outlines our extensive investigation and research into the issues facing both passengers and drivers. The Mayor and TfL must address the issues we raise or face London's reputation in this area being irreversibly damaged.

Caroline Pidgeon AM
Chair of the Transport Committee

Executive summary

Over 300,000 journeys are made by taxi or private hire vehicle in the capital every day. Black taxis are one of the oldest and most instantly recognisable icons of London transport and, together with private hire vehicles, form a vital part of the public transport network for both visitors to, and residents of, the city. Taxis and private hire services fill a gap in public transport provision, providing services in places and at times when other forms of public transport are unavailable, and for those who are unable to access buses, the Tube, or trains due to disability or mobility impairment. Taxis and private hire are used by both the highest earning in our society and those on lower incomes, for business and leisure purposes, at every hour of the day and night.

Efforts to modernise taxi and private hire services and meet passenger expectations are being hindered by the lack of a Mayoral strategy for the future of these trades. This makes it difficult for Transport for London (TfL) to regulate the industries efficiently and effectively. Taxi and private hire services form a crucial element of London's public transport offer, including for some of the most vulnerable passengers, but competition from new technology, and changing passenger demands, are challenging the traditional ways in which these services are delivered. London's taxi and private hire services will need to evolve to meet these challenges. Failure to address fundamental issues affecting the trades threatens to spark a race to the bottom in terms of standards, putting the travelling public at risk, and threatening London's reputation as a world leader for these services.

Strategy

The inherent role of the regulator, TfL, is to protect the interests of the travelling public. We call on the Mayor and TfL to preserve the distinction between the licensed taxi and private hire industries, recognising that diversity of choice is critical to meeting passengers' differing requirements. We need a clear strategy to ensure the survival and prosperity of both of these services, which covers three critical, inter-related areas of public interest: safety, availability and accessibility.

Safety

The Committee heard that more passengers say they always feel safe and secure when travelling by licensed taxi, than private hire vehicle. A lack of supply of licensed taxi and private hire services in some locations may lead people to make unsafe transport choices; this is a particular concern in the

context of cab-related sexual assaults and robberies. We call on the Mayor and TfL to develop specific public awareness campaigns on what to look out for when determining if a driver or vehicle is licensed. We also call for a comprehensive signage strategy for both taxi and private hire vehicles, and for open access to data so that tools that use technology to link drivers to vehicle and operator information can be developed.

We believe that cashless payment options would benefit both the industries and their passengers, reducing the risk of crime and removing a barrier to making safer transport choices. TfL, as a regulator, can greatly advance this cause by working constructively with the trades to iron out potential difficulties, explain the wider benefits, and explore options to incentivise a transition towards cashless payment options.

Availability

People often choose to use a licensed taxi or private hire vehicle at times when other public transport is closed, or in locations where other public transport modes are not available, particularly in parts of outer London. Passenger views on availability differ from those of licensed taxi drivers. The Committee heard that there are a number of ways in which TfL could regulate the market more effectively to ensure a better match between supply and demand across the city. In particular, there is a need for better data to inform policy decisions on issues such as sector boundaries, licensing numbers, and rank space provision.

Providing taxi ranks has a number of benefits relating to safety and availability, as well as potentially reducing congestion and vehicle emissions as drivers are not forced to continually drive around to look for work. However, rank provision is chronically underfunded and under prioritised, the process of appointing ranks is too lengthy, and the needs of passengers and drivers are not prioritised when allocating kerb space. We call on the Mayor and TfL to work with the boroughs to improve and increase rank provision, especially in outer London, and to ensure that existing facilities are better publicised.

Taxi driver numbers have remained static for the last decade, while the number of licensed private hire drivers has more than tripled. Some industry experts have questioned whether administration of the Knowledge creates an artificially high barrier to entry for taxi drivers, and, conversely, whether the explosion in private hire driver numbers in the last decade is because the entry requirements to this market are artificially low. We urge the Mayor and TfL to assess entry requirements into both markets to ensure that they are fit

for purpose, that the requirements are relevant to the specific demands of each industry, and to ensure protection for passengers, drivers, and other road users.

Accessibility

Large parts of the public transport network are still unusable for many older and disabled Londoners, and taxis and accessible private hire vehicles are a vitally important part of ensuring good quality of life for disabled and older Londoners. Disabled people told us about a range of problems in accessing these services, including taxis not stopping when hailed in the street by disabled people, broken equipment, refusal to carry assistance dogs and insufficient numbers of wheelchair accessible private hire vehicles. Alongside efforts to increase the supply of accessible vehicles, TfL should work with disability campaigners and the trades to improve disability awareness amongst both drivers and booking staff, and adopt a zero tolerance policy towards drivers and operators who discriminate against disabled passengers.

New technology

The rise of new technologies has immense potential to change the way in which transport services are used. There is significant appetite for new technology among both passengers and drivers, especially when it comes to booking and paying. TfL must ensure that it has the regulatory muscle, and the political will, to hold the line against developments which threaten the interests of passengers. An unbalanced market may ultimately lead to a reduction, rather than an expansion, of passenger choice. The Mayor and TfL need to be prepared for the inevitable consequences of a transport environment in which technology is evolving faster than the legislation that is needed to govern its use.

Enforcement

Touting is viewed by both industries as the single biggest enforcement and passenger safety issue affecting the trades. Enforcement numbers are 'outstandingly low', compared with other world cities. Trade representatives have raised the possibility of the trades paying higher licence fees if this would guarantee better enforcement, and there are opportunities to improve enforcement through better use of technology.

The Committee is deeply concerned that specific TfL policies, such as those around satellite offices and booking destinations, could be creating more problems than they solve. We urge the Mayor and TfL to re-evaluate their enforcement strategy and to explore ways in which enforcement resources could be increased and better deployed.

Current enforcement activity is disjointed due to the different enforcement powers available to police and borough enforcement officers. The strategy should contain specific actions that the Mayor and TfL, along with partner organisations and the trades, will take to ensure that the laws and regulations governing these industries are properly enforced. This should include closer working with the criminal justice system, and lobbying Government for the use of stiffer penalties for touting and greater enforcement powers including vehicle seizure powers.

Governance and Communication

Mass demonstrations on the street and votes of no confidence from trade organisations are not generally indicators of a healthy relationship between industries and their regulators. Effective communication between TfL and the trades is vital to implementing changes to the industry that will benefit passengers, but communication appears to have hit rock bottom in the last year. Many within the industries feel that, at a senior level, TfL is simply not listening to their concerns. The Mayor and TfL urgently need to address the widespread view that they are out of touch with the needs of the industries. TfL's Taxi and Private Hire Unit's current structure lays itself open to accusations of an inherent conflict of interests. The Mayor's office, TfL and the trades should develop and publish a Memorandum of Understanding which clearly sets out terms of reference and defines the respective roles, responsibilities and expectations of each party.

Passenger engagement

Failure to address passenger concerns damages the long term interests of the trades, and TfL's reputation as their regulator. The ultimate survival of both taxi and private hire industries will depend on them providing the standard of service that passengers want. The public can provide crucial feedback on drivers, operators and organisations that can help detect illegal activity, identify poor behaviours, and provide suggestions for how to improve services. We call for improved systems for passengers to make complaints and give feedback on both taxi and private hire services.

1. Introduction

- 1.1 Over 300,000 journeys are made by taxi or private hire vehicle in the capital every day¹. Black taxis are one of the oldest and most instantly recognisable icons of London transport and, together with private hire vehicles, form a vital part of the public transport network for both visitors to, and residents of, the city. Taxis and private hire services fill a gap in public transport provision, providing services in places and at times when other forms of public transport are unavailable, and for those who are unable to access buses, the Tube, or trains due to disability. Taxis and private hire are used by both the highest earning in our society and those on lower incomes, for business and leisure purposes, at every hour of the day and night.
- 1.2 The ability to hail a taxi on the street, jump in a cab at a rank or book a minicab to take us to the airport, has become so much a part of London life that many people take these services for granted. However, many taxi and private hire operators and drivers are concerned about the future. Changing passenger demands and expectations, coupled with the rise of new technology, are challenging the traditional way in which these services are provided. This presents both opportunities and risks for the taxi and private hire industries.
- 1.3 Taxi and private hire services are licensed and regulated by Transport for London (TfL). Many commentators, both inside and outside the industries, are concerned about the deterioration in relations between taxi and private hire trade organisations and their regulator, and the impact this may be having on these services. International regulators have warned that, while London currently holds the gold standard for licensed taxi services, and that strong growth in the private hire market has demonstrated a clear demand for these services, the city may be on the brink of 'squandering the gold'². Business leaders have likewise called upon TfL *'to be proactive in setting standards for consumers and managing the regulating system in London rather than just seeing what competition throws up'*³.
- 1.4 The first part of this report considers the need for a clear strategy for the future of taxi and private hire services and the critical issues that need to be addressed for the public benefit. The second part discusses the need for effective enforcement of the regulations designed to protect passengers and drivers and support the industries. The third section looks at how TfL can

improve its performance as the licensing and regulatory authority, overcome challenges that have arisen as the market changes, and ensure the best possible services for passengers.

Taxi and private hire markets by numbers

300,000 approximate number of journeys per day

19 % of minicab users are disabled

56,167 private hire vehicles

Annual turnover of combined taxi and private hire industry **£3bn**

62 % of minicab passengers are **women**

25,546 licensed taxi drivers

70,928 private hire drivers

14 % licensed taxi passengers are disabled

22,597 taxi vehicles

Source: TfL

2. Strategy

One trade or two?

- 2.1 There has been some debate about whether licensed taxis and private hire are two aspects of the same trade or two distinct services. The Law Commission's recent review of taxi and private hire services across England and Wales has restated the definition between the two services and the importance of retaining this 'two-tier' system.

"The regulatory distinction between taxi and private hire services both reflects and creates different markets. On the one hand, there is what we call the "rank and hail" market, which is reserved exclusively for taxis. On the other hand, there is the market in pre-booked services"⁴.

- 2.2 The trades themselves view the two services as distinct in nature. They point to the different regulations and operating models that govern the type of vehicles used, how passengers can be picked up, fare setting, accessibility requirements, and infrastructure needs. Licensed taxi and private hire services compete directly with each other for passengers and have historically enjoyed an uneasy relationship. Nevertheless, they share some of the same concerns over issues such as passenger safety, effective enforcement of the legislation, and the operational performance of TfL as a licensing and regulating authority.
- 2.3 Passengers are less likely to explicitly consider the differences between how the two markets are regulated. However, the continued demand for both services suggests that passengers do draw a distinction, and recognise the value of having both options as part of a diverse ecosystem of point-to-point transport services, meeting a range of need; either the immediate availability of a street-hailed black cab, or the certainty of a pre-booked, fixed fare minicab.

"I would strongly oppose any move away from the current well established system in London of taxis and private hire vehicles being classed as different services, with only licensed London taxis being allowed to ply for hire." – Boris Johnson, Mayor of London, 23 May 2012⁵.

- 2.4 The Mayor has previously expressed his support for a two-tier system, but this ideological commitment has become increasingly difficult for TfL to apply in practice. The lack of a defined strategy for taxi and private hire services has made it hard for TfL to regulate the two industries effectively. The Mayor's

Transport Strategy (2010) included broad objectives such as ‘action against touting and illegal cabs’, but does not contain any specific, measurable targets or give any indication on how or when this might be achieved. Over time, this lack of measurable action has given way to a rising disenchantment with the Mayor, who is perceived to have ‘*washed his hands of the industry*’⁶.

3. Defining the public interest

3.1 The Mayor's Transport Strategy aims to improve the safety and security of Londoners, enhance quality of life and improve transport opportunities for all⁷. TfL's role is to ensure that all services it delivers and regulates support these objectives. The public interest should therefore form the backbone of a new strategy for these services, and address three critical, interrelated areas- 1) safety, 2) availability of services, and 3) universal accessibility:

3.2 **Licensed taxi and private hire services are a key element of safer travel, especially at night**

One in four passengers told us that they chose to use a taxi or a minicab at times when other public transport is closed, or when they had been consuming alcohol⁸. This underlines the importance of taxi and private hire services to the safety of the travelling public, as part of the health of the night time economy in London. Local authorities recognise the importance of these services, not only to ensure safe individual transportation home for their residents, but to address wider safety concerns about late night activity in certain locations.

'Taxi services can help to address anti-social behaviour when large numbers of people disperse very late at night, putting pressure on public transport.' – London Borough of Camden⁹.

3.3 **Taxis and private hire fill gaps in public transport provision across London**

One in five passengers told us that they used taxi and private hire services in locations and at times when other public transport modes were not available¹⁰. This is particularly true of outer London boroughs, where over a quarter of passengers said they used these services because they did not have another public transport option to undertake their journey¹¹. Taxis and minicabs are used by the poorest in our society as well as the richest, by people who are unable to afford to own a private car, and by those who are unable to access the public transport network¹².

3.4 Some campaign groups have suggested that a lack of supply of licensed taxi and private hire services in some locations may lead people to make unsafe transport choices. This is a particular concern in the context of cab related sexual assaults and robberies.

3.5 Taxis and private hire services are vital for passengers who are unable to access the wider transport network

Disability campaigners told us that large parts of the public transport network are still unusable for many older and disabled Londoners. London is the only major global city which requires all of its licensed taxis to be 100 per cent wheelchair accessible.

“Taxis and accessible private hire vehicles are vitally important for disabled and older Londoners.” - Faryal Velmi, Transport for All¹³

3.6 The benefits of accessible taxis do not just extend to people with mobility impairments. Our survey found that the ability to travel with bulky items, such as prams and suitcases, was an important factor in people’s decision to use these services.

3.7 In light of these three crucial areas, there is a clear public interest in the continued existence of taxi and private hire services which are safe and accessible to all, regardless of ability, location, or economic status.

3.8 In developing a strategy for the future of these services, the Mayor and TfL, as well as the trades, will need to recognise the inherent role of the regulator is to protect the interests of the travelling public. This is the yardstick against which policy decisions will need to be measured. It is not within TfL’s remit or responsibility to promote either trade over the other, or any particular company, service provider or app. It is up to the trades themselves to convince the travelling public that they can best meet their needs and expectations.

3.9 Trade representatives have called on the Mayor and TfL to produce a strategy for the future of taxi and private hire services which clearly meets the public interest, sets out a direction of travel, and provides a clear decision-making framework to deal with current and future challenges.

“There is a need for a very public and clear Mayoral level strategy on the Taxi and Private Hire trades and how these will be developed (if at all) over the coming years...Only by having such a comprehensive and long term published plan with a detailed list of actions that TfL will take forward can I see any real progress being made on the many issues there are for both trades and the millions of passengers they serve.” -John Mason, former Director of Taxi and Private Hire Directorate, TfL¹⁴.

Recommendation 1

By May 2015, the Mayor should publish a long term strategy for the development of both taxi and private hire industries. The strategy should clearly set out the Mayor's position on the continued role of taxi and private hire services in London, and actions that will improve passenger and driver safety, guarantee a sufficient number of high quality drivers and vehicles across the city, and ensure that all services meet the highest possible standards for accessibility. The strategy should also set out how TfL will strengthen its enforcement and clamp down on illegal activity, within a clear and transparent governance and decision-making framework.

New technology

- 3.10 Technology is increasingly changing the way in which passengers find and use transport services. The rise of smartphone app technologies and the opportunities presented by access to open data have immeasurable potential to change the way we travel.
- 3.11 There is a significant public appetite for new technology, particularly in relation to booking methods and payment options. 77 per cent of passengers told us they wanted to be able to pay with credit or debit card, and 70 per cent would like to be able to use an Oyster card to pay for their journey. 69 per cent of passengers would like to be able to use smartphone apps to 'hail' a cab in future¹⁵.
- 3.12 Despite a reputation for being 'dinosaurs' in the face of changes to their industries, taxi and private hire drivers have largely embraced technological changes. A number of private hire firms have used app-based booking systems for almost a decade, while tens of thousands of licensed taxi drivers regularly use apps which link them more directly with passengers. TfL itself has developed its online facilities with measures such as Cabwise, to link passengers to their nearest cab companies using GPS data through mobile phones.
- "Apps are a major thing. I do use an app and it's beneficial, I think it's beneficial for the customer as well. It is easier for the public and brings in more competition. This is positive." -Taxi Driver, Green Badge¹⁶.*
- 3.13 The evolution of technological solutions should not have come as any surprise to TfL as an industry regulator. However, the recent expansion of services which appear to blur the regulatory distinction between taxi and private hire

services is causing a considerable headache to regulators worldwide and nowhere more so than in London.

3.14 But to what extent is it TfL's role to dictate which business models survive and thrive in the London market? If a successful new product or service is expanding customer choice, then this is surely to the benefit of the passenger?

3.15 If one business model is given an unfair competitive advantage, the viability of other operating models is reduced. A lack of a level playing field on which future taxi and private hire service developments will occur would be a clear challenge to the public interest. This may ultimately lead to a reduction, rather than an expansion, of passenger choice. TfL has said that apps such as Uber will not damage the long term prospects of the licensed taxi trade¹⁷, but the Mayor and TfL need to be prepared for the inevitable consequences of a transport environment in which technology is evolving faster than the legislation that is needed to govern its use. In the absence of new laws, it is up to the regulator to ensure the public interest is still being protected. It is not just drivers who are worried about the future. The former Chair of the Disability Rights Commission wrote to the Mayor in June 2014 to warn that 'unfair' competition in the taxi and private hire markets would have a "*severe and negative impact on the ability of London to meet the travel needs of disabled people.*"¹⁸

3.16 The recent furore concerning Uber has raised serious questions in some quarters about TfL's fitness as a regulator. Trade groups point out that their major concern is not so much to do with the app company itself as with the perception that TfL has at best, failed to present a significantly robust challenge to an operator trying to strong-arm changes to enshrined legislation to suit its own business interests, and at worst, has actively colluded with that operator to create an imbalance in the market.

"You now break the law or breach the regulations, and TfL, if you are big enough, will change the rules." – Michael Galvin, Licensed Private Hire Car Association¹⁹.

3.17 The 'disruption' brought by such new technology may prove more of a threat to TfL's regulatory position than to the taxi and private hire industries themselves. Passengers will ultimately decide what they value about taxi and private hire services and which service providers best fulfil their needs. However, if TfL is seen to be publicly supporting companies that challenge its

authority as a regulator, then it weakens its own position in dealing with future challenges. The rise of peer-to-peer ridesharing, which uses unlicensed drivers and vehicles, has been criticised by the Commissioner for Transport, Peter Hendy, as tantamount to ‘hitch-hiking’²⁰, but TfL may well have opened the floodgates to further disruption from new challengers in the industries. TfL’s credibility in carrying out its other duties, including licensing and on-street enforcement, is also damaged by the idea that it is a ‘soft touch’ regulator.

Uber London: Licensing and regulation in conflict

*“We cannot have a third tier operating as PHV [Private Hire Vehicle] and charging like a taxi.”
- Steve Wright, Licensed Private Hire Car Association and TfL Board member²¹.*

Uber London is a technological platform that allows passengers to hire a private hire vehicle through a smartphone app. Both licensed taxi and existing private hire operators have expressed strong reservations about the legality of its operating model, arguing that the smartphone used by Uber drivers constitutes a ‘taximeter’, and that the app allows for ‘immediate hiring’ - both of which are illegal under current private hire legislation.

Uber London was licensed as a private hire operator by TfL in 2012. Since then, TfL have faced strong criticism from the trades for granting the licence and for failing to effectively regulate Uber’s operations in London. TfL has referred the taximeter issue to the High Court for a ruling, which has led many in the industries to conclude that TfL has demonstrated itself unfit for purpose as a regulator through its inability to interpret the legislation. TfL and Uber London have both insisted that Uber has been found fully compliant with regulation in a comprehensive compliance review²². However, some critics have suggested that TfL has allowed Uber to bend the rules and that this has granted the app an unfair market advantage.

Uber’s pricing strategy has also been called into question. The use of ‘surge pricing’ to tempt more drivers onto the roads at periods of high demand and low supply is an innovative approach to an age-old problem. However, the company has faced criticism for its drivers cancelling rides, leading customers to have to rebook when surge pricing is activated, and for a lack of transparency over how surge periods are defined. This aggressive pricing strategy further blurs the distinction between taxi and private hire services, resulting in passenger uncertainty over fares and allowing Uber to undercut both markets to its own benefit. Other taxi and private hire providers have called for clarification on whether they also have the same option to further explore flexible fare setting. TfL should look closely at whether this type of fare setting is in the best interests of passengers. Many of the passengers who responded to our survey were strongly in favour of more certainty, not less, in fare setting, for example through fixed fares on certain journeys.

Whatever the eventual outcome of the High Court ruling, opponents have questioned why Uber London was granted a licence by TfL while there was uncertainty over the legality of its operations, and have called for the immediate suspension of its licence while these issues are investigated. TfL has also been criticised for its decision to allow Uber London to advertise on its website, and for repeated public statements that are judged to be pre-empting the outcome of the High Court ruling.

4. Safety

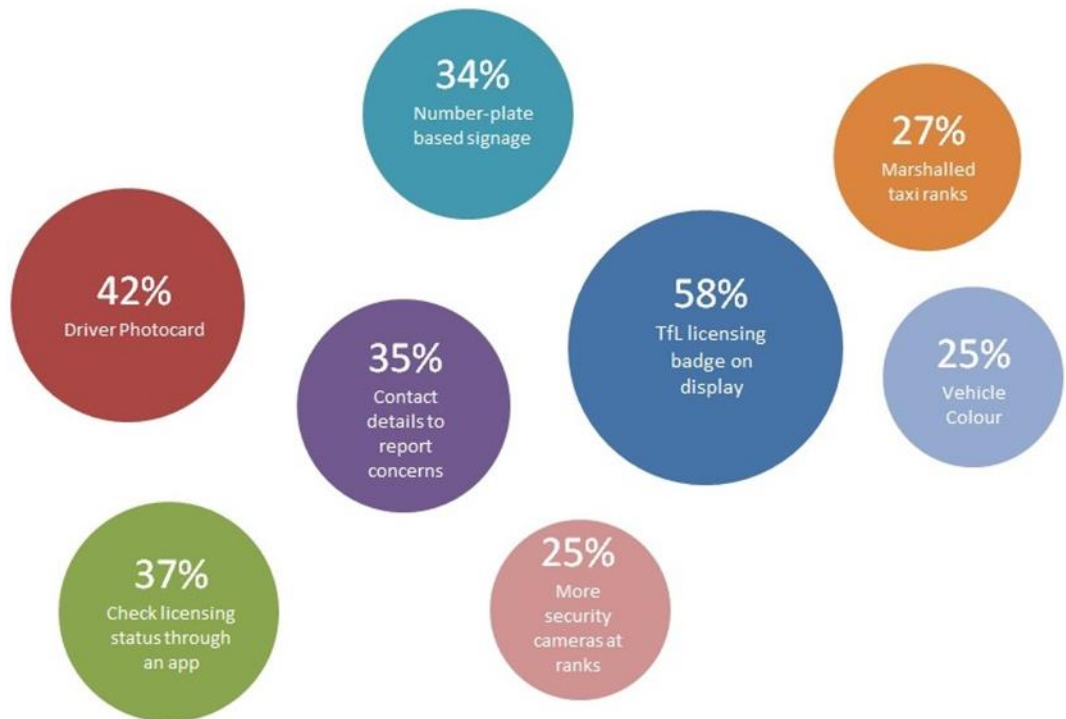
“It is easy to forget that what you are actually doing is getting into somebody’s car, on your own with them, and the doors are locked.” – Rachel Griffin, Suzy Lamplugh Trust²³.

- 4.1 The primary role of licensing and regulation is to protect the safety of passengers. Two thirds of passengers say they always feel safe and secure when travelling by licensed taxi. However, only half of private hire passengers say they always feel safe. Addressing the sense of vulnerability that some passengers feel when using these services is an important issue for the Mayor and TfL. Women, people from black, Asian and minority ethnic backgrounds, and younger people report notably higher levels of concern²⁴.
- 4.2 The Mayor and TfL, along with the police, have sought to address safety concerns through the licensing and regulatory process. Nevertheless, it is clear that more can be done to educate passengers about personal safety in relation to these services.
- 4.3 Licensing plays a fundamental role in passengers’ perception of safety. 85 per cent of taxi and private hire passengers say that it is important to know if a taxi or minicab is licensed to feel safe travelling in it²⁵, suggesting that awareness campaigns such as the Safer Travel at Night initiative continue to have an important role in helping public understanding of this issue.
- 4.4 While London is generally safe to travel around, and the vast majority of licensed taxi and private hire drivers are law-abiding citizens, cab-related sexual assaults remain a serious concern for the public, the police and TfL. Co-ordinated work has been undertaken by the police and TfL, through the Safer Travel at Night initiative, but figures show that there is still an average of two reported cab-related sexual assaults a week in London, and this is thought to be an area of under-reporting²⁶.

| Year | Number of offences |
|------|--------------------|
| 2008 | 99 |
| 2009 | 137 |
| 2010 | 122 |
| 2011 | 105 |
| 2012 | 125 |
| 2013 | 101 |

- 4.5 Despite awareness of the dangers of travelling in unlicensed vehicles, less than half of passengers say that they find it easy to tell whether a minicab is licensed, while only two thirds of black cab passengers know how to identify whether their taxi is licensed²⁷. This is likely to be a driving factor behind the lower safety ratings that passengers give private hire services. As the private hire market continues to grow, it will be important to address this issue. Two thirds of passengers told us that more information about licensing and their driver would make them feel safer travelling by taxi or minicab.
- 4.6 There is little practical information available to the public on what to look for to determine whether a vehicle is licensed or not. TfL's website encourages members of the public to report drivers or vehicles that are not displaying the correct identifiers, but does not provide information on what the correct identifiers would be. More than half of passengers (58 per cent) told us that the presence of a TfL licensing sticker on a vehicle was reassuring. However, trade representatives told the Committee that there was widespread concern about counterfeit stickers in circulation, and this therefore may be a false reassurance.²⁸ We also heard evidence that members of the public try to flag down private hire vehicles displaying signage, including the 'pre-booked only' TfL sticker, despite the legal requirement for a pre-booking to be made.
- 4.7 The Committee heard that 'less is more' when it comes to signage. Trade representatives told us that focusing on in-vehicle signage in particular was an unwise move, as this encouraged vulnerable passengers to get into the car before they had checked its licensing status. Similarly, they cautioned against reliance on the current sticker-based options that could easily be counterfeited by touts²⁹.
- 4.8 Passengers told us of a range of possible measures that would improve their sense of safety and security. Drivers and trade representatives are also quick to point out the benefits of increasing both actual and perceived safety for their passengers and the opportunities for improving enforcement and reducing touting by enabling greater public visibility of what are safe and unsafe choices³⁰.

What would passengers find most reassuring?



Source: ComRes

Vehicle signage

- 4.9 Appropriate vehicle signage is a vital tool for helping passengers to understand if the vehicle they are getting into is licensed. But what is appropriate, and is it appropriate for all vehicles?
- 4.10 Executive chauffeur and limousine companies are licensed and regulated by TfL as private hire vehicles. They oppose the widespread use of branded signage on their vehicles, as being out of character with the premium, exclusive services they provide. Regular minicab operators also told us of examples of serious sexual assaults that were carried out in vehicles which passengers had presumed to be safe because they carried branded signage³¹. The London Taxi Company told the Law Commission review that private hire vehicles should not be allowed to carry any overt signage at all, because it encourages touting and makes it more likely that passengers will try and hail private hire cars illegally. Other options favoured by passengers in our survey

included basic approaches to vehicle identification, such as the requirement for all black taxis to be black, and private hire to be prohibited from using black vehicles (a system used in Manchester).

- 4.11 The Licensed Private Hire Car Association has presented the Committee with an option for licensed plate based vehicle signage which would allow for a fixed plate T for Taxi or P for Private hire³².



- 4.12 They argue that this is the signage approach that is likely to fit most of the required criteria: more difficult to forge, easier for passengers and enforcement officers to identify, and discreet enough for use across the full range of licensed taxi and private hire vehicle types. The LPHCA would like to see this system trialled in London, with an eventual view to it being rolled out nationally, enabling visitors from different cities and countries to easily understand the system.
- 4.13 TfL already has a function through its website to allow the public to check the licensing status of vehicles, drivers and operators³³, although it is unclear how comprehensive or current this information is. In the era of open data, this data should be shared more widely to develop products, such as apps, that can be widely used by the public and enforcement officials to check this information. However, it is important to remember that not everyone has access to smartphone technology. In developing signage and licence checking facilities, it is important to consider the continued need for visual information that can be readily recognised by any member of the public, including visitors from outside London. Particular consideration should also be given to the positioning of signage so that it is clearly visible to passengers waiting at the kerbside, and to the needs of disabled passengers, some of whom may find it difficult to recognise visual identifiers.
- 4.14 It is also important to note that many drivers, particularly those employed by large private hire firms, regularly share vehicles. In developing further methods for linking drivers to particular vehicles or operators, it is important that any new system is logistically feasible. Once again, there is potential for

new technology to play a role here. The Committee heard evidence from other cities and transport sectors including car clubs, on options to allow a driver to register or 'log-in' to a vehicle at the start of a shift. This is one avenue that TfL may wish to explore further with the taxi and private hire trades.

Recommendation 2

By May 2015, the Mayor should publish a long term strategy for the development of both taxi and private hire industries. The strategy should clearly set out the Mayor's position on the continued role of taxi and private hire services in London, and actions that will improve passenger and driver safety, guarantee a sufficient number of high quality drivers and vehicles across the city, and ensure that all services meet the highest possible standards for accessibility. The strategy should also set out how TfL will strengthen its enforcement and clamp down on illegal activity, within a clear and transparent governance and decision-making framework.

Recommendation 3

By May 2015, TfL should further develop the database that links drivers to vehicle and operator information. TfL should work with app developers to produce a tool that will enable passengers to check the status of their driver, vehicle or operator.

Recommendation 4

By May 2015, TfL should produce a signage strategy for the licensed taxi and private hire industries, including plans to pilot number plate-based fixed signage

Cashless payments

4.14 40 per cent of passengers told us they would be more likely to use taxi and private hire services if they could pay by means other than cash³⁴. The taxi trade, in particular, has been criticised for slow take up of cashless payment options, and these findings suggest that in deciding not to accept credit and debit cards they are depriving themselves of new business, as well as potentially driving existing customers into the arms of competitors who have embraced cashless payments.

4.15 Many of the drivers we spoke to could see the benefits, both to themselves and to passengers, of introducing a wider range of payment options³⁵.

Benefits included:

- People paying by card may make longer journeys, not having to cut short their journey because the meter shows they have insufficient cash to pay for the entire trip.
- Not having to stop at cashpoints during the journey. Both private hire and taxi drivers told us about difficulties in finding safe places to stop, and the risk of receiving penalty charges for doing so.
- Reduced risk of robbery (for drivers and passengers), especially at night. Drivers told us that they were sometimes reluctant to work at night, as they feel at increased risk of robbery, or harassment from touts. This has wider implications for managing supply and demand across the city.

4.16 A few drivers also discussed the potential pitfalls, including the risk of non-payment if a card was declined, or problems with equipment. Ultimately, passengers will make their own decision about what payment method they want to use and will seek out services from competitors that meet their needs.

“Unless they [drivers] get ahead of the times, they are going to be behind the times very quickly.” – Matthew Daus, Former Chair of New York City Taxi and Limousine Commission, President of International Association of Transportation Regulators³⁶.

4.17 Mandatory acceptance of credit and debit card payments has been introduced in other major cities. We heard from regulators in New York City that, despite some initial reluctance from taxi drivers there, the introduction of mandatory card acceptance by their taxi fleet had led to a rise in the use of

card payment options from around 20 per cent on introduction to between 60 and 70 per cent of all journeys being paid for by cards a decade later³⁷.

- 4.18 In London, the Licensed Taxi Drivers' Association estimates that 58 per cent of taxi drivers now take card payments in one form or another³⁸. Elements of the taxi trade are concerned that mandating credit cards is an example of heavy-handed regulation in the industry, increasing the regulatory burden on taxis while remaining a 'light touch' regulator for private hire. To date, there has been little discussion of TfL mandating the use of card payments throughout the private hire industry.
- 4.19 The Committee believes that cashless payment options would benefit both the taxi and private hire industries and their passengers, reducing the risk of crime and removing a barrier to making safer transport choices. It would provide consistency with other transport modes and help to counter public perceptions that licensed taxi drivers are not prepared to move with the times and modernise their services. TfL, as a regulator, can greatly advance this cause by working constructively with the trades to iron out potential difficulties. This could include using its buying power to ensure that drivers, and ultimately passengers, are not adversely affected by any additional costs for providing this service, and explaining the wider benefits of a transition towards cashless payment options.

Recommendation 5

By March 2015, The Mayor and TfL should report back to the Assembly on options to incentivise the uptake of cashless payment options, for both the taxi and private hire industries.

5. Managing availability

“All these things can be done but they can only be done efficiently if we have the data to do it...a proactive way based on data and effective systems...must be the right way.” - John Dickie, London First³⁹.

- 5.1 Our survey found that demand for taxi and private hire services is rising, with a third of passengers saying they now use these services more than a year ago. Business passengers, and those aged between 25 and 34 years old, report particularly strong growth in demand, with almost half saying they use more services than a year ago⁴⁰.
- 5.2 Tackling supply and demand in the taxi and private hire markets is extremely complex. Unlike other public transport modes, in which passengers will arrive at a pre-designated stop or station and expect a timetabled service, taxi and private hire services operate in a far more fluid environment. Taxi drivers have told us that, as self-employed individuals, they base their activities around areas of historic high demand and that in general, they ‘know’ when and where the demand for taxi services will be and will gravitate towards these hotspots to increase their earnings⁴¹.
- 5.3 Passenger views on availability differ from those of licensed taxi drivers. While drivers tend to report over-supply in many areas, 44 per cent of passengers have reported that they have not been able to hail a taxi when they need one. This suggests that there may be unmet demand in certain areas, or at certain times of the day⁴².
- 5.4 The Committee heard that there were a number of ways in which TfL could regulate the market more effectively to ensure a better supply and demand ratio across the city. In particular, commentators argued for better data to inform policy decisions on issues such as sector boundaries, licensing numbers, and rank space provision⁴³.
- 5.5 Unlike private hire, taxi licences are issued in two types: the All-London (Green Badge) and the Suburban (Yellow Badge). Suburban drivers are licensed to ply for hire in one or more of the nine sectors outside central London. They can only pick up a fare from a sector in which they are licensed, although they can drop off in sectors for which they are not licensed, including central London. Around 3,500 of London’s 25,000 taxi drivers are

suburban licence holders. In 2012, TfL capped the number of suburban licences issued in three out of the nine sectors in response to suggestions from drivers that there was an over-supply in these areas, as part of a review of suburban taxi provision which has been subject to public consultation⁴⁴. However, suburban drivers are disappointed by the slow progress of this review and what they see as continued stalling by TfL on issues affecting their livelihood. It is also not clear whether TfL has made any subsequent assessment of the impact of this decision on supply and demand in these areas.

- 5.6 A number of suburban drivers have suggested that the current sector boundaries may need revisiting in light of changes to London's landscape. The four to six mile corridor outside of central London is highlighted as an area in which there is perceived widespread unmet demand. Suburban drivers have called for the creation of more 'island ranks', which allow licensed drivers from adjoining sectors to ply for hire at selected locations, and temporary extensions to allow for short periods at locations of high demand, such as music festivals.⁴⁵ This has met with opposition from some Green Badge drivers who consider this a threat to their own earning potential. It is important that decisions on sector boundaries and extensions are made on the basis of meeting passenger demand, and TfL will need firm data, rather than anecdotal evidence, to make an informed decision.
- 5.7 TfL does not monitor supply and demand as effectively as it could. This makes it difficult to reach an objective assessment on whether or not changes to licensing numbers or sector boundaries will benefit passengers. Business leaders and international regulators have called on TfL to harness the availability of real-time data to create a better picture of supply and demand issues across London and to create a platform for further policy discussions with the industries which is based on firm evidence. Vehicle tracking technology is already increasingly used by larger private hire firms, and a range of software solutions is available that allow large scale mapping activity of this type to be undertaken.

Recommendation 6

By May 2015, the Mayor and TfL should set out how they intend to monitor and improve supply and demand, for both taxi and private hire industries, across London. This should include a specific study into potential demand for taxi services in outer London town centre locations.

- 5.8 Beyond ensuring a good supply of taxi and private hire services in areas which are not well served by public transport, safety campaigners told us that *“lack of supply is one of the key factors which will encourage people to make unsafe choices about their transport.”* The Suzy Lamplugh Trust told us that better integration of taxi and private hire services with other late night transport modes could potentially boost safer travel onwards from transport termini⁴⁶.
- 5.9 The introduction of 24 hour Tube running is likely to change patterns of demand for taxi and private hire services. The Committee urges TfL to carefully consider how taxi and private hire services could be used to support ‘the last mile home’ from these stations.

Rank space provision

- 5.10 Our survey found that only 32 per cent of passengers felt that there were enough taxi ranks in outer London, compared to almost half in central London. There are 2185 rank spaces in TfL-appointed ranks across London⁴⁷. This amounts to over ten taxis for every rank space in the city. The Mayor’s 2012 transport manifesto included a commitment to ‘produce a ‘ranks plan’ to protect existing ranks and identify new ones’. A draft plan has been awaiting clearance by TfL since September 2013⁴⁸.
- 5.11 Taxi trade representatives have expressed concern at the revocation of existing rank spaces that are seen to be under-used, particular in areas just outside the central London hotspot zone. They suggest that there is a vicious circle: removal of rank space leads to fewer taxis operating in a particular area, which means that fewer people use the service, which is interpreted as low demand⁴⁹. Trying to ascertain levels of this ‘latent’ demand is a tricky proposition, but it should not be beyond TfL’s capacity to assess this.

“We seem to have got to a situation where it seems to be accidental as to where the ranks are and that the patterns of demand have followed availability, rather than the other way round” – John Dickie, London First⁵⁰.

5.12 Providing taxi ranks in the right places has a number of benefits relating to safety and availability, as well as potentially reducing congestion and vehicle emissions as drivers continually drive around looking for work. Potential benefits would include:

- Increased passenger confidence in finding a taxi at a particular location. Better provision of ranks is a popular measure among groups who say they feel particularly vulnerable when travelling by taxis alone, suggesting that ranks may increase some passengers' sense of security⁵¹.
- Improved availability in outer London. Trade representatives say that the majority of work undertaken in the suburbs is rank-based, as opposed to higher rates of street hailing in central London.
- Reducing opportunities for touting by unlicensed vehicles. The provision of ranks in areas of high demand would ensure that licensed taxi services are a visible option for safe travel home.
- Better integration with the wider public transport network. Well-appointed ranks at stations with wheelchair accessibility may encourage greater use of the public transport network by disabled people, enabling them to reach accessible stations and/or complete the 'last mile home' more easily.
- Improving the quality of life for drivers by ensuring that ranks are available for drivers to take a break or use facilities.

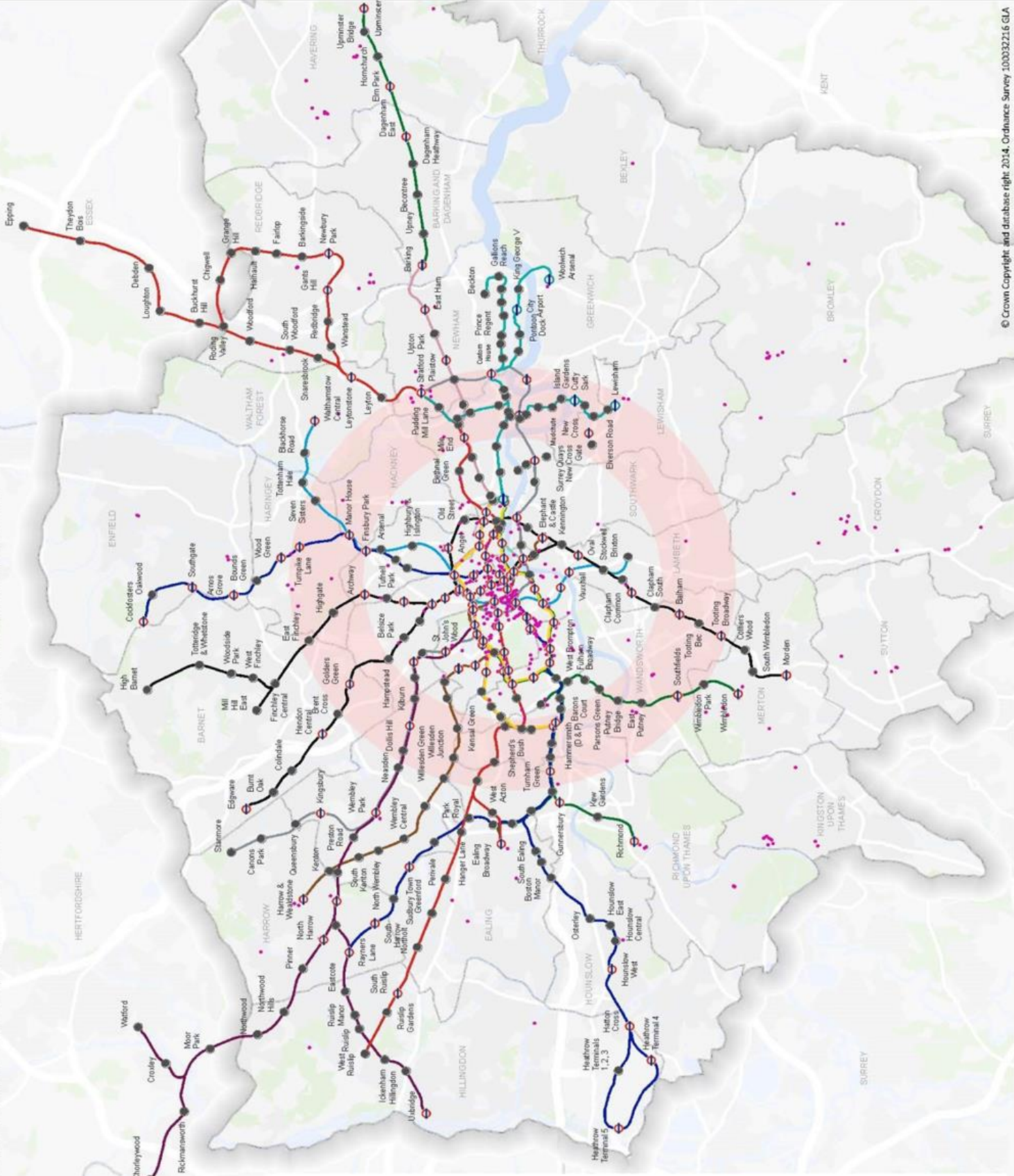
5.13 Rank provision is chronically underfunded. TfL told us that appointing a new rank costs on average between £2,000 and £10,000. Using the upper estimate, between 2010/11 and 2012/13 TfL's total annual ranks budget would not have covered the cost of a single new rank per year. Even assuming the lowest cost estimate, TfL would only have been able to appoint six ranks in total over the three year period⁵².

The budget for new taxi ranks and ranks related work (for example, new signs, markings, advertising in the London Gazette) between 2010/11 and 2016/17

| Year | Budget |
|-------------|---------------|
| 2010/11 | £3,000 |
| 2011/12 | £5,000 |
| 2012/13 | £5,000 |
| 2013/14 | £45,000 |
| 2014/15 | £55,000 |
| 2015/16 | £16,000 |
| 2016/17 | £16,000 |

- 5.14 TfL currently has 77 open rank location requests (some including multiple sites)⁵³ and is unable to provide information on how long these requests have been outstanding. They include requests to provide ranks at a number of stations including Lewisham, Blackheath, Putney, East Finchley and Twickenham. Using the lowest cost estimate provided by TfL, it would cost £154,000 to tackle the backlog, let alone looking at provision for future sites such as Crossrail stations. Currently, less than a quarter of stations on the proposed Night Tube lines have an appointed taxi rank, raising questions about how passengers will be able to safely complete the ‘last mile home’ from these stations.
- 5.15 The Committee heard at its July meeting that infrastructure for taxis and private hire was based on the London of the past rather than of the future.⁵⁴ Submissions to the investigation have highlighted a considerable lag between the development of new housing, public transport hubs and leisure facilities and the appointment of new taxi ranks or private hire pick up points to service these developments. The lengthy process of appointing new ranks may therefore contribute to a lack of supply at new venues, in turn opening up a demand for services which may be filled by unlicensed vehicles. This is one area that could potentially be looked at in further revisions to the London Plan.
- 5.16 Finding suitable sites for the safe provision of taxi ranks is complicated by the fact that TfL does not own all the roads in London, with 95 per cent being under borough control. This means that negotiations for ranks can be challenging in areas where there are competing demands for available road space. TfL provides funding to London’s boroughs through the Local Implementation Planning (LIP) process, and has used this process to encourage and support boroughs to enact schemes that support the Mayor’s Transport Strategy. London’s borough councils should be encouraged to consider taxi rank provision and private hire set down/pick up points more fully when allocating road space, as a means of meeting their requirements to provide safe, accessible, environmentally conscious transport services.

LONDON UNDERGROUND STATIONS WITH TAXI RANKS WITHIN 250m



- Underground Stations with a taxi rank within 250m
 - DLR Stations with a taxi rank within 250m
 - Underground and DLR Stations without a taxi rank within 250m
 - All TfL Taxi Ranks
 - 4 to 6 mile zone from Central London
- Underground**
- Bakerloo
 - Central
 - Circle
 - DLR
 - District
 - Hammersmith & City
 - Jubilee
 - Metropolitan
 - Northern
 - Piccadilly
 - Victoria
 - Waterloo & City

- 5.17 It is clear that there is no 'one size fits all' approach to allocating rank space across the diverse range of London's boroughs. Some councils have looked at ways in which kerb-side space can be shared more efficiently. Westminster City Council, which has the largest amount of rank space of any London borough, has introduced night-time taxi ranks to service the night time economy which double up as parking bays in the daytime⁵⁵. The London Borough of Camden has called for assessments at sub-regional level to ensure that rank provision is conducted in a more strategic fashion⁵⁶, and TfL should encourage boroughs to work together to develop good practice. Marshalled ranks are also a popular solution with both drivers and passengers. The Committee heard that there were relatively few of these in London due to the costs of marshalling. Westminster City Council has suggested that TfL explore options for local industry and night-time businesses to contribute to the cost of marshalling ranks in key locations, and the Committee urges the Mayor and TfL to explore this option in consultation with the taxi trade.
- 5.18 TfL should also ensure that seasonal attractions and one-off events, such as music festivals, should wherever possible offer opportunities for both licensed taxi and private hire services to provide a service to the public, reflecting passenger desire for choice. We have heard of instances where event planners have effectively restricted access by licensed taxi and private hire firms and contracted single suppliers to run cab services, including reports of licensed taxi ranks being temporarily suspended so that privately hired chauffeur services can use the space.
- 5.19 Only a third of passengers said they knew how to locate their nearest taxi rank, and three in five passengers said they would welcome more information about how to find them⁵⁷. Providing a map of rank locations on its website, alongside its other journey planning tools, is one way in which TfL could increase public awareness of how to locate existing ranks. Given the apparent difficulty in appointing new ranks, it is important to ensure that the public is well aware of existing facilities. TfL should explore how they can improve signage to make taxi ranks, and where applicable, private hire pick up/set down points, more visible to passengers.

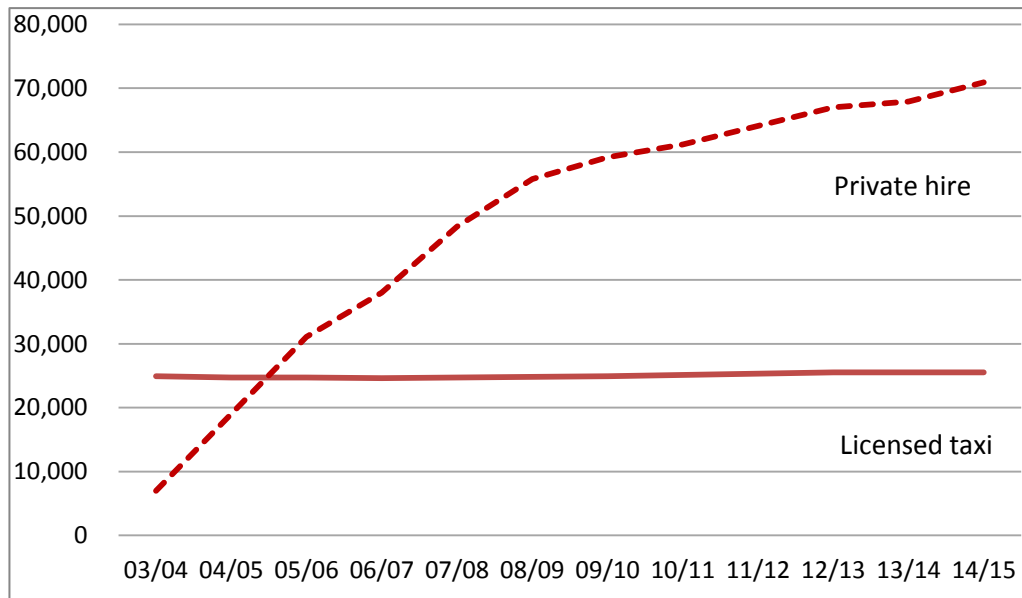
Recommendation 7

By May 2015, the Mayor and TfL should set out plans to ensure that all Underground stations located on the 24-hour Tube network have a taxi rank in place by the launch of the programme in September 2015, and suburban Underground and National Rail stations have a rank by May 2016. TfL should also prioritise rank provision in outer London town centre locations with unmet demand. Rank locations should be included on TfL journey planning tools and TfL should explore options for increasing the visibility of ranks through distinctive signage. The Mayor and TfL should also set out clear guidance for event planners to ensure that taxi and private hire provision is explicitly contained in transport planning for major events and attractions.

Driver numbers

5.20 Taxi driver numbers have remained static for the last decade, while the number of licensed private hire drivers has more than tripled. There are now three licensed private hire drivers for every licensed taxi driver in London.

The number of taxi drivers has remained static over the past decade, while private hire driver numbers have risen sharply



Source: TfL

5.21 The Knowledge of London examination process is extremely rigorous, requiring licensed taxi drivers to memorise tens of thousands of points of interest, landmarks and routes across the city. Up to 80 per cent of candidates fail to complete the Knowledge⁵⁸. Taxi drivers remain justifiably

proud of the Knowledge, and many consider this the unique selling point of their industry, raising the standard of service provision beyond that which can be offered by private hire. Many passengers agree with them. Our survey found that around one in three passengers chose taxi services because of their confidence that the driver knew the best route for their journey⁵⁹.

- 5.22 However, London is facing a potential time-bomb due to an ageing population of taxi drivers and the difficulty of getting new drivers into the system. TfL's last study of taxi driver working profiles (2010)⁶⁰ found that 40 per cent of drivers were aged 55 or over, and only 5 per cent were under the age of 35. Older drivers have been found to be far less likely to work at nights, when many people will require taxi services. The lengthiness of the Knowledge process makes it difficult for the taxi market to grow at a speed to match new demand. As London's population continues to rise dramatically, stagnation in the growth of taxi driver numbers will mean that much of this new demand will be picked up by private hire- or by unlicensed drivers and touts.
- 5.23 Some industry experts have questioned whether administration of the Knowledge creates an artificially high barrier to entry by unduly lengthening the process for passing through the system. The average time taken to pass the Knowledge is now estimated to be around fifty months, although there are significant variances in time taken by different candidates.
- 5.24 There are a number of potential reasons why taxi driver numbers have stagnated over the last decade. These may include a general sense that becoming a taxi driver no longer provides a sustainable living income, or that there are easier options available for people who do not have resources or the inclination to embark on such a long programme of training. There is also uncertainty over the future of the trade, and a perception that the benefits conferred upon taxi drivers do not outweigh the higher costs, in time and money, that training for the Knowledge requires. TfL needs to be sure that there remains a sufficient incentive for drivers to undertake the Knowledge and a recognition of the investment that taxi drivers make to complete their training. TfL should review the administration of the process to take advantage of opportunities to reduce unnecessary delays in the process, to ensure that the supply of licensed taxi drivers does not dry up in the longer term.
- 5.25 At the same time, the explosion in private hire driver numbers in the last decade has led many to question whether the entry requirements to this market are artificially low. The number of licensed private hire drivers rose by

more than 3,000 between the end of May and the middle of September 2014⁶¹.

- 5.26 Topographical testing for private hire vehicles is outsourced to a number of centres across London, many of which offer a same-day service. The test requires a candidate to demonstrate a competent level of English, the ability to look up and plan routes using a Greater London A-Z, and basic map reading skills.
- 5.27 The private hire trade acknowledges that the lower requirement of topographical knowledge for their trade is due to the fact that private hire vehicles are only licensed for pre-booked journeys. This is designed to allow the drivers to look up and plan the best route. Taxi drivers, by virtue of the more extensive Knowledge, are able to accept immediate hirings. These distinctions are defined in current regulations. Representatives from both trades have questioned whether the use of smartphone apps to allow passengers to electronically 'hail' a private hire vehicle crosses the line between pre-booking and immediate hiring. This allows the companies in question to reap the benefits of the lighter regulatory burden on private hire while also exploiting the benefits of the immediate hire market. This has been described as a 'pick and mix approach to regulation'⁶².
- 5.28 The debate continues on whether or not modern satellite navigation technology has made an in-depth knowledge of routes and places in London obsolete. However, with taxi fares and an increasing number of private hire fares through apps, being calculated on time and distance, some passengers continue to express frustration when drivers are unable to navigate routes or rely upon technology that cannot adapt to changing conditions such as heavy traffic or road closures.
- 5.29 There have also been calls for greater equalisation of driving and safety standards between licensed taxis and private hire. Currently, licensed taxi driver applicants are required to undertake a taxi specific driving test in a TfL licensed taxi, paying particular attention to passenger safety and comfort, and vehicle features. This is deemed necessary '*due to the different handling characteristics of licensed taxis and the need to demonstrate competency in using the features to assist disabled people*'⁶³. There is no requirement for private hire drivers to undertake this additional test.
- 5.30 The Committee calls on the Mayor and TfL to review this distinction. We agree with international regulators that there is no rationale for holding

private hire drivers to a lower standard than licensed taxi drivers, and that all drivers should be required to demonstrate competency regarding passenger safety issues. We also call for these tests to include specific modules relating to ensuring the safety of other road users, especially pedestrians and cyclists.

Recommendation 8

By May 2015, the Mayor and TfL should satisfy this Committee that the entry requirements into each market are fit for purpose. This should include providing evidence that there are no artificial barriers to entry, that the requirements are relevant to the specific demands of each industry and that they ensure protection for passengers, drivers, and other road users.

6. Accessibility

“There should be no space for any prejudice or discrimination when disabled Londoners want to use a cab or private hire vehicle or taxi.”- Faryal Velmi, Transport for All⁶⁴.

- 6.1 An estimated 1.2 million Londoners have some form of disability. London has the only 100 per cent wheelchair accessible taxi service in the world, at least in theory. The Committee heard evidence that a significant number of disabled Londoners still experienced discrimination when booking or using taxi and private hire services⁶⁵. One in five passengers with a disability report that they have encountered a private hire vehicle without appropriate accessibility features, and, worryingly, a similar number said the same of licensed taxis. The Committee seeks reassurance from TfL that this issue will be specifically prioritised when taxi vehicles undergo their annual safety checks.
- 6.2 Making taxi and private hire services more accessible for disabled people is not just about providing wheelchair ramps in vehicles. People who have restricted mobility but do not use wheelchair services, d/Deaf people, blind and partially sighted people, and people with mental health disabilities may also face significant challenges when booking, hailing or travelling in a taxi or private hire vehicle. Critically, people with certain disabilities may also face additional challenges in identifying whether their vehicle and driver are licensed.
- 6.3 Disabled people have reported a range of problems in accessing these services. These include:
 - Taxis not stopping when hailed in the street by disabled people
 - Broken equipment such as wheelchair loading ramps
 - Refusal to carry assistance dogs, especially in private hire vehicles, or being made to put their assistance dogs in the boot of the car while travelling
 - Insufficient numbers of wheelchair accessible private hire vehicles
 - Lack of safe pick-up points for people with restricted mobility due to pavement design
 - Disabled people being charged extra booking fees or ‘loading time’
- 6.4 As the population of London continues to increase, and taxi numbers remain at a static level, there will be proportionately fewer accessible vehicles

available to those who need them most. Current estimates put the total number at around 5 per cent of the available private hire fleet. This is despite the fact that the Licensed Private Hire Car Association told the Committee that there was *'not a big premium to have wheelchair accessible vehicles, [and] there is plenty of choice [of vehicles]'*⁶⁶. There is no requirement for private hire vehicles to be accessible for disabled people.

- 6.5 This is of particular concern in the context of services in outer London, where there are fewer licensed taxis available. A 2013 taxi and minicab customer survey for TfL found that 70 per cent of licensed taxi journeys took place entirely within inner London, compared to 30 per cent of minicab journeys. 52 per cent of all minicab journeys started from outer London, compared to just 15 per cent of licensed taxi journeys⁶⁷.
- 6.6 TfL urgently needs to address issues facing disabled Londoners in accessing taxi and private hire services. Disability campaigners have noted that the rise in app-based booking has benefited disabled passengers by democratising the booking process, as the driver or operator will not know that the passenger is disabled. However, we have also heard concerns that the ability for drivers to 'cancel' rides booked through apps at very short notice or on arrival may allow for further discrimination against disabled passengers. Such discrimination is illegal and unfair and needs to stop.
- 6.7 In the short term, TfL should ensure that wheelchair accessible taxis are more readily available, especially in outer London. In the longer term, more wheelchair accessible private hire vehicles should be brought into the market to address demand. The current rules around age limits for private hire vehicles provide an opportunity to incentivise the wider take up of accessible private hire vehicles, and further incentives may be possible through the licensing fee process. Alongside efforts to increase the supply of accessible vehicles, TfL should work with disability campaigners and the trades to improve disability awareness among both drivers and booking staff. We urge TfL to take a zero-tolerance approach to drivers and operators who are found to be avoiding their legal responsibilities to disabled passengers and to enforce stiff penalties, including revocation of licences, where investigation finds that providers have repeatedly failed to uphold the law.

Recommendation 9

The Mayor and TfL should ensure that disabled taxi and private hire passengers' needs are met by taking steps to incentivise the provision of wheelchair accessible private hire vehicles (for example, through reduced vehicle licensing fees) with a view to reaching 25 per cent wheelchair accessibility across the private hire fleet by 2018. By May 2015, TfL should also introduce requirements for all taxi and private hire drivers and operators to undertake mandatory disability awareness training as part of the licensing process. TfL should also enforce a zero-tolerance approach to drivers and operators across both industries who illegally refuse to carry disabled passengers, and increase the visibility of its complaints process so that disabled passengers can name and shame providers who break the law. Drivers and operators who are found to not comply with these regulations should face suspension of their licences.

7. Enforcement

“Currently the lack of any serious enforcement of legislation in London is placing the public at risk and making a mockery of the laws that exist to protect them.”- The London Taxi Partnership⁶⁸

- 7.1 Lack of effective enforcement is the biggest challenge facing the taxi and private hire trades. Ultimately, all strategy and policy will fail if people do not abide by the rules designed to prevent passengers and drivers being placed at risk.
- 7.2 Touting is viewed by both industries as the single biggest enforcement and passenger safety issue affecting the trades⁶⁹. Touting by either licensed or unlicensed drivers is a particular problem for a number of reasons:
 - The vehicle is not insured unless it has been pre-booked, placing the passenger at risk
 - If an operator is not aware of the booking, it is much more difficult to detect offenders if a crime is committed
 - Passengers may be charged unreasonable amounts for their journeys
 - Illegal plying for hire by licensed vehicles makes the detection of unlicensed vehicles much more difficult
 - Loss of trade for licensed black taxis and private hire firms
- 7.3 It is difficult to get a precise picture of the full scale of touting across London. Metropolitan Police figures show that the number of arrests for touting peaked in 2010. Understanding the specific nature of the problem is made more difficult because the Metropolitan Police figures do not record whether offences relate to licensed or unlicensed vehicles⁷⁰.

Number of Custody Records where there is an arrest offence of "Touting Cab" for detainees arrested between the 1st April 2008 and 31st December 2013⁷¹

| Year | Custody Records |
|-------------|------------------------|
| 2008 | 703 |
| 2009 | 1278 |
| 2010 | 1475 |
| 2011 | 1115 |
| 2012 | 861 |
| 2013 | 926 |

Recommendation 10

By March 2015, the Metropolitan Police should improve the information it collects on cab-related crime, to ensure greater understanding of whether offences are committed by licensed taxis, private hire vehicles and Pedicabs, and by licensed or unlicensed drivers/vehicles.

- 7.4 What is clear is that neither the licensed taxi nor the private hire trade feels that enforcement activity is working effectively.

"Illegal touting by both licensed and unlicensed private hire operators and drivers is rampant and evident across large parts of London every single evening, and this is allowed to continue unchecked." - The London Taxi Partnership⁷².

- 7.5 The Metropolitan Police Cab Enforcement Unit was set up in 2003 to tackle issues related to unlicensed and licensed illegal activity. In 2008, the Mayor doubled the number of officers assigned to the unit from 34 to 68. The number of officers has not grown since then, despite the presence of more than 10,000 additional drivers. TfL also has 39 dedicated compliance staff who work across the taxi and private hire industries, split into two teams⁷³:

Day team: 20 officers, 3 Managers

Night team: 14 officers, 2 managers

- 7.6 New York City has around five times the enforcement capacity of London. The Committee heard that London's enforcement numbers are 'outstandingly low' compared to other major cities.⁷⁴
- 7.7 The day team's activities include on-street driver and vehicle checks, taxi rank inspections, responding to customer, trade and public complaints, and private hire operator inspections including checks of booking, driver and vehicle records.
- 7.8 TfL increased its night time compliance team from 2 compliance officers in 2010/11, to 14 compliance officers in 2013/14⁷⁵. The night team is intended to have a greater focus on tackling touting and illegal plying for hire and problems associated with the night-time economy. They work to ensure private hire operators, particularly those licensed within night time premises or venues, are taking bookings correctly and keeping accurate records. The night team are deployed across London every night of the week, with a particular focus on weekends, to complement the activity undertaken by the day time team.
- 7.9 Representatives from both trades have been fiercely critical of enforcement efforts, describing them as 'kneejerk', and 'failing across the piece'. There is widespread concern that the resources available are not targeted towards the areas or issues of most need. Trade representatives have expressed concern about the Taxi and Private Hire directorate being moved into the wider TfL Surface Transport directorate, suggesting that enforcement resources are now even more thinly spread, and that the specific enforcement needs for the taxi and private hire industries are not receiving sufficient focus.
- 7.10 The Licensed Private Hire Car Association (LPHCA) told us that there was currently too much activity focused around checking operators that were already compliant and that this resource needed to be put into night time activity and on-street enforcement⁷⁶.
- 7.11 The Metropolitan Police Service undertakes a number of covert operations in relation to touting and illegal plying for hire. However, there are a number of enforcement issues related to the night-time economy which do not need to be done covertly, such as:
- Minicab ranking outside venues
 - Enforcement against electric rickshaws
 - Minicab bookings being taken outside venues by unofficial marshals ('clipboard johnnies')
 - Uniformed staff at hotels providing unofficial booking services

- Over-ranking by licensed taxis

7.12 The Mayor has recently praised the effect of visible on-street policing through Operation Safeway in tackling dangerous road behaviours. The success of this type of operation suggests that greater on-street visibility by police, TfL and borough enforcement officers would have an impact, both in deterring criminal behaviour and in reassuring the trades that enforcement is being taken seriously.

7.13 Trade representatives have also raised the possibility of the trades paying higher licence fees if this would guarantee better enforcement. They argue that TfL has approached the issue backwards, setting a licence fee and then working out what enforcement they could afford.

‘ We think that is totally the wrong way of doing it...you work out the number of enforcement officers that you require and then you work backwards as to what the licence fee would be.’ – Steve McNamara, Licensed Taxi Drivers Association⁷⁷.

7.14 International regulators told us that London would need thousands of enforcement officers to reach a reasonable level of coverage, and the solution was again to be found in better use of technology⁷⁸. TfL and the police will need to look further afield for technological solutions to enforcement challenges. TfL can also greatly assist in enforcement efforts by ensuring that its own policies do not contribute to the creation of an unenforceable system.

‘Policy making on the hoof’

7.15 We heard examples of policy decisions where TfL had effectively shot themselves in the foot, actively hindering enforcement efforts. Trade representatives are frustrated by what they see as TfL changing policies without consulting the trades or examining the consequences for passenger and driver safety.

7.16 TfL rejects this premise, arguing that, while interpretation of the regulations may need to be considered in the light of new technology, TfL’s senior management *‘do not believe we have changed any policy or done anything differently’¹.*

Destinations

7.17 Private hire trade representatives told us that they had formerly been required to take a destination at the time of booking, in order to be able to

¹ Garrett Emerson, Chief Operating Officer, Surface Transport, TfL

effectively plan a route. TfL TPH issued a notice to this effect in 2009, reminding operators that a ‘main destination’ – at the very minimum, a street name and postcode- was a requirement.

“Since the introduction of licensing PCO Licensing Officers have promoted best practice by encouraging operators to record the main destination in detail but failure to do so remains a major reason for failed compliance inspections... If an operator fails to heed warnings to correct poor record keeping their fitness to remain licensed may be reviewed.” (TPH notice 22/09)

- 7.18 Trade representatives told us this had been removed ‘overnight’ through the issue of a further TPH notice on the subject of smartphone apps, which stated:

“TfL is of the view that the law as it currently stands only requires operators to record a destination if a passenger specifies one at the time of booking and not otherwise. We do however agree that these regulations are unclear on this point. The power to make the regulations is now vested in TfL.” (TPH notice 07/14)

- 7.19 Trade representatives are concerned by the lack of proper engagement with the trades and public on this issue and view such a summary change as further evidence of TfL’s accommodation to new entrants to the private hire market. They also suggest that this action has made enforcement even more difficult, as previously enforcement officers would have used the presence or absence of a recorded destination as evidence of a legitimate pre-booking or touting.

- 7.20 Safety campaigners have also expressed concern that changes to policies- or ‘interpretations’ of the regulations, are potentially dangerous and confusing for the public:

“We have always operated on the basis that a pre-booked journey always includes a destination...it is just really important that our advice around safety is consistent with the regulator’s, as [the regulations] are being applied.” – Suzy Lamplugh Trust⁷⁹

- 7.21 The Committee is deeply concerned at the lack of public discussion on such changes and the potential for passengers to be placed at risk. New technology should enhance passenger safety, not compromise it. Regulations designed to protect the safety of the public should not be up for negotiation. It is up to service providers to ensure that they comply with regulations, not the other way round. We urge TfL to review this decision, with proper consultation with

both the trades and safety campaigners, to ensure that the public is not placed in jeopardy by this decision.

Satellite offices

7.22 ‘Satellite offices’ are an example of how a well-intentioned policy has turned out to cause more problems than it solves. Originally they were conceived as a way to eliminate the problem of touting at late night venues, by licensing operators to work out of these venues directly, providing a pre-booked minicab service, therefore reducing opportunities for passengers to be touted outside these venues.

7.23 The Licensed Private Hire Car Association, which represents private hire operators, told us they had strongly objected to the proposals as unworkable and unenforceable, because part of the problem was those who were being suggested for licensing *“were not operators at all and were often the very people who were ‘aiding and abetting’, illegal activity and touting”*⁸⁰. The Association, along with the taxi trade, have continued to express their anger at TfL’s continuation of the policy despite repeated warnings from both trades.

*“Most late night premises and venues should never have been licensed as operating centres in London.” – Steve Wright, Licensed Private Hire Car Association and TfL Board member*⁸¹.

7.24 The policy has remained controversial for both trades, with a number of reported problems, including:

- Continued touting outside venues by unlicensed ‘marshals’ (sometimes known by the trades as ‘clipboard johnnies’), often wearing hi-viz clothing, who illegally direct unsuspecting passengers to waiting cars
- Minicabs forming illegal ranks outside these venues and blocking roads
- Aggressive touts threatening licensed drivers and members of the public
- The rapid pace of the licensing of satellite offices, compared to the slow rate of appointing taxi ranks, is seen by some as evidence of further bias by TfL against the taxi trade

7.25 There are now over three hundred ‘satellite offices’ in nightclubs and shops across London. Monitoring their operations would be extremely challenging even with a far greater number of enforcement officers than the police and

TfL have available. Westminster City Council has expressed strong concern about the policy in late night hotspots in the West End.

“It is very difficult for enforcement officers to then differentiate between the genuine compliant passenger who has booked their fare inside the club...versus the inappropriate behaviour by some operators which TfL, the police and ourselves have witnessed.... I do not think they are helpful in terms of trying to tackle the touting problem.” – Martin Low, Transport Commissioner, Westminster Council⁸².

- 7.26 TfL has the regulatory authority to overturn these policy decisions. At the very least, there needs to be a realistic assessment of whether the enforcement resources are available to make sure that these facilities are being run safely and in full compliance with the law. If the resources cannot be found to make sure that every venue is operating correctly, and is enhancing passenger safety, then no further satellite operating licences should be granted.

Recommendation 11

By May 2015, The Mayor and TfL should provide the Committee with a definitive assessment of the resources currently devoted to enforcement, setting out costed plans to increase these where necessary and address funding gaps. This should include options to increase licence fees to ensure adequate enforcement resources are available.

Recommendation 12

By March 2015, The Mayor and TfL and the Metropolitan Police should set out specific steps that will be taken to improve the efficiency and visibility of non-covert night-time operations.

Recommendation 13

The Mayor and TfL should immediately clarify the policy on destination bookings and reinstate the requirement for private hire drivers and operators to record a destination at time of booking.

Recommendation 14

By March 2015, The Mayor and TfL should conduct a full review of the policy on 'satellite offices', identifying and securing the enforcement resources required to regulate these effectively, including plans to clamp down on unlicensed 'marshals'. Any further satellite office applications should be suspended until this has been achieved.

Powers of enforcement

- 7.27 Enforcement can be improved through increasing the understanding and awareness of enforcement officers, encouraging them to prioritise specific high risk activities such as touting. This will ensure that thinly stretched resources are directed to tackle the most pressing problems first.
- 7.28 At present, many private hire drivers report 'over-zealous' enforcement, with borough parking officers issuing penalty charge notices when drivers attempt to collect or drop off passengers safely. This issue will need to be addressed, particularly for passengers with mobility difficulties. A number of private hire drivers have complained that they are often picked up for what they see as relatively trivial enforcement issues such as setting down, while more serious offences such as aggressive touting are overlooked by the authorities as 'someone else's problem'.
- 7.29 The Committee heard that current enforcement activity was disjointed. In part, this is due to the different enforcement powers available to officials. TfL and borough officials, for example, require a police presence to stop vehicles. There is reportedly some confusion between borough and police officers over whether certain offences, such as minicab ranking, should be treated as a civil (parking) matter or a criminal (touting) offence. The Metropolitan Police told the Committee that in addition, the law for certain offences, such as illegally plying for hire, is open to different interpretations, and the police have called for greater clarification through the Law Commission review⁸³. The taxi and private hire trades have also suggested that more work could be done around training police officers to understand their responsibilities in relation to tackling cab-related enforcement. This is especially important in the wider context of disinvestment in roads policing, which means that officers have a greater number of competing enforcement priorities.
- 7.30 TfL and the Metropolitan Police have called for stronger penalties to be made available to tackle illegal behaviour, such as touting. Currently, the maximum penalty fine for touting is £2,500. However, many people convicted of this receive far lower fines. TfL has previously expressed disappointment that the average fine for such offences handed down by the courts has been decreasing, and does not provide a sufficient deterrent to touts. TfL also

implemented a 'one strike' policy to revoke the licences of drivers who were convicted or cautioned for touting, but without further disincentives and penalties, those who have lost their licences may simply continue to operate unlicensed.

- 7.31 The Metropolitan Police has suggested that vehicle seizure would act as the biggest deterrent to illegal activity⁸⁴. New York City has seized over 7,800 vehicles in the last year as part of a ramping up of its enforcement activity⁸⁵.

Recommendation 15

By May 2015, the Mayor and TfL should enable greater joined-up working on enforcement, including working with the private hire trade and boroughs to develop a cohesive, pan-London policy on picking up/setting down arrangements.

Recommendation 16

The Government should act upon the findings of the Law Commission Review and propose legislation that introduces stiffer penalties for touting, and greater enforcement powers for borough and police officers, including higher fines and vehicle seizure powers.

8. Governance and communication

“TfL at the moment is just a cash machine. They are taking the money [for licences] but not doing anything for it.” – Private hire driver⁸⁶.

- 8.1 In developing the strategy, the Mayor should consider whether TfL’s Taxi and Private Hire directorate has the right structure to deliver its objectives. The Taxi and Private Hire directorate’s current structure lays itself open to accusations of an inherent conflict of interests. Since the two industries operate within the same space and compete directly for passengers, many in the trades contend that it is effect a zero sum game: protecting the interests of the taxi trade is by definition to impede the interests of the private hire trade, and vice versa, and that in seeking to simultaneously address the needs of both industries, they can satisfy neither.
- 8.2 The Mayor and TfL will need to consider carefully how they can overcome this entrenched view within the industries. One possible solution is to restructure of the department to create a clearer delineation between taxi and private hire activities. This may also have the benefit of creating a clearer distinction in the minds of passengers as to the respective elements of each industry.
- 8.3 Resources are also an issue. It is perhaps unsurprising that TfL’s Taxi and Private Hire directorate should find itself stretched to breaking point in trying to realise its diverse functions. The integration of the Taxi and Private Hire directorate with other surface transport modes, including buses, rivers and cycle hire, through TfL’s Surface Integration Programme (SIP) has also been viewed with suspicion by the trades, who see this as a further dilution of resources available to focus on the needs of taxi and private hire services.
- 8.4 The lack of a clear remit is also a hindrance. Trade representatives have called for TfL to work with them to develop clear terms of reference that will govern how they will work together in the future, and the roles, responsibilities and expectations of each party. The Committee supports this proposal and believes that this is a vital first step in re-establishing constructive working relationships.
- 8.5 In developing the terms of reference, all sides should consider their responsibilities in relation to ensuring the interests of passengers. At the same time, it should be recognised that in order for the industries to function efficiently, there are certain service level requirements that drivers need from TfL, particularly in relation to licensing and enforcement. These terms of

reference should be used to develop meaningful and measurable performance indicators for the Taxi and Private Hire directorate.

Recommendation 17

By May 2015, The Mayor's office, TfL and the trades should develop and publish a Memorandum of Understanding which clearly sets out terms of reference and defines the respective roles, responsibilities and expectations of each party. This should include specific service level agreements.

- 8.6 The terms of reference should also set out what is expected of both TfL, and taxi and private hire drivers and organisations, when addressing disputed issues. Industry representatives and drivers have discussed the potential damage done to the reputation of the trades when internal conflicts spill into the public arena, for example via social media. The Committee recognises that many people have extremely strong views about what has happened in the industries over recent years. We support the right of any and all parties to engage freely in debate about the future of the trades. However, we also urge all parties to consider ways in which they can work together constructively for the common good.

Communications breakdown

- 8.7 Mass demonstrations on the street and votes of no confidence from trade organisations are not generally indicators of a healthy relationship between industries and their regulators. Effective communication between TfL and the trades is vital to driving forward changes to the industry that will benefit passengers. Communication appears to have hit rock bottom in the last year, with the trades accusing TfL of being arrogant, disingenuous and dishonest. At the same time, a lack of trade unity, particularly among taxi drivers, makes it easier for TfL, and passengers, to dismiss genuine grievances and concerns as groups jostling for position or complaining for the sake of it.
- 8.8 The Assembly report "Where to, Guv?" (2005)⁸⁷ highlighted communications as an area for improvement for the Public Carriage Office (which has now been replaced as regulator by TfL's Taxi and Private Hire directorate). The report said that while larger trade organisations had clear lines of communication with their regulator, this was not the case with smaller organisations and individual drivers, and that information provision and customer services to drivers had been widely criticised.

8.9 Almost a decade later, TfL is facing similar, if not worse, criticism for its failure to communicate effectively with the industries, and seems to have inherited the problems of its predecessor.

“Zero out of ten for communications.” – Taxi Driver, Green Badge.

8.10 Drivers told us that the main individual contact they had with TfL was around licensing. Drivers have been widely critical of TfL’s handling of the licensing process in recent years, although this is now acknowledged to be improving. Changes to criminal records disclosure checking introduced by the Home Office in 2012 created a huge backlog in licensing applications and renewals, resulting in many drivers being left temporarily unable to work. Drivers are, however, largely unsympathetic to TfL’s plight, arguing that better planning and a more proactive approach to dealing with arising issues may have prevented problems from escalating into a crisis.

8.11 TfL told us they had been working hard to improve lines of communication with individual drivers, and that it was important to have multiple channels of communication as ‘many drivers do not have access to or feel confident using smartphones and computers’.⁸⁸ Actions have included:

- Increasing the level of direct communication via letters to taxi drivers and private hire operators on key issues such as the 2012 Olympic and Paralympic Games and important consultations
- Continuing to issue important information by TfL notices (formally known as PCO or TPH notices) which are published in trade publications, emailed to 4,000 drivers registered for alerts and on the TfL website
- Running ‘open forums’ where individuals or smaller groups can sign up to attend a two hour Q&A session
- Introducing regular email communications to advise the trade of important issues such as the ‘Taxi Ranks Update’ and ‘Private Hire Update’
- Establishing a dedicated Twitter feed
- Developing online licensing applications
- Developing the website to deal with general complaints, enquiries, and frequently asked questions

8.12 Our investigation found that despite these efforts, many within the industries felt that communication was getting worse, not better. This opens the suggestion that it is the message and the messengers, not the methodology, that is causing the problem. We received many comments from people within

the industries who felt that, at a senior level, TfL was simply not listening to their concerns, and that senior managers were too far removed from the day-to-day operations of the trades to make informed decisions about future policy. The Mayor and TfL urgently need to address the widespread view that they are out of touch with the needs of the industries.

“They either fail to understand the problem, can’t be bothered to deal with the problem or...have simply buried their heads in the sand and hoped it will go away.” – United Cabbies Group⁸⁹.

Emissions standards

The Mayor has sought to address London’s poor air quality by introducing a series of targets relating to emissions standards and age limits for taxi and private hire vehicles. Both the taxi and private hire industries have expressed concern about these proposals, arguing that the constantly shifting goalposts create such uncertainty in the trades that drivers and operators have little incentive to absorb the cost of switching to newer, greener, vehicles. This has resulted in polluting vehicles being on the road for longer than they might otherwise be.

Buying a new vehicle is an expensive prospect, particularly for taxi drivers, who are restricted by TfL to just two types of vehicle. Further uncertainty has been caused by the Mayor’s plans to require all new taxis to be zero-emissions capable by 2018, in advance of the introduction of the Ultra-Low Emission Zone in 2020, despite the fact that there are currently no such vehicles available on the market.

The lack of a definitive longer term strategy on emissions that provides reassurance to the industries encourages drivers and operators to ‘sweat their assets’ for as long as possible, and discourages firms from developing new models. Nissan has already suspended its work on a cleaner petrol taxi model, and the future development of its electric model is also in doubt due to a lack of infrastructure for electric vehicles in London further depressing the market for new vehicles.

The environmental impacts of the emissions policy are the focus of a separate investigation by the London Assembly Environment Committee.

- 8.13 International regulators have encouraged the Mayor and TfL to talk directly to drivers to gain a clearer understanding of the issues facing drivers and passengers on the ground. *“People who make policy need to get out there on the streets...I would get more information in a half hour talking to a bunch of cab drivers than I would from a hundred diligent staffers”- Matthew Daus,*

Former Chair of New York City Taxi and Limousine Commission, President of International Association of Transportation Regulators⁹⁰.

- 8.14 The Mayor and TfL have made specific attempts to address communication and engagement issues through a variety of measures, including the Mayor's Cabbies Cabinet. Private hire representatives have expressed disappointment that there is no similar mechanism for private hire drivers to discuss issues directly with the Mayor, despite there being three times as many private hire drivers in London.

Cabbies Cabinet

In his 2012 election manifesto the Mayor committed to setting up a "Cabbies Cabinet", a forum for taxi drivers to meet with him once a year for 'their voices to be heard directly'. In November 2012, TfL wrote to all taxi drivers seeking their views on how the Cabinet should be constituted.

Following consultation with the trades, the Mayor concluded that there was no significant consensus on how the Cabinet should be constituted and so the policy was dropped. Instead the existing structures, comprising of the Licensed Taxi Drivers' Association, London Cab Drivers Club, and Unite the Union, as well as the Mayor, the Deputy Mayor for Transport and senior TfL management, were rebranded as the "Cabbie's Cabinet".

The newly rebranded Cabinet first met in July 2013, and has met three times in 2014. Agendas, minutes and outcomes of the meetings are not routinely published. Groups that are not recognised by TfL under the engagement policy⁹¹ are frustrated by the lack of information regarding discussions at the Cabbies Cabinet, and by their exclusion from the process, suggesting that it is simply a repackaging of TfL's existing engagement policy.

- 8.15 Less than half of taxi drivers belong to one of the three trade organisations recognised by TfL under their engagement policy. Many smaller representative groups have told the Committee that they have few opportunities for formal engagement with TfL on behalf of their members. This is particularly strongly felt by groups representing London's suburban taxi drivers, who are deeply concerned that the current engagement policy means that decisions affecting suburban drivers are primarily discussed by drivers who work predominantly in central London. TfL's decision to only formally engage with the three largest taxi trade organisations has caused anger in an industry that is well known for having disparate views on how certain issues should be tackled. This is further exacerbated by the lack of transparency on how these decisions are reached. Information on what is discussed at these

meetings is not routinely released by TfL, making it difficult for those outside the formal process to see what is being discussed on their behalf. TfL has disclosed minutes of quarterly meetings with the taxi trade in response to Freedom of Information request in June 2014, but the available information only covers the period to September 2013. Trade representatives have questioned why there are no minutes available after this date⁹².

- 8.16 The taxi and private hire trades contribute £20 million a year to TfL in licensing fees⁹³. Both trades are self-financing and receive no direct subsidy from TfL. Drivers are unconvinced that TfL is spending 'their' money effectively. TfL should adopt a more inclusive approach to publishing information relating to the trades, including a breakdown of expenditure from licensing fees, to mitigate these concerns.
- 8.17 Restoring trade confidence in TfL as the regulator will be a difficult process. TfL will need to acknowledge, and learn from, past mistakes, and both sides will need to set aside historic grievances and be willing to work in partnership to deliver a better future for the industries.
- 8.18 Achieving any sort of unified position or consensus on how to move the industries forward will be extremely difficult if some voices are excluded from the discussion. Lack of transparency on how decisions are reached contributes to a climate of suspicion around how the trades are being regulated. If TfL is serious about engaging all drivers with the future development of the trades, then it will need to be prepared to be held more fully to account on how it makes policy decisions. Trade groups have called for full minutes of formal meetings, including the Cabbies Cabinet, to be made available on TfL's website so that they can be accessed by all drivers⁹⁴. They have also asked for clearer information to be made available about the 'chain of command' within TfL, to provide a better understanding of how decisions are reached and who is accountable for them.
- 8.19 TfL will need to look again at its strategy for engagement with the trades. The current situation is untenable: time, effort and resources that should be spent on ensuring passengers get the best possible services, are being spent in fire-fighting exercises and reacting to a series of crises. In this scenario, no one wins.

Recommendation 18

By March 2015, TfL should revise its driver engagement activity to ensure that it is as widely representative as possible, and improve the transparency of taxi and private hire policy and decision making processes by routinely publishing the minutes of meetings with the trades. TfL should also provide and publish a detailed breakdown of annual licence fee spending.

Passenger engagement

- 8.20 Failure to address passenger concerns damages the long term interests of the trades, and TfL's reputation as their regulator. The ultimate survival of both taxi and private hire industries will depend on them providing the standard of service that passengers want. The voice of passengers is too often drowned out in the increasingly hostile rhetoric that has characterised the debate around these industries. It is in the interests of both the trades and TfL to listen to what passengers have to say about what type of services they want to see in the future.
- 8.21 TfL also needs to know when things are going wrong. The public can provide crucial feedback on drivers, operators and organisations that can help detect illegal activity, identify poor behaviours, and provide suggestions for how to improve services. It is important that passengers are aware of TfL's role in regulating these services and that information on how to give feedback is made more widely available.
- 8.22 TfL introduced a new complaints recording system in May 2011 to log complaints received from passengers about taxi and private hire drivers. Prior to this, only data relating to taxi drivers was recorded⁹⁵. Complaints relating to private hire journeys are dealt with by the private hire operators in the first instance. This represents a significant gap in TfL's understanding of the experience of passengers using these services. Given that there are so many more private hire drivers and operators in London, the disparity in the number of recorded complaints is striking⁹⁶.

| Year | Private Hire Driver | Private Hire Operator | Taxi Driver |
|----------------------|---------------------|-----------------------|-------------|
| 2010/2011 | N/A | N/A | 2,514 |
| May to December 2011 | 17 | 57 | 1,385 |
| 2012 | 34 | 83 | 2,916 |
| 2013 | 39 | 76 | 2,195 |

8.23 Unlike other modes, complaints data for taxi and private hire services is not regularly reported to the TfL Board. The Committee thinks it is important that this information is put in the public domain, and seen by the Board, so that passenger satisfaction can be monitored on an ongoing basis, and arising issues can be addressed.

Recommendation 19

By March 2015, the Mayor and TfL should set out how it will increase the visibility and accessibility of its complaints process, and improve systems for passengers to give feedback and make complaints about both taxi and private hire services. Complaints data should be reported to the TfL Board on a quarterly basis.

9. Conclusion

- 9.1 The taxi and private hire industries are at a critical point in their evolution. Willingly or otherwise, the trades must embrace the technological changes that passengers are now demanding of modern, fit for purpose transport services. In an increasingly competitive market, these services will need to prioritise the needs of passengers to ensure that they continue to have relevance to the travelling public, or they will miss the boat on innovations that can bring improvements to passengers and drivers alike.
- 9.2 TfL will have to work hard to restore its credibility as a regulator for these industries. It will also need to look internally at how they can improve their performance as a regulator, by being prepared to listen to, and accept, constructive criticism and acknowledge where it has gone wrong in the past. This process will be challenging, but it must be achieved. Without a strong and impartial regulator, it is difficult to see how the industries can continue to survive and prosper.
- 9.3 The Mayor and TfL should be proactive in setting and maintaining standards for services to meet the public interest and ensure passenger safety. These outcomes cannot be left to chance if London is to continue to be viewed as a world leader for taxi and private hire services. TfL needs to hold the line on regulation, and be robustly prepared for the challenges faced by disruptive technology.
- 9.4 The Committee recognises that the biggest challenges for the taxi and private hire industries still lie ahead. Rebuilding a relationship with TfL will take courage, focus and effort from all sides. Years of historic problems cannot be fixed overnight, but it is vital that the Mayor and TfL get a grip on the situation and provide strategic leadership before the situation spirals further out of control.
- 9.5 Despite their many disagreements and disputes, the trades and TfL can and must agree on one point. Passengers come first. It is now up to all sides to demonstrate that they can put aside their differences, learn from past mistakes, and work together constructively for the continued survival and prosperity of London's vital taxi and private hire services.

Appendix 1 – Recommendations

Recommendation 1

By May 2015, the Mayor should publish a long term strategy for the development of both taxi and private hire industries. The strategy should clearly set out the Mayor's position on the continued role of taxi and private hire services in London, and actions that will improve passenger and driver safety, guarantee a sufficient number of high quality drivers and vehicles across the city, and ensure that all services meet the highest possible standards for accessibility. The strategy should also set out how TfL will strengthen its enforcement and clamp down on illegal activity, within a clear and transparent governance and decision-making framework.

Recommendation 2

By May 2015, the Mayor should publish a long term strategy for the development of both taxi and private hire industries. The strategy should clearly set out the Mayor's position on the continued role of taxi and private hire services in London, and actions that will improve passenger and driver safety, guarantee a sufficient number of high quality drivers and vehicles across the city, and ensure that all services meet the highest possible standards for accessibility. The strategy should also set out how TfL will strengthen its enforcement and clamp down on illegal activity, within a clear and transparent governance and decision-making framework.

Recommendation 3

By May 2015, TfL should further develop the database that links drivers to vehicle and operator information. TfL should work with app developers to produce a tool that will enable passengers to check the status of their driver, vehicle or operator.

Recommendation 4

By May 2015, TfL should produce a signage strategy for the licensed taxi and private hire industries, including plans to pilot number plate-based fixed signage.

Recommendation 5

By March 2015, The Mayor and TfL should report back to the Assembly on options to incentivise the uptake of cashless payment options, for both the taxi and private hire industries.

Recommendation 6

By May 2015, the Mayor and TfL should set out how they intend to monitor and improve supply and demand, for both taxi and private hire industries, across London. This should include a specific study into potential demand for taxi services in outer London town centre locations.

Recommendation 7

By May 2015, the Mayor and TfL should set out plans to ensure that all Underground stations located on the 24-hour Tube network have a taxi rank in place by the launch of the programme in September 2015, and suburban Underground and National Rail stations have a rank by May 2016. TfL should also prioritise rank provision in outer London town centre locations with unmet demand. Rank locations should be included on TfL journey planning tools and TfL should explore options for increasing the visibility of ranks through distinctive signage. The Mayor and TfL should also set out clear guidance for event planners to ensure that taxi and private hire provision is explicitly contained in transport planning for major events and attractions.

Recommendation 8

By May 2015, the Mayor and TfL should satisfy this Committee that the entry requirements into each market are fit for purpose. This should include providing evidence that there are no artificial barriers to entry, that the requirements are relevant to the specific demands of each industry and that they ensure protection for passengers, drivers, and other road users.

Recommendation 9

The Mayor and TfL should ensure that disabled taxi and private hire passengers' needs are met by taking steps to incentivise the provision of wheelchair accessible private hire vehicles (for example, through reduced vehicle licensing fees) with a view to reaching 25 per cent wheelchair accessibility across the private hire fleet by 2018. By May 2015, TfL should also introduce requirements for all taxi and private hire drivers and operators to undertake mandatory disability awareness training as part of the licensing process. TfL should also enforce a zero-tolerance approach to drivers and operators across both industries who illegally refuse to carry disabled passengers, and increase the visibility of its complaints process so that disabled passengers can name and shame providers who break the law. Drivers and operators who are found to not comply with these regulations should face suspension of their licences.

Recommendation 10

By March 2015, the Metropolitan Police should improve the information it collects on cab-related crime, to ensure greater understanding of whether offences are committed by licensed taxis, private hire vehicles and Pedicabs, and by licensed or unlicensed drivers/vehicles.

Recommendation 11

By May 2015, The Mayor and TfL should provide the Committee with a definitive assessment of the resources currently devoted to enforcement, setting out costed plans to increase these where necessary and address funding gaps. This should include options to increase licence fees to ensure adequate enforcement resources are available.

Recommendation 12

By March 2015, The Mayor and TfL and the Metropolitan Police should set out specific steps that will be taken to improve the efficiency and visibility of non-covert night-time operations.

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The Mayor and TfL should immediately clarify the policy on destination bookings and reinstate the requirement for private hire drivers and operators to record a destination at time of booking.

Recommendation 14

By March 2015, The Mayor and TfL should conduct a full review of the policy on 'satellite offices', identifying and securing the enforcement resources required to regulate these effectively, including plans to clamp down on unlicensed 'marshals'. Any further satellite office applications should be suspended until this has been achieved.

Recommendation 15

By May 2015, the Mayor and TfL should enable greater joined-up working on enforcement, including working with the private hire trade and boroughs to develop a cohesive, pan-London policy on picking up/setting down arrangements.

Recommendation 16

The Government should act upon the findings of the Law Commission Review and propose legislation that introduces stiffer penalties for touting, and greater enforcement powers for borough and police officers, including higher fines and vehicle seizure powers.

Recommendation 17

By May 2015, The Mayor's office, TfL and the trades should develop and publish a Memorandum of Understanding which clearly sets out terms of reference and defines the respective roles, responsibilities and expectations of each party. This should include specific service level agreements.

Recommendation 18

By March 2015, TfL should revise its driver engagement activity to ensure that it is as widely representative as possible, and improve the transparency of taxi and private hire policy and decision making processes by routinely publishing the minutes of meetings with the trades. TfL should also provide and publish a detailed breakdown of annual licence fee spending.

Recommendation 19

By March 2015, the Mayor and TfL should set out how it will increase the visibility and accessibility of its complaints process, and improve systems for passengers to give feedback and make complaints about both taxi and private hire services. Complaints data should be reported to the TfL Board on a quarterly basis.

Appendix 2 – Views and information

The Committee held two public meetings on 9 July and 2 September 2014. Minutes and transcripts of these discussions are available via:
www.london.gov.uk/moderngov/ieListMeetings.aspx?Committeeld=173

ComRes conducted primary research on behalf of the London Assembly which comprised an online quantitative survey of 1,002 passengers of taxi and private hire services in London and a qualitative study among 20 drivers of taxis and private hire vehicles. Fieldwork took place between 7th August 2014 and 19th September 2014. ComRes is a member of the British Polling Council and abides by its rules.

Full details of the research can be found in the evidence log for this report.

The Committee met with the following representatives at stakeholder meetings on 17 September 2014:

- Uber London Limited
- Hailo
- RMT London Taxi Drivers' Branch
- GMB Professional Drivers Branch
- The London Cab Drivers Club (The LCDC)
- Steve Wright, Chairman of the Licensed Private Hire Car Association
- The London Suburban Taxi Drivers Coalition (LSTDC)
- Geoffrey Riesel, Chairman and CEO, Mountview House Group

The Committee also received written submissions from a wide range of stakeholders. Copies of written submissions are available via:
www.london.gov.uk/mayor-assembly/london-assembly/publications

Appendix 3 – Key features of licensed taxi and private hire services

| Licensed taxi (black cab) | Private hire vehicle (minicab) |
|--|--|
| Driver and vehicle licensed by TfL including criminal record checks | Driver, vehicle and operator licensed by TfL including criminal record checks |
| Can be hailed in street (can also be pre-booked) | Must be pre-booked ONLY (no street hailing) |
| Can use taxi ranks | Cannot use taxi ranks or form ranks |
| Allowed to ply for hire | Not allowed to ply for hire |
| Wheelchair accessible (mandatory) | Some wheelchair accessible vehicles (optional) |
| Fares set by TfL | Fares set by operator |
| Uses meter to calculate fares | (Typically) fixed fares; some business models using time and distance calculations |
| Minimum driver age: 18 years | Minimum driver age: 21 years |
| Driver undertakes Knowledge of London training to learn routes and points of interest across London (average training time between three and five years) | Driver undertakes 'topographical' testing to demonstrate map-reading and route planning abilities. |
| TfL specifies vehicle type (two possible models at present) and age limit | No restriction on vehicle model, TfL specifies age limit |
| Can use bus lanes | Cannot use bus lanes |
| Two types of licence- Green Badge (All London) and Yellow Badge (between one and nine of the | Once licensed, can operate in any part of London |

| | |
|---|---|
| <p>suburban sectors). Yellow badges cannot pick up passengers outside their sector(s) unless pre-booked</p> | |
| <p>Compelled to accept any hiring of up to a distance of 12 miles (or 20 miles if the journey starts at Heathrow Airport) as long as the destination is within Greater London BUT cannot pick up if outside licensed sector (unless pre-booked)</p> | <p>No compellable distance</p> |
| <p>All new vehicles or vehicles new to licensing must as a minimum meet the Euro 5 standards for emissions at time of licensing. Vehicle checks undertaken once per year</p> | <p>All new vehicles or vehicles new to licensing must be no older than five years and meet the Euro 4 standards for emissions at time of licensing. Vehicle checks undertaken once per year</p> |

Notes

- ¹ <http://www.tfl.gov.uk/cdn/static/cms/documents/travel-in-london-report-6.pdf>
- ² Mark James, Transcript of London Assembly Transport Committee meeting 9 July 2014
- ³ John Dickie, London First, Transcript of London Assembly Transport Committee meeting 9 July 2014
- ⁴ http://lawcommission.justice.gov.uk/docs/lc347_taxi-and-private-hire-services.pdf p13
- ⁵ Mayor's Question Time, response to MQ1426/2012
- ⁶ London Assembly Transport Committee survey of taxi and private hire drivers, September 2014, conducted by ComRes. The full survey results are available as part of the evidence log for this investigation.
- ⁷ <https://www.london.gov.uk/priorities/transport/publications/mayors-transport-strategy>
- ⁸ London Assembly Transport Committee survey of taxi and private hire passengers, August 2014, conducted by ComRes.
- ⁹ Written submission from London Borough of Camden, 10 September 2014
- ¹⁰ London Assembly Transport Committee survey of taxi and private hire passengers, August 2014, conducted by ComRes.
- ¹¹ *ibid*
- ¹² Taxicab regulation and urban residents' use and perception of taxi services: a survey in eight cities, Darbéra, 2010
- ¹³ Faryal Velmi, Transport for All, Transcript of London Assembly Transport Committee meeting 9 July 2014
- ¹⁴ Written submission September 2014
- ¹⁵ London Assembly Transport Committee survey of taxi and private hire passengers, August 2014, conducted by ComRes.
- ¹⁶ London Assembly Transport Committee survey of taxi and private hire drivers, September 2014, conducted by ComRes.
- ¹⁷ <http://www.theguardian.com/big-ideas/2014/oct/01/tfl-taxi-app-uber-black-cab-london>, 1 October 2014
- ¹⁸ Sir Bert Massie, CBE, Letter to the Mayor, June 2014, published online <http://www.disabilityrightsuk.org/news/2014/june/accessibility-concerns-over-new-taxi-uber-app>
- ¹⁹ Transcript of London Assembly Transport Committee meeting 2 September 2014
- ²⁰ <http://www.theguardian.com/big-ideas/2014/oct/01/tfl-taxi-app-uber-black-cab-london>, 1 October 2014
- ²¹ Written submission (date)
- ²² Written submissions, Uber (date) and TfL
- ²³ Transcript of London Assembly Transport Committee meeting 9 July 2014
- ²⁴ London Assembly Transport Committee survey of taxi and private hire passengers, August 2014, conducted by ComRes.
- ²⁵ *ibid*.
- ²⁶ Metropolitan Police written submission 1 July 2014
- ²⁷ London Assembly Transport Committee survey of taxi and private hire passengers, August 2014, conducted by ComRes.

- ²⁸ Licensed Private Hire Car Association, taxi and private hire stakeholder meeting 17 September. Minutes of these sessions are available in the evidence log.
- ²⁹ Ibid.
- ³⁰ Written submissions from drivers. These are available to view in the evidence log.
- ³¹ LPHCA written submission (date)
- ³² Taxi and private hire stakeholder meeting 17 September 2014.
- ³³ <https://www.tfl.gov.uk/info-for/taxis-and-private-hire/licence-checker>
- ³⁴ London Assembly Transport Committee survey of taxi and private hire passengers, August 2014, conducted by ComRes.
- ³⁵ London Assembly Transport Committee survey of taxi and private hire drivers, September 2014, conducted by ComRes.
- ³⁶ Transcript of London Assembly Transport Committee meeting 9 July 2014
- ³⁷ Ibid.
- ³⁸ Steve McNamara, LTDA, Transcript of London Assembly Transport Committee meeting 2 September 2014
- ³⁹ Transcript of London Assembly Transport Committee meeting 9 July 2014
- ⁴⁰ London Assembly Transport Committee survey of taxi and private hire passengers, August 2014, conducted by ComRes.
- ⁴¹ London Assembly Transport Committee survey of taxi and private hire drivers, September 2014, conducted by ComRes.
- ⁴² London Assembly Transport Committee survey of taxi and private hire passengers, August 2014, conducted by ComRes.
- ⁴³ Transcript of London Assembly Transport Committee meeting 9 July 2014
- ⁴⁴ TfL Suburban Taxi consultation February 2014
https://consultations.tfl.gov.uk/tph/suburbantaxis/supporting_documents/Suburban%20Taxi%20Licensing%20Consultation.pdf
- ⁴⁵ London Suburban Taxi Drivers Coalition written submission
- ⁴⁶ Transcript of London Assembly Transport Committee meeting 9 July 2014
- ⁴⁷ This does not include ranks appointed by the City of London or those on private land
- ⁴⁸ <http://www.london.gov.uk/moderngov/documents/s28529/Mayoral%20Commitments%20Monitoring%20-%20Transport%20Appendix%20AB.pdf>
- ⁴⁹ London Suburban Taxi Drivers Coalition written submission
- ⁵⁰ Transcript of London Assembly Transport Committee meeting 9 July 2014
- ⁵¹ London Assembly Transport Committee survey of taxi and private hire passengers, August 2014, conducted by ComRes.
- ⁵² TfL written submission
- ⁵³ TfL written submission
- ⁵⁴ John Stewart, London Travelwatch, Transcript of London Assembly Transport Committee meeting 9 July 2014
- ⁵⁵ Martin Low, Westminster Council, Transcript of London Assembly Transport Committee 9 July 2014
- ⁵⁶ Written submission from London Borough of Camden, 10 September 2014
- ⁵⁷ London Assembly Transport Committee survey of taxi and private hire passengers, August 2014, conducted by ComRes.
- ⁵⁸ <http://theweek.com/article/index/269186/london-cabbies-the-masters-of-memory>
- ⁵⁹ London Assembly Transport Committee survey of taxi and private hire passengers, August 2014, conducted by ComRes.
- ⁶⁰ Taxi/PHV Diary Survey 2009 (January 2010)
- ⁶¹ Transcript of London Assembly Transport Committee meeting 9 July 2014

- ⁶² Hailo written submission
- ⁶³ TfL <https://www.tfl.gov.uk/cdn/static/cms/documents/driver-operator-and-vehicle-licensing-guidelines.pdf>
- ⁶⁴ Transcript of London Assembly Transport Committee meeting 9 July 2014
- ⁶⁵ Transcript of London Assembly Transport Committee meeting 9 July 2014, written submissions from Guide Dogs in London and Royal National Institute for Blind people (RNIB)
- ⁶⁶ Transcript of London Assembly Transport Committee meeting 2 September 2014
- ⁶⁷ TfL Taxi and Minicab Customer satisfaction survey Quarter3 2013/14
- ⁶⁸ London Taxi Partnership written submission 1 July 2014
- ⁶⁹ Transcript of London Assembly Transport Committee meeting 2 September 2014
- ⁷⁰ Transcript of London Assembly Transport Committee meeting 2 September 2014
- ⁷¹ Met police written submission 1 July 2014
- ⁷² London Taxi Partnership written submission 1 July 2014
- ⁷³ TfL written submission
- ⁷⁴ Matthew Daus, International Association of Transportation Regulators, Transcript of London Assembly Transport Committee meeting 9 July 2014
- ⁷⁵ TfL written submission
- ⁷⁶ LPHCA written submission
- ⁷⁷ Transcript of London Assembly Transport Committee meeting 2 September 2014
- ⁷⁸ Transcript of London Assembly Transport Committee meeting 9 July 2014
- ⁷⁹ Transcript of London Assembly Transport Committee meeting 9 July 2014
- ⁸⁰ LPHCA written submission
- ⁸¹ Ibid.
- ⁸² Transcript of London Assembly Transport Committee meeting 2 September 2014
- ⁸³ Transcript of London Assembly Transport Committee meeting 2 September 2014
- ⁸⁴ Transcript of London Assembly Transport Committee meeting 2 September 2014
- ⁸⁵ http://www.nyc.gov/html/tlc/downloads/pdf/2014_taxicab_fact_book.pdf
- ⁸⁶ London Assembly Transport Committee survey of taxi and private hire drivers, September 2014, conducted by ComRes.
- ⁸⁷ <https://www.london.gov.uk/mayor-assembly/london-assembly/publications/where-to-guv> , November 2005
- ⁸⁸ TfL written submission
- ⁸⁹ United Cabbies Group written submission
- ⁹⁰ Transcript of London Assembly Transport Committee meeting 9 July 2014
- ⁹¹ London Suburban Taxi Drivers Coalition and RMT written submissions
- ⁹² RMT London Taxi Drivers' Branch written submission
- ⁹³ TfL written submission
- ⁹⁴ RMT London Taxi Drivers' Branch written submission
- ⁹⁵ TfL written submission
- ⁹⁶ Ibid.

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