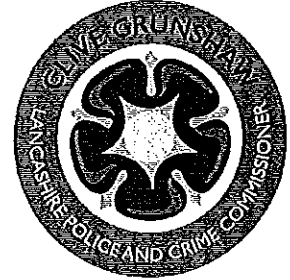


Appendix 2



TO: ALL COUNCIL LEADERS, CHIEF EXECUTIVES AND CSP LEADS

BY EMAIL ONLY

Please ask for: Clive Grunshaw
Telephone: 01772 533587
Email: Commissioner@lancashire-pcc.gov.uk
Our Ref:
Date: 13th March 2015

Dear Sir/Madam,

RE: Deregulation Bill – Taxi & Private Hire Vehicles

In 2011 the Law Commission reviewed the legal framework relating to taxis and private hire vehicles across England & Wales with a view to making it simpler and more modern.

As I am sure you would agree, taxis and private hire vehicles are an important part of local transport. They operate in highly regulated markets where safety and quality control are paramount. Licensing covers key areas such as the fitness of drivers, accessibility requirements, taxi fare regulation and restrictions on the number of taxi licenses issued.

A consultation paper was issued by the Law Commission in May 2012. In Spring 2013, responses to that consultation were reviewed and the final report was published in May 2014. Over 3000 responses were received, the highest ever number of responses to a Law Commission consultation.

The final report and draft bill (Taxis and Private Hire Vehicles Bill) set out a new style legal framework for the regulation of taxi and private hire services across England & Wales.

A summary of the recommendations is attached at Appendix A.

In parallel to this review in March 2014, the government launched a truncated 10 day internal consultation on three specific clauses that were added to the Deregulation Bill. As no doubt you will be aware, the Deregulation Bill is the latest step by the government in their ongoing drive to remove unnecessary bureaucracy that slows down public services and businesses in the UK.

The draft Bill includes two clauses with specific measures relating to taxi and private hire vehicles, and these relate to the duration of licences (extending the duration of a minicab driver or hackney carriage to 3 years) and enabling minicab firms to sub contract bookings to firms licensed in different districts.

The Deregulation Bill is now making its way through the reading steps in the Lords and is currently having amendments considered. The intention is that this piece of legislation receives royal assent before Parliament dissolves in March 2015.

Clive Grunshaw Police & Crime Commissioner for Lancashire
PO Box 653, PRESTON, PR2 2WB
www.lancashire-pcc.gov.uk

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The recent child sexual exploitation cases have sadly highlighted the way in which people trust in taxi and private hire vehicle drivers can be abused. The Louise Casey Report, further to her inspection at Rotherham Borough Council in February 2015, again highlighted and referenced clear links and concerns relating to taxi and private hire vehicles. The issue of CSE is a priority in my Police & Crime Plan in Lancashire and is also high in our partnership working arrangements in Lancashire particularly through the Community Safety Partnerships and our Serious Crime arrangements.

The purpose of my letter therefore, is to seek your support in writing to our MP's to lobby that the clauses pertaining to taxis and private hire vehicles in the Deregulation Bill are removed. The rationale for this is not necessarily that there is opposition de regulation but, rather the clauses should be implemented as part of a package of reforms covering all aspects of private hire licensing, rather than through a piecemeal approach.

I have enclosed the letter I have sent today to your MP's, and I hope your organisation can offer their support in lobbying your MP, even at this late stage of the process.

I look forward to hearing from you.

Yours sincerely

Clive Grunshaw
Police & Crime Commissioner for Lancashire

APPENDIX A

Law Commission Recommendations 2014

- 1 We recommend retaining the current two-tier system, distinguishing between taxis and private hire vehicles. Only taxis should be allowed to be hailed or pick up passengers from ranks.
- 2 The new regime would see the introduction of national standards for all taxis and private hire vehicles, set by the Secretary of State, with the power for local licensing authorities to set additional standards for taxi services only. Local authorities would, however, remain responsible for issuing licences and enforcement in relation to both taxis and private hire vehicles.
- 3 Our recommendations make it easier for providers of private hire services to work cross-border, and give licensing officers new enforcement powers to deal with vehicles and drivers licensed in different areas. We also recommend tougher penalties on touting (actively soliciting customers), including impounding.
- 4 During consultation many stakeholders complained about vehicles operating at the fringes of licensing, or outside licensing altogether. Pedicabs and novelty vehicles, including stretch limousines, are examples that we recommend bringing clearly within the scope of taxi and private hire regulation, such that they may be controlled as necessary. Following consultation, we were persuaded to retain the exemption that applies to wedding and funeral cars as part of primary legislation.
- 5 The responses to our consultation were overwhelmingly in favour of maintaining quantity controls in respect of taxis and we were persuaded by the arguments made to us. Our final report recommends that licensing authorities should retain the right to limit the number of taxis working in their licensing area.
- 6 One of our key recommendations is the introduction of mandatory disability awareness training for all taxi and private hire drivers. Among the measures designed to improve the accessibility of services for disabled people, we recommend that licensing authorities should have the power to introduce a duty on taxis to stop when hailed, to help address the problem of certain drivers passing by disabled people. We also recommend that licensing authorities should be required to review accessibility needs in their area every three years, and take accessibility issues into account when installing taxi ranks. Further, in order to help address the lack of accessible vehicles, we recommend that the Secretary of State should have the power to require large operators (or dispatchers, as they would be referred to under our reforms) to meet certain quotas of accessible vehicles which must be available to them.



TO: ALL MPs

BY EMAIL ONLY

Please ask for: Clive Grunshaw
Telephone: 01772 533587
Email: Commissioner@lancashire-pcc.gov.uk
Our Ref:
Date: 13th March 2015

Dear Sir/Madam,

RE: Deregulation Bill – Taxi & Private Hire Vehicles

I am writing to seek your support to lobby the Lords for the removal of the clauses 12 & 13 in the Deregulation Bill which relates to taxis and private hire vehicles. As I'm sure you are aware, this is currently being read in the Lords for amendments and time is of the essence.

I have copied this letter to Leaders in Lancashire as I'm sure they will agree the regulation of taxis and private hire vehicles are an important part of local transport, they operate in regulated markets where safety and quality control are paramount. Licensing covers key areas such as fitness of drivers, accessibility requirements, taxi fare regulation and restrictions on the number of taxi licenses.

I do not necessarily oppose deregulation but, feel strongly that these provisions relating to taxis and private hire vehicles should not be implemented piecemeal, but rather as a package of reforms covering all aspects of taxi and private hire licensing.

The Law Commission set out comprehensive proposals in 2014 for much needed taxi and private hire vehicles, following full engagement with the trade, stakeholders and Councils. The LGA have pointed out, and we concur, that the Commission's report provides a solid foundation for the reform of taxi licensing following communication with taxi and private hire vehicles, licensing authorities and those who use them.

The Deregulation Bill provisions were subject to an extremely limited internal consultation with just 8 organisations over a 10 day period.

The recent child sexual exploitation cases have sadly highlighted the way in which people trust in taxi and private hire vehicle drivers can be abused. The Louise Casey Report, further to her inspection at Rotherham Borough Council in February 2015, again highlighted and referenced clear links and concerns relating to taxi and private hire vehicles. The issue of CSE is a priority in my Police & Crime Plan in Lancashire and is also high in partnership working arrangements in Lancashire particularly through the Community Safety Partnerships and our Serious Crime arrangements.

Clive Grunshaw Police & Crime Commissioner for Lancashire
PO Box 653, PRESTON, PR2 2WB
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In this context therefore, I am urging you to lobby and take whatever steps you can to seek removal of the clauses 12 & 13 in the Deregulation Bill which relates to taxis and private hire vehicles. We concur with the Law Commission that the "primary legislation governing taxis and private hire vehicles is archaic and complex and in need of modernisation and reform" and further the protection of passengers and the reputation of responsible drivers is paramount in the promotion of this valuable public service.

Yours sincerely

A handwritten signature in cursive script that reads "Clive Grunshaw". A horizontal line is drawn underneath the signature.

Clive Grunshaw
Police & Crime Commissioner for Lancashire