



# The Regulation of Taxis and Private Hire Vehicles

## Consultation Report and Summary of Responses

**August 2006**

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## Consultation Report

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1. On 18 March 2005, the Department of the Environment's (DOE) Taxi Review Team published a consultation document on the [Regulation of Taxis and Private Hire Vehicles](#).<sup>1</sup>
2. These proposals were based on the findings of a comprehensive and wide ranging review to examine how taxis could be better regulated. This review was known as the 'Taxi Review' and was initiated in response to widespread concern from the taxi industry, public representatives and consumer organisations about how taxi services operate under existing legislative and operational controls.
3. The objective of the Taxi Review, and of the policy proposals that came out of it, was to create a more effective and equitable regulatory framework that promotes road and personal safety, improves accessibility and facilitates fair competition in the taxi industry.
4. Approximately 1,800 consultation documents were sent to all Taxi Review key stakeholders and to those individuals and organisations on the Department's statutory consultee list. Executive summaries were sent to each of the just over 15,500 taxi drivers licensed at that time. Also, notices inviting interested parties to request copies of the consultation document, were placed in the Belfast Telegraph, the Irish News and the Newsletter.
5. During the consultation period, the Taxi Review team held eight meetings with key stakeholders.<sup>2</sup> It also facilitated 13 public meetings in venues across Northern Ireland. These were held in Belfast (3 meetings), Londonderry (2), Omagh (2), Bangor, Newtownards, Newry, Portadown, Armagh, Cookstown and Antrim. When these meetings were advertised widely local newspapers it was emphasised that they were open to everyone with an interest in the future of the taxi industry in Northern Ireland. In the event, only members of the taxi industry attended them.

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<sup>1</sup> A copy of the consultation document and all other published documents related to the Taxi Review are available on DOE's [www.roadsafetyni.gov.uk](http://www.roadsafetyni.gov.uk) website.

<sup>2</sup> **Annex A** contains a list of the key stakeholders who responded to the consultation.

6. The Taxi Review team also gave presentations and held useful and informative question-and-answer sessions at two public meetings in Belfast and Derry and took part in two focus groups in Belfast and Dungannon, all of which were organised in conjunction with the Transport Advisory Committee of Disability Action. These public meetings were primarily targeted at disabled people and organisations representing disabled people. The focus groups were attended by disabled people who use taxis and/or who are involved in promoting equal rights for disabled people.
7. The consultation was originally scheduled to end on 24 June 2005. However, due to the level of interest expressed, it was extended to 29 July 2005, by which 343 responses had been received.
8. This report summarises the written responses and other feedback — including from the various meetings and focus groups — received in response to the consultation proposals.
9. The questions are numbered as they appeared in the consultation paper.

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## Summary of Responses

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### Breakdown of Written Responses

1. A majority of the 343 responses received are from taxi drivers, taxi operators and taxi industry representative groups. The full breakdown is as follows

Taxi Drivers	274
Taxi Operators	26
Key Stakeholders	14
Section 75 Respondents	11
Political Parties and Statutory Bodies	8
Miscellaneous	7
Chauffeur Services	3
<b>Total</b>	<b>343</b>

2. A full list of those who responded to the consultation is at **Annex A**.

# 1. The Licensing System: Responsibility and Structure

**This section summarises the responses to Questions 1 to 5.**

The **key points** are that respondents agree that responsibility for taxi regulation should continue remain centrally with DOE; a two-tier licensing system (of both public hire and private hire taxis) is narrowly preferred if the alternative is a single licensing system in which all taxis are licensed as public hire and must be accessible to people with disabilities; and proposals to classify taxis and private hire vehicles (PHVs) as 'Small Public Service Vehicles' (SPSVs) and proposed definitions of SPSVs and SPSV 'proprietors' are agreed.

**Q1** *It is proposed that taxi regulation for the whole of Northern Ireland should continue to be the responsibility of the Department of the Environment.*

*Do you agree?*

- Overall opinion is that DOE should remain responsible for taxi regulation in Northern Ireland.
- Nine of the key stakeholders, along with all the statutory, S75 and industry/insurance respondents, agree that regulation should remain with DOE, with consensus that because Northern Ireland is a relatively small area, to split the regulation function would cause fragmentation and confusion. One S75 respondent believes that DOE responsibility ensures better control and monitoring.
- One key stakeholder believes that a public carriage office should be created, with exclusive powers to legislate for Public Hire, leaving the Department of the Environment to regulate other aspects of the industry.
- Another key stakeholder has responded that compliance and a measure of enforcement should be devolved to local authorities because in the recent past we have seen the industry forced towards a total collapse whilst under the stewardship of the DOE.
- One operator states that responsibility should not remain with DOE because the DOE do not have enough manpower to police and enforce regulations.

- Of the drivers who responded, one says that leaving responsibility with DOE will keep inquiries all in one Department, while another rejects the proposal, stating that the DOE and its various agencies have failed me as a driver and, more importantly, the general public over many years.
- The four local councils that responded agreed that responsibility should remain with DOE, with none suggesting that taxi regulation should be devolved to local council level.

<p><b>Q2</b> <i>Do you agree with the proposal to keep a revised two-tier system as described?</i></p>
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- The suggested retention of a revised two-tier system of public hire and private hire has proven to be controversial, with respondents coming down narrowly on the side of the proposal when answering this direct question.
- Poor understanding of the implications to the industry of a single-tier system appears to have coloured some responses. Those who support the proposal see it is a best-of-both-worlds option.
- One key stakeholder responds that the revised two-tier system will allow the industry to improve the accessibility of their services in a more proportionate manner and will be in line with the requirements for taxi and private hire services in the rest of the UK.
- This respondent makes the further point that a single-tier system as currently proposed would prove unsustainable because all taxis would eventually have to meet accessibility requirements under the Disability Discrimination Act 1995 (DDA) and that such a proposal will place an unreasonable burden on the taxi industry and may force some operators out of the industry. A single-tier system may actually result in a restriction of choice for all consumers including disabled people as well as encouraging illegal taxis.
- In contradiction with this opinion, another key stakeholder believes that the proposal to retain a two-tier system is unnecessarily driven by the DDA which is redirecting the approach to address the problems within the taxi industry. This key stakeholder believes also that this proposal will also feed into the unregulated sector and actually feed its growth.
- Overall, 33 respondents, plus the 143 drivers aligned to the Combined Group of Belfast Taxi Proprietors' Associations, support the proposal to retain a revised two-tier system. Reasons given include suggestions that under a single-tier system, it would be impossible for operators to control their drivers; that the system works well outside Belfast; and that

a revised two-tier system would give drivers a choice over whether they want to buy accessible vehicles.

- Drivers from the private hire sector and a respondent from a Section 75 group state that failures within the existing two-tier system, such as illegal picking-up in Belfast, are prevalent due to problems with Belfast Public Hire. A private hire respondent states that illegal picking-up happens because public hire overcharge and because customers would rather hail a private hire vehicle or a restricted public hire vehicle. The Section 75 respondent comments that in Belfast, public hire taxis don't seem to be as available as in other cities.
- Three respondents from the taxi industry suggest that a two-tier system remain, with the provision for both public hire and private hire vehicles to pick up at peak times, such as between 11pm and 3am on weekend nights.
- Most, if not all, of those who support the proposal do so with the warning that although a two-tier system would be preferable, it would appear that the enforcement problems connected with operating it are of such a complicated nature that it makes comprehensive enforcement impractical.
- The point is made clearly that no licensing system, whether single tier or two-tier, can work well without effective regulation and enforcement.

**Q3** *The Department proposes to create a new vehicle class of Small Public Service Vehicles (Small PSVs), comprising taxis and PHVs.*

*Do you agree?*

- The proposal to create a new vehicle class of Small Public Service Vehicles (Small PSVs), comprising taxis and PHVs, has generated a some amount of confusion. Generally, respondents have failed to appreciate that the purpose of this proposal is to tidy up legislative wording. Also, several respondents have allowed their feelings on the proposals for (Small PSV) operator licensing to influence their judgment when answering this question.
- Eight key stakeholders appreciate the sentiment of the proposal and agree with it. However, one key stakeholder has stated that from an operational point of view this is completely unnecessary, and only serves to complicate an already over-complicated system.
- Another key stakeholder, who supports strongly the introduction of a single-tier system, believes that this proposal has the possibility of

causing major confusion and upset to both the industry and the general public. This respondent goes on to say that ‘a *taxi*’ is all we need in a one-tier system.

- Several key stakeholders agree with the proposal where applied to all vehicles plying for hire and reward.
- Another key stakeholder has responded this will only regulate Taxi Depots and or Associations. It will fail to regulate Public Hire Vehicles in relation to enforcement in particular to complaints received in relation to adverse service or lost property.
- A key stakeholder representing the opinions of taxi drivers has stated ‘*no, taxi is all that is needed*’.
- A respondent from the chauffeur services sector, who agrees with the proposal, comments that ‘*in addition, we recommend the creation of a further sub-class — SPSV: Government, Commercial and Chauffeur Driven*’.

**Q4** *Do you agree with the proposed definition of a Small PSV as any public service vehicle with up to eight passenger seats used with the services of a licensed driver?*

- Although the proposal to create a Small PSV category generated some confusion, respondents – 12 key stakeholders, four statutory respondents, four Section 75 groups, five operators and 84 drivers – indicated agreement to the proposed definition.
- One key stakeholder objected on the grounds that a taxi should not be included in this category at all.

**Q5** *Do you agree with the proposed definition of a taxi ‘proprietor’ as ‘a person in possession of (i.e. the keeper) of a small PSV?*

- Most respondents agree with this proposal, with one key stakeholder stating that the majority of drivers are self employed and own their own vehicles and that ‘*proprietor would adequately describe them*’.
- Four key stakeholders, while agreeing that a standard definition is needed, comment that this question appears to confuse the terms proprietor, operator and driver and there is a need to clarify all terms. These key stakeholders suggest the following definitions. The driver is the person in charge and operating a vehicle; the keeper is the person in possession of a SPSV; and the operator is the person responsible for allocating pre booked journeys through depot facilities.

## 2. Accessible Vehicles and Services

**This section summarises the responses to Questions 6 to 8.**

The **key points** are that proposals designed to increase the number and availability of accessible taxis and PHVs are not supported by the taxi industry but are welcomed, with some reservations, by Section 75 and statutory respondents. There are calls for DOE to seek a more uniquely Northern Ireland solution to this problem.

**Q6** *The Department proposes to replicate new DDA taxi accessibility regulations currently being developed by DfT [Department for Transport] for England and Wales. Do you agree with this proposal?*

- Responses received from the taxi industry concentrate mainly on the costs to drivers and operators of implementing the accessibility regulations; the perception that Northern Ireland is 30 years behind England and Wales and should be exempt from the Disability Discrimination Act (DDA) or at least have the introduction of DDA tailored to meet its needs on a local level, according the number of disabled taxi users in each area; and the Department's failure to suggest a grant scheme to assist the industry in purchasing accessible vehicles.
- Eight of the key stakeholders feel that they cannot give their final opinion on the proposal until they have sight of the DfT regulations. Although three of this eight say that they agree with the desire that all transport services operate without prejudice, and to be available to all members of society, they go on to say that we feel unable to support this proposal without being in full possession of a finalised detail of the DDA regulations.
- One key stakeholder believes that DDA has become the overriding factor in the Taxi Review and is redirecting the approach to address the problems within the taxi industry which is what we believed to be the primary objective of the Taxi Review. This key stakeholder goes on to say that the Review Team fails to grasp that people with disabilities rely more on private hire than public hire and that an alternative local solution would create a better result for this stakeholder group. We need local solutions to local problems not Westminster directives. The department need to examine the issue of subsidy to the taxi industry and highlight it within other government departments.

- Another key stakeholder cannot give an opinion because the group needs clarification and consultation as to new regulations. Another feels that the availability and proportionate availability of vehicles needs to primarily be addressed and then local issues with local partnerships developed for best practice.
- Seven taxi drivers responded negatively to the proposal. Comments included '[Northern Ireland] should have a criteria developed to suit its own situation'; 'not being very realistic regarding the number of accessible vehicles required in Northern Ireland'; 'my car is accessible to everyone including people with disabilities provided they can get from a wheelchair into the car'; 'let's stand on our own feet and make our own regulation to do with disability'; 'it does seem that the Department is being particularly heavy-handed towards taxi drivers in the implementation of DDA'; 'we had one disabled person this year plus insurance [is] unattainable for eight-seater taxi buses below £6000'; 'keep Northern Ireland as it is'; 'this is an extra cost to the driver'.
- Two taxi drivers do see the merit in the proposal: 'Why not introduce a reduced cost PSV licensing scheme for wheelchair accessed vehicles? It may speed up the transition process; and it is readily understandable that wheelchair users should often prefer to travel like ordinary people.'
- Along with two key stakeholders, the statutory and Section 75 respondents view the proposal as a welcome opportunity to make services more accessible to those with a disability. The responses received from those not involved directly in the industry are very positive. This proposal is seen as a timely opportunity to give disabled people opportunities equal to those enjoyed by able-bodied people. Emphasis is put on the fact that this proposal does not ask the taxi industry to give disabled people special treatment, rather the industry is being asked to provide disabled people with the level of service offered to every other passenger. One statutory respondent points out that it has been unlawful since 1996 to treat a disabled person any less favourably than other people.
- One key stakeholder responded that any steps that better meet the needs of passengers with disabilities in the community and those with mobility impairments in relation to the use of taxi services are welcome.
- Another key stakeholder believes that the proposed regulations will have a number of advantages and makes the following points. The regulations will provide an accepted standard of vehicle, accessible to the majority of users. As the regulations will only apply to (public hire) taxis the impact on the industry will be proportionate. Finally, disabled people in Northern Ireland will have the same rights as other disabled

people in England and Wales. Disabled people also have the right to expect that eventually any vehicle which operates from a rank or that can be hailed in the street to be accessible.

- A Section 75 respondent states that all categories of 'taxi' form an important and integral part of the public transport network, and taxi services should be fully accessible in all senses. Requirements in Northern Ireland should be no less stringent than in Great Britain, nor is there any justification for their being introduced later than in Great Britain.

**Q7** *It is proposed that, from 2010, all vehicles licensed for the first time as taxis should be accessible and that, from 2020, all taxis should be accessible.*

***Do you agree with this proposed timetable?***

- The opinion of key stakeholders is equally divided on the proposed timetable — six are in favour and six against. Seven of the Section 75 respondents and three of the statutory respondents agree with it also. Those key stakeholders who agree, believe that *'the proposed timetable is acceptable and that the lead in time is sufficient'*.
- Of the six key stakeholders who disagree with the proposal, two do so because they disagree with the accessibility proposals in general. One comments as follows. *'We need to agree a solution in partnership with the Disability Lobby that is proportionate to the problem and cost effective for taxi drivers. A single tier system with proper accessibility requirements built in would provide a better service and sooner. The other echoed this by saying we need to agree a solution with the disability lobby.'*
- The other four key stakeholders who disagree with the proposed timetable have objected because they feel that it is too long and that the accessibility requirements should be introduced sooner rather than later. One of them feels that *'government should subsidise public service vehicle owners for providing these type of vehicles. The timetable needs to be brought forward and by creating subsidies this may well facilitate this.'*
- One key stakeholder is concerned about the lack of progress in developing the regulations in England and Wales. The response goes on to say, if further delay seems likely the Department must look at interim arrangements to improve the current accessibility of taxis. The timetable involved will mean that disabled people and older people will not benefit from the proposed changes for some considerable time.

The majority of operators may not make changes until the last possible minute meaning that substantial changes will not take place until after 2015 at the earliest.

- One of the Section 75 respondents comments that *‘an earlier deadline for vehicles licensed for the first time should be considered taking into account the statistics of inaccessible taxis and the high demand for them.’* Another Section 75 group *‘would urge consideration of moving the timeframe forward from the proposed 2008, given that very few taxis are currently fully accessible.’*

**Q8** ***The Department does not propose initially to apply at DDA taxi accessibility requirements to PHVs. It will seek regulation-making powers to specify a minimum percentage accessibility requirement that would apply to PHVs in the fleets of all Small PSV operators. The need to make regulations to be determined based on an assessment of the numbers and availability of accessible vehicles in the taxi and PHV sectors.***

***Do you agree with this proposed approach?***

- Once again, the taxi industry has expressed doubts about this proposal, while those from Section 75 and statutory groups support it strongly. One key stakeholder is totally opposed, believing that ‘DOE are acknowledging the futility of the two-tier system before it is even in place and then asking the industry for the powers to change it at a later date.’
- Five key stakeholders have not supported the proposal because they ‘require clarification on minimum percentage’. They also ‘cannot agree with this proposal in its current form, as the definition of timescale, and the approach to be adopted in seeking regulatory powers are unclear.’
- Three key stakeholders support the proposal fully. They have said, ‘Dependant upon size and service availability taxi depots should proportionately have accessible vehicles. It is good to only require a proportion in private hire, as consumers will still have a choice of vehicles. And many current operators outside Belfast will move from public hire to private hire. This proposal recognises this and provides an alternative approach to ensure the provision of accessible services. Take these powers as soon as possible and do not wait to assess the impact of the initial proposals for improving accessibility.’
- Two Section 75 groups expressed their support for the proposal saying, ‘This makes sense for every “taxi” firm... We urge [DOE] to pursue any initiative [to] increase the number of accessible PHVs.’

### 3. Fares and Taximeters

This section summarises the responses to Questions 9 to 15.

The **key points** are that there is broad overall agreement on proposals that all taxi fares should be regulated, taxis should have taximeters fitted with receipt printers receipts which should be engaged on all journeys (with some exceptions e.g. for contract work. A number of key stakeholders in the taxi industry are against these proposals but respondents who agree with them think they should also apply to all PHVs. Proposals to require notifications and display of fares are supported but taxi industry respondents object to a new separate fee for testing taximeters on the grounds that existing taxi licensing/testing fees are already too high.

#### Q9 *Should all taxis be fitted with taximeters?*

- The majority of respondents, including eight key stakeholders and all the Section 75 and statutory consultees, agree that all taxis should be fitted with taximeters. A sizeable number of those who agree with the proposal feel also that to *'ensure parity within the industry'* taximeters should be fitted in PHVs as well. It is believed that *'this will help stop the overcharging and will help get the illegal drivers off the road [and] reduce the potential for fare exploitation'*.
- The eight key stakeholders who agree with the proposal have given the following reasons: 'Meters are necessary in all taxis (private hire included) in order to sustain the industry for the future'; 'All taxis and PHVs should be fitted with taximeters'; '[It] would give greater protection to consumers'; 'We recommend that the Department go further and require taximeters to be fitted in all taxis and private hire vehicles'.
- Four of the five key stakeholders who disagree with the proposal stated that the private hire trade do not consider the compulsory fitting of meters appropriate to their form of operation. The final key stakeholder who disagreed stated that meters are not necessarily required as in most instances a fair fare structure is established by the service provider.
- Respondents from Section 75 groups are wholly in favour of taximeters. Two have suggested also that the taximeters should have *'audio features installed to assist blind and partially sighted people from being overcharged... this sort of technology is very elementary these days'*. Another Section 75 respondent is concerned that there is *'no such definite statement in relation to PHVs, where it can be argued that there is greater need (for taximeters)'*.

- Taxi operators have mixed opinions about the installation of taximeters. A typical comment from those not in favour is that *'the introduction of meters would be unfair'*. The feelings of those operators in favour of the proposal can be summed up with the comment, *'if taximeters were fitted it would help the public to see that they are not being ripped off.'*
- Taxi drivers are very positive about the proposal, with many stating that meters should be fitted in public hire taxis and in private hire vehicles. *'Fitting taximeters in all vehicles, be it in the public or private sector, should have been introduced by the Department a long time ago.'* *'All PHV vehicles and taxis should be fitted with meters and printers....it protects the public as well as the drivers against false statements.'*

**Q10 What are your views on the proposed requirements relating to the compulsory production, on request, of taximeter-generated printed receipts?**

- General consensus is that *'a receipt is an integral part of every consumer transaction'*. The majority of respondents are in favour of this proposal, expressing the opinion that it will ensure greater transparency and better customer service.
- Seven key stakeholders support the proposal, believing that it will mean that *'customers know exactly what they are paying for' and that 'it should be a requirement for both taxis and private hire services'*. One of these key stakeholders says that these *'receipts should detail key information such as journey, cost, time and driver number as these could be used as proof of their journey if a complaint arose'*.
- Two of the key stakeholder who agree have some reservations about the cost to taxi firms and drivers: *'Costs of equipment related to this must be addressed, with the inclusion of a percentage on tariffs in advance.'* and *'It will be an added cost to taxi drivers and subsidy should be considered'*.
- Five key stakeholders disagree with the proposal. One feels that there is *'no necessity presently'* while the other four says that it is *'not necessary... an audit trail already exists... a written receipt can be produced'*.
- All the Section 75 and statutory consultees are in favour of the proposal, stating that it makes sense. One group stresses that it is important that the receipts *'be made available in alternative formats'*.

- Taxi operators are generally positive about the proposal, saying that ‘many customers require receipts and this should be more convenient for drivers rather than a manual system’ and that ‘this might help clean up the industry’.
- Taxi drivers’ are split about the proposal. Some feel that it ‘would make the driver answerable in the case of fares that are queried also it would save the driver the trouble of looking for his pen and scrawling out [an unintelligible handwritten] receipt’. Other drivers have stated that ‘I am rarely asked for receipts and that they would generate more litter’.

**Q11 *It is proposed that, where fitted, taximeters should be engaged for every journey.***

***Do you agree with this proposal?***

- Answers to this question can be split into three categories — yes, no, and yes, but not for contract work. The majority of responses are positive.
- Most key stakeholders fall into the ‘*Yes, but not for contract work*’ category. One, who believes that ‘the proposal is vital for enforcement of both taxis and PHVs’ goes on to state that ‘*all journeys should be metered with the exception of tendered contracts.*’ Another key stakeholder who says that account ‘*runs and long distance (over 10 miles) runs are exceptions to the rule as people want to know the price in advance and account rates are usually agreed in advance*’, echoes this opinion.
- Taxi operators fall mainly into this category also. While agreeing with the concept of taximeters, one taxi operator said that ‘*a fair percentage of work done by taxis is carried out on a fixed price contract and it would therefore be unnecessary to engage a meter for this work*’. Another said that ‘*a prepaid option would be necessary for contract work*’.
- All but one of the Section 75 and statutory respondents are in favour of the proposal as it stands. The Section 75 respondent who does not agree fully has said that ‘*for journeys over a certain distance, a set fare could be agreed and published*’.

- Taxi drivers have mixed views on the proposal. A small number are strongly in favour. They say that *'Taximeters should be struck for every single journey, be it fare paying passengers or contract work. This leads to better consistency in the whole industry and fair treatment for the drivers.'* Also that *'Meters get the fare right and eliminate overcharging (unless the driver takes the scenic route!).'*
- One driver argues against the proposal, saying that many users *'ask for them not to be initiated and prefer to name a price before the journey starts'*.

**Q12 The Department proposes to charge a separate fee for testing and calibrating taximeters.**

***Do you agree with this proposal?***

- Five of the industry-related key stakeholders objected strongly to the proposal, based on their belief that its implementation would lead to extra costs for the taxi industry – *'We feel that licensed taxi drivers pay enough; taxi drivers pay enough fees to the department.'*
- Four industry-related key stakeholders failed to answer the question asked.
- All the Section 75 and statutory respondents agree with the proposal.

**Q13 Do you agree with the Department's proposal to set a single maximum Northern Ireland taxi fare based on a critical economic assessment of taxi and other relevant costs? PHV fares will not be subject to regulation.**

- Eight key stakeholders representing the taxi industry are firmly against this proposal. One believes that the industry needs *'[both] minimum and maximum fares set until the issue of uneconomical fares is addressed'*. Another is against the proposal because *'not only does it not create competition, but it creates mayhem, chaos and anarchy'*.
- Five key stakeholders support the proposal, saying that each company will be *'afforded an opportunity to operate at prices below the maximum and that the proposal will allow for a market led tariff set in accordance with market pressures'*. One of the five believes that the proposal should *'apply to public hire and private hire'*.
- All the Section 75 and statutory consultees agree with the proposal.

- Taxi drivers have mixed opinions. One has said that 'this will curb the drastic overcharging ....in Belfast Public Hire [sector]...and [customers being] told that if [they] want to get home to Bangor [they'll] have to fork out £60!'
- Another driver responded that 'all taxi fares including the PHV fares should be subject to regulation. Regulation across the board on ... fares is only one small step in flushing [illegals] out of the industry completely'.
- Of the three drivers who disagree, one has said that the proposal 'could put many drivers, especially in Belfast, out of business'.

**Q14 Do you agree with the proposal that all taxi and PHV fare tariffs should be notified to the Department?**

- Apart from four key stakeholders, one taxi driver and two taxi operators (from the wedding car sector) all respondents agree with this proposal.
- Two of the key stakeholders who disagree are concerned that '*the taxi industry will have to wait on the Department every time we need a pay rise*'. Another key stakeholder who disagrees believes that '*regulated taxi structures would not necessitate this added complication*'.
- Four key stakeholders agree with the proposal, saying that '*this should be notified on an annual basis, and on any change in tariff*'.
- One key stakeholder views the proposal as a very positive step and would '*like the Department to use this process to ascertain the level of discriminatory charging experienced by disabled people*'.
- Taxi drivers are positive about the proposal, with two stating that DOE not owner of taxi depot should set all fares. One driver responded that '*All fares and tariffs should be not only notified to the Department but set by them. This would lead to.....less confusion when dealing with complaints from the travelling public*'.
- Another driver feels that implementing this proposal '*will keep control of the cowboy operators. If you are running a legitimate service you have nothing to hide*'.
- Taxi operators are in favour of the proposal also. One says that '*as part of a regulated system, and for consumer protection, all taxi and PHV fares should be notified to the department*'.

**Q15** *It is proposed that all Small PSV Operators should have to display in vehicles and booking offices, fares information and typical fares in a clear, standardised and easily understood format on a DOE-issued fares card.*

***Do you agree with this proposal?***

- Of the respondents, only one taxi driver disagrees completely with this proposal. He feels that display *'shouldn't be obligatory'*.
- All the key stakeholders agree that fares cards should be displayed. Two, however, say *'not on DOE cards because bad administration in the past has held the taxi industry up and lost the industry revenue'*.
- Four key stakeholders say *'yes, where the industry is able to comment on the format of the proposed card'*.
- One key stakeholder, along with a Section 75 respondent, stresses that the fares card must be made available in accessible formats. The Section 75 respondent advises that when the content of the form is being considered, those involved should refer to the Sign Design Society's Sign Design Guide.
- Another key stakeholder believes that a fares card will *'reduce the potential for exploitation and allow consumers to make better-informed choices'*. This opinion is mirrored by a taxi operator, who says that *'this would be in the interest of the consumer and would clarify many fare disputes'*, and by a statutory consultee who says that fares cards would *'make taxi fares more transparent and consistent'*.
- Taxi drivers are generally in favour of the proposal, saying that *'the public always need to be made aware of what they are being charged but also more emphasis must be put on informing the public as to the basis on which the fares they are paying are calculated'*.
- Another taxi driver see the requirement to display fares cards as another way to *'keep control of the cowboy operators'*.

## 4. Operator Licensing

**This section summarises the responses to Questions 16 to 22.**

The **key points** are that proposals to introduce operator licensing for all businesses providing taxi and PHV services are widely supported. There is some concern about the likely costs and mixed views as to whether all service providers (including sole operators) should be covered by operator licensing. The proposal to make it an offence for a SPSV operator to use an unlicensed vehicle or driver to fulfil a booking is very strongly supported but there is some reservation about how the proposed 'due diligence' defence will work.

**Q16** *The Department proposes to require all Small PSV Operators, who facilitate the invitation and acceptance of private hire bookings, or undertake contract work, to be licensed. Do you agree with this proposal?*

- The majority of respondents support operator licensing, with the general opinion that *'any rule or regulation to clean up this industry can only be welcomed by all'*. Only one key stakeholder, three taxi drivers and five taxi operators object to its introduction.
- One key stakeholder group has no problem with the principle of operator licensing but feels that *'Belfast Public Hire taxis should be exempt'*.
- Aside from this group, key stakeholders see operator licensing as a *'central plank in the fight against the unregulated sector'* and support the proposal fully. This is typified by the following comment. *'There is no accountability within offices and this measure will introduce accountability and responsibility'*.
- One key stakeholder adds in support of the proposal that *'there needs to be effective and robust enforcement and high fines and greater penalties for abuses'*.
- Taxi operators are equally divided on the proposal. Those not in favour are worried that it is *'an extra cost that we can ill-afford'*, with one taxi operator stating that *'to licence small operators would be adding a financial burden and may force closure or illegal taxiing'*. Those in favour recognise that operator licensing *'will keep control of the cowboy operators'*.

- Most taxi drivers are in favour of the proposal: *‘This would go a long way to clearing the cowboy operators out of the industry and it will be easier to oversee and less chance of anomalies arising. DOE must take power away from gangster-like depot owners.’*
- The taxi drivers who oppose operator licensing feel that *‘this is just another way for the department to make money’* and that *‘most drivers are self-employed, so why should they work for a depot?’*
- All the Section 75 and statutory consultees are in favour of operator licensing.

**Q17 Do you agree that a Small PSV Operator should have to be of ‘good repute’?**

- There is support for this proposal from all respondents, with one taxi operator stating that *‘any person providing a service to the public must be a fit and proper person’*.
- Two key stakeholders say that the need to address the *‘removal of the necessity to list Schedule 1 and Schedule 2 offences, which should have been dealt with under the Good Friday Agreement’*. One goes on to say that the inclusion of *‘repute checks to include checks against the Child Sex Offenders Register’* is necessary.
- Taxi drivers support the proposal fully. One has said that *‘No one should be allowed to slip through the net. All the appropriate agencies should be approached for background checks on any prospective licensees.’*

**Q18 It is proposed that all PHVs and their drivers — together with taxis taking private bookings, including contract work, and providing bus-type and shared taxi services — should have to be, or be linked to, a Small PSV Operator.**

***Do you agree?***

- The majority of respondents support this proposal and make little comment on it. What objections there are come mainly from taxi drivers — four in favour, seven against.
- Key stakeholders have said that *‘operator licensing is a form of self regulation and all taxi drivers should come under it’* and that *‘[operators and drivers] should all be linked’*.

- Taxi drivers who object to the proposal say that *'many drivers prefer the freedom of operating on their own'*. Others ask *'Why should I have to pay a firm for work that I get myself?'*.
- Taxi drivers in favour of the proposal recognise the benefits for consumers. *'This would lead to greater confidence for the public in the knowledge that anyone they have travelled with can be linked to a particular firm.'* These drivers believe also that it *'will keep control of the cowboy operators'*.

**Q19** *The Department proposes to exempt taxi businesses, including individual drivers, solely working in the rank and hail sector, from operator licensing requirements.*

***Do you agree with this proposal?***

- This proposal is widely rejected on the grounds that the widespread use of mobile phones make it unworkable.
- Ten key stakeholders are against the proposal, with four stating that *'all taxi vehicles carrying passengers should be subject to the same codes of conduct'*. One key stakeholder goes on to say *'This is creating a cop-out. Even sole traders use mobiles and we believe that they should come under an operator's licence. The aim of the Department has to be to have as many taxis as possible under the control of an operator as this is a form of self-regulation.'*
- Another key stakeholder asks *'How are passengers supposed to formally complain or retrieve lost property? Who will be responsible for periodic checks in relation to standard of vehicles and tax and insurance requirements?'*.
- A Section 75 respondent rejects the proposal because *'it won't help the safety of passengers'*
- Three taxi drivers are against the proposal, eight support it. Those who disagree are concerned that the exemption would work against the interests of taxi users. *'All drivers must be compelled to follow licensing requirements, regardless of what part of the industry they work in. Members of the public must be the key factor in this issue. If all drivers can be linked to a particular operator, they can have the confidence that any problems which may have arisen can be dealt with in an effective manner.'*

- Taxi operators are divided on the proposal — four for, four against. One who is against it says *‘Everyone within the industry needs to be checked on an on-going basis. All rank drivers should belong to a depot or organisation for checks and condition of vehicle.’* One of the operator in favour suggests that the proposed exemption should be extended to cover smaller operators with less than five vehicles.

**Q20** *The Department wishes to make it an offence (subject to a defence of due diligence) for a Small PSV Operator to provide an unlicensed driver or vehicle to fulfil a booking.*

***Do you agree with this proposal?***

- There is complete support for this proposal. However, several key stakeholders have requested more information on the definition of due diligence stressing that *‘provision must be made to protect operators who have been given falsified documents’*.
- One key stakeholders says that *‘it is essential for DVTA enforcement branch when dealing with PHV companies who might be working outside the law’*. Another comments *‘Historically the owners of taxi depots have received remuneration with the knowledge that some of the persons using that depot fail to meet the criteria of a public service vehicle driver and owner.’*
- Taxi drivers agree with the proposal also. One says *‘this will greatly curb pirate taxis’* while another adds that *‘for too long the legal drivers of the industry have suffered when companies have been using unlicensed drivers and vehicles at peak periods or for contract work’*.
- The support from taxi operators can be summed up in the observation of one who says *‘Great! Get all the illegals off the road.’*

**Q21** *The Department proposes also to make the granting of a Small PSV Operator licence subject to compliance with requirements to engage licensed vehicles and drivers and to maintain and make available for inspection, systems and records in relation to bookings, complaints and lost property.*

***Do you agree?***

- Support for this proposal is virtually unanimous.
- Two key stakeholders have minor doubts. One supports the proposal — provided Belfast Public Hire taxis are exempted. The other agrees *‘in principle with these requirements, however we do have concerns*

*about the amount of access demanded by the Department to the information that will be held by taxi proprietors’.*

- Taxi drivers and taxi operators are in complete support. Their comments include: *‘Any reputable firm should already have in place a proper complaints procedure and a lost property section’*; *‘[This proposal will give a better image to the industry’*; *‘Most other types of business keep records of their transactions.’*; and *‘Excellent! Clean up our industry.’*
- All the Section 75 and statutory consultees support the proposal.

**Q22 *It is proposed that all Small PSV Operator booking office premises must meet prescribed requirements, including in relation to planning permission and where there is public access, public liability insurance.***

***Do you agree with these proposed requirements?***

- All respondents agree with this proposal. Several key stakeholders and taxi drivers, however, have concerns about some of the detail and the Department’s failure to offer financial subsidies.
- One key stakeholder comments as follows. *‘[We] need to see the detail and suggested subsidy before agreeing. Would also suggest that the Planning Office should be directed by you to process established taxi offices planning before dealing with applications for new taxi businesses. The issue of grandfather rights needs to be looked at in this process.’*
- One key stakeholder suggests that *‘existing booking offices be time-restricted to bring their offices to the prescribed requirements or face revoking of Operator’s Licence with no remuneration on fee’.*
- A key stakeholder from outside the taxi industry points out that *‘ongoing monitoring and evaluation is needed to ensure compliance with taxi operator licensing requirements’.* This view is echoed by a taxi operator who urges the Department *‘to police this industry to all extreme limits.’* They go on to say *‘This can only enhance quality service to the public. In turn anybody involved in the industry will take pride in their profession.’*
- Two taxi drivers are concerned about the apparent difficulty they have faced when trying to get public liability insurance in the past. *‘Public liability insurance for taxi depots in Northern Ireland is not currently available.’*

## 5. Driver Licensing

**This section summarises the responses to Questions 23-28.**

The **key points** are that proposals to re-introduce a taxi-driving test and job-relevant training requirements for new applicants are generally welcomed. Many respondents favour extending these training requirements to existing drivers though there are concerns about how training costs will be met. There is broad support for the proposal to show more in-vehicle driver identification but some concern from taxi operators and drivers about the extent of personal information that might be displayed.

### **Q23 Should a specific taxi driving test be re-introduced?**

- Ten key stakeholders agree that a taxi driving test should be reintroduced, with the general opinion that this would *'professionalise the industry'* and *'raise standards'*. Two of these key stakeholders believe that as an incentive to drivers, *'DOE should lobby insurance companies to give lower insurance'* to those drivers who pass the test. One key stakeholder suggests that the *'development of the test should consider drivers with disabilities'*.
- Four key stakeholders are against the re-introduction of the test as they feel that it would act as a *'barrier to market entry, and is against the interest of the travelling public'*.
- All the statutory and Section 75 respondents are in favour of the re-introduction of the test, with one group expressing its surprise that such a test does not exist. Another statutory group states that often *'taxi drivers are less courteous than other drivers'*.
- Of the taxi drivers who answered this question, 15 are in favour of the re-introduction of a taxi-driving test, with one against. Comments made by those drivers in favour include: *'This should never have been removed'*; *'All drivers [should be tested] not just new taxi drivers — to advanced level if possible'*; and *'When the test was done away with by the Department there was an influx of drivers to the industry. A lot of these people were fly-by-night characters hoping to make a few quick pounds. The re-introduction of the test would go a bit of a way in professionalizing the drivers as whole.'*
- The taxi driver who disagrees with this proposal said that *'to re-introduce a specific taxi driving test will also drastically diminish the number of new applicants [at] a time when more are needed'* and that the three years' driving experience currently required is *'far more important than any specific test'*.

- Eight taxi operators agree that a test should be re-introduced. Their comments range from, *'It should never have been stopped'* to *'The standard of taxi driving is very poor.'* and *'It will bring in a higher standard of driving and stop the speed-merchants!!!'*

**Q24** *The Department proposes that someone who has held a car licence for one year should be eligible to apply for a Small PSV driver licence provided they can demonstrate they have undergone an appropriate accredited driver-training course.*

***Do you agree with this proposal?***

- Each of the key stakeholders agrees with this proposal, with most of them welcoming any moves *'to improve and professionalise the industry'*.
- One key stakeholder makes a clear link between driver training and lower insurance costs stating that, while he agrees with the sentiment of the proposal, *'unless insurance companies respond positively, what's the point?'*
- Another key stakeholder makes the point that any training courses must be designed to ensure that *'those with poor educational skills are not discriminated against in relation to their ability to pass certain modules'*.
- All of the statutory consultees agree with this proposal.
- Seven Section 75 respondents are in favour of the proposal. One of them suggests that the course could include *'disability awareness training'* and another has stated that they would *'prefer at least three years (car licence) to build up essential experience'*.
- Five taxi drivers agree with the proposal. The eight who do not disagree because they do not feel that an accredited driver-training course can substitute actual driving experience. The general feeling is that having held a car licence for one year is not enough. Comments include: *'The minimum should be two years and age 2.1'*; *'Anyone who has held a car licence for only a year has limited road experience. They have not got the driving experience even with an advanced drivers test.'* and *'[Shorter period] should be two years. No amount of training can teach how to drive and deal with situations at the same time.'*
- Six taxi operators agree with the proposal and two do not. One who disagrees does so because he feels that prospective drivers should have held a car licence for at least three to five years.

**Q25 Should all taxi drivers be required to have disability equity and awareness training?**

- Ten key stakeholders agree with the sentiment of this proposal, with one stating that it *'supports the proposal in the strongest terms'*. This stakeholder goes on to say *'The attitudes of drivers and other staff can be a major barrier to disabled people using taxi and private hire services. The Department should seek ways that disabled people can be involved in the delivery of the training as the group supports the practice of disability equality training delivered by disabled people.'*
- A further three of the ten, while supporting the proposal, have misgivings. They say: *'The Department should procure funding to assist in this rebalance.'*; *'Further information on how the training could be funded should be provided to prevent costs being passed back to consumers.'*; and *'No-one should be failed in this training programme.'*
- The four key stakeholders who disagree have each stated that *'the requirement for disability training should apply to drivers responsible for carrying disabled passengers'*.
- All of the Section 75 and statutory consultees agree with the proposal.
- The majority of taxi drivers — nine — agree with the proposal. Reasons given are that *'ignorance of peoples' disabilities or needs is a problem in the industry as a whole and this needs to be dealt with'*; *'training in areas of customer care and knowledge would be essential'*; and *'training is needed, if only to make them aware of the needs of the public and stop them thinking of a fare as a package'*.
- The four drivers who disagree are concerned mainly about who would pay for this training.
- The taxi operators who have responded are divided over this proposal — five agree, four do not.

**Q26 Do you agree that all new drivers should be required to demonstrate competency in the whole range of skills outlined at Paragraph 8-31?**

- Overall, only two respondents disagree with this proposal. All of the key stakeholders, statutory groups and Section 75 groups support it fully.
- Two of the key stakeholders point out that it is important that *'those with poor educational skills are not discriminated against'* and that *'poor literacy should not become a barrier'*.

- One key stakeholder suggests that this training could be done in conjunction with the issue, by the Department, of either a taxi driver's manual or Code of Practice.
- Another key stakeholder comments that *'if we are trying to make the industry more professional then we should set a standard for new drivers'*.
- One taxi driver feels that this training is an important step towards eliminating *'the element of drivers within this industry who are only in it to make a few pound and they shed a very black cloud over the rest of us'*.
- One taxi operator believes that this proposal would *'educate them to work with the general public'*.

**Q27 Should existing drivers be encouraged to demonstrate competency in the whole range of skills as outlined in Paragraph 8-31?**

- The majority of key stakeholders agree with this proposal. Some do have reservations, which centre on concerns that no costings have been given and the fear of what would happen if existing drivers failed the course.
- All of the Section 75 and statutory groups support the proposal.
- Eight taxi drivers support the proposal. Their feelings are best summed up by the following response. *'This would flush the problem drivers from the system and make for a whole new look towards the professional industry everyone deserves.'*
- Six taxi drivers have rejected the proposal. Two of this six see it as *'yet another drain on drivers' finances'*.
- Five of the six taxi operators who responded, support the proposal.

**Q28 Do you agree that there is a need for additional identification of the driver inside the vehicle?**

- There is general agreement on this proposal. Taxi drivers, concerned about the information any additional identification might contain, are least in favour.
- Ten key stakeholders support the proposal. One states that *'A balance needs to be struck between the interests and safety of drivers and the interests and safety of consumers. [D]river identification cards should*

*be prominent and show a current photograph of the driver and the taxi licence number.'* Another has said that the Department must '*consider the accessibility of information in the design of future driver identification*'.

- Three key stakeholders object to the proposal, with one responding that '*existing measures are sufficient*'. Another comments that '*The plates now suffice. A compromise could be a badge-holder on the dash and wearing it if we leave the vehicle.*' The third believes that additional driver identification would not be necessary '*if public awareness is created in relation to how to identify the driver*'.
- All the Section 75 and statutory consultees support the proposal.
- The majority of taxi operators and drivers support the concept of additional driver identification, with one driver responding that it '*let's the customer know who you are and that you're a legal taxi and approved by DOE*'. Another driver suggests that the additional identification take the form of '*an easily read badge inside the vehicle with photo and [Identification number]*'.
- Drivers and operators who do not support this proposal object mainly on safety grounds. '*It's a dangerous job and if a name and address appears it could lead to problems involving terrorism.*'

## 6. Vehicle Licensing

**This section summarises the responses to Questions 29 to 34.**

The **key points** are respondents are in full agreement with proposals to discontinue repute checks on taxi vehicle owners to make it easier to sell/transfer vehicles and for the Department to have power to remove/recover taxi licence plates. Also there was general agreement to proposals to impose controls in respect of advertising on or in taxis; that evidence of insurance should be carried in vehicles (but some concerns that papers could be stolen) and that all Small PSVs should comply with roadworthiness and suitability regulations (with reservations about possible future DDA taxi accessibility regulations). The vast majority of respondents disagree with the proposal to remove roof signs from PHVs.

**Q29 *It is proposed that Small PSVs should comply with all relevant Public Service Vehicle and Construction and Use Regulations and in the case of all taxis and PHVs registered to provide certain accessible services, the new DDA Taxi Accessibility Regulations.***

***Do you agree with this proposal?***

- The majority of respondents are in favour of this proposal. However, six key stakeholders express reservations because, as one group puts it, they '*need more detail and costings*'. Four key stakeholders have said that '*the requirements of the Disability Discrimination Act are not final*' and they therefore felt '*required to disagree with the question as it is currently worded*'.
- All the Section 75 and statutory consultees agree with the proposal.
- One taxi driver disagrees with the proposal. Two of those who agree say that '*a service needs to be provided for the disabled and that all vehicles should be able to facilitate people with disabilities*'.
- The majority of taxi operators agree, stating that '*vehicle standards should meet the specified requirements laid out in order to perform its task safely and efficiently*'. One taxi operator who disagrees maintains that '*the demand is not there for these accessibility regulations*'.

**Q30** *The Department seeks legal powers permitting vehicle examiners to require the removal and delivery of taxi/PHV licence plates and seizure of revoked and forged plates; and to charge and refund separate fees for issuing plates.*

***Should the Department have these powers?***

- There is broad agreement on this proposal and few comments have been made.
- Three key stakeholders agree in principle but feel that *'[in the] absence of information/detail they cannot commit to it fully'*.
- All other respondents agree with the proposal.

**Q31** *The Department proposes to prohibit PHVs from carrying roof signs and to limit permitted signage to the display of PHV licence plates and side door panels, which may contain advertising features, and must contain the words "Private Hire — Advance Booking Only" (or similar).*

***Do you agree with these proposals?***

- This proposal has generated more comments than any other. The clear message is that while some consultees concede that roof signs should be modified, to achieve a more standardised 'official' appearance, the majority of respondents are very opposed to their removal.
- Four key stakeholders have commissioned a survey to measure consumer opinion (see below) and a taxi operator has submitted a 79-name petition in support of roof signs.
- Those opposed to the removal of roof signs mainly cite their reasons for as being safety risks, reduced accessibility and the potential for increased illegal activity.
- One key stakeholder has said that *'when this was suggested in England it was known as "The Rapist's Charter" because it took off signage and made it easy for anyone to pretend to be a taxi'*.
- Four key stakeholders responded that *'the removal of roof signs would be to the fundamental detriment of the travelling public' and that 'the result of sign removal may be an increase in the number of illegally operating taxis'*.

- These key stakeholders felt so strongly about the issue that they commissioned an independent public attitude survey (sample size, 700) which found that *'public opinion is overwhelmingly in favour of roof sign retention'*.
- Another key stakeholder states that roof signs *'must stay'*, believing that *'illegal taxis using signs are vulnerable to enforcement agencies'*.
- A key stakeholder, representing consumer interests, has made a strong case for the retention of roof signs, stating that it is *'strongly opposed to the Department's proposal to prohibit the use of roof signs by Private Hire Vehicles'*. This stakeholder goes on to say, *'Roof signs continue to be an invaluable additional distinguishing feature for passengers and help identify taxis in crowded public places and plans to withdraw them will lead to more confusion and will not benefit taxi users. The Department could consider colour-coding roof signs to help passengers distinguish which taxis they can hail in the street and which they have to pre-book. Alternatively, the licence details could be merged with roof signs as is done in some other European cities. The Department's proposals to allow Private Hire Taxis to advertise in the side panels of the car will not be enough to help passengers identify taxis in crowded public places or allow passengers who have pre-booked a taxi to identify it as it approaches. It equally does not prevent the taxi being flagged down.'* This organisation also makes the point that the removal of roof signs may have *'safety concerns for passengers, particularly women, travelling alone'*.
- A final key stakeholder has responded that it has concerns *'about the potential impact of the proposals on some disabled people'*.
- Taxi operators have responded negatively to the proposal, preferring modification, rather than removal, of roof signs. One operator has stated that this proposal *'has come about mainly because of in-fighting between public and private hire [in Belfast]. Taxi drivers in towns and villages outside Belfast should not be dragged into these differences of opinion. Please let us keep our roof signs.'*
- Other operators have said *'Keep signs, only put DOE numbers on them'*; *'Taxi users in a crowded area find it easier to locate their pre-booked taxi.'*; *'These roof signs identify the operator's name and telephone number and the customer feels safe and secure.'*; and *'Taxi signs could carry the words "private hire" or "public hire", or words to that effect, in a better designed sign.'*

- Many taxi drivers responded to this proposal and the clear message is that they favour the retention of roof signs, urging the Department to modify their design — *‘We should emulate Dublin and put our PSV number on the taxi sign.’*. One driver says that he would prefer *‘all signs to have the name of the company, private and public, rather than the word Taxi’*.
- One driver sums up the feelings of most: *‘To take the signs off the top of the cabs will only fall into the hands of the illegal taxi-driver as in a crowd of cars he will look no different than the PHV. At eye level most people can distinguish between a private car and a taxi by the roof sign. In a housing estate even though people may have you booked in advance they look out for the roof sign over the top of the other cars parked. They may not come out if they can see no sign. There is certainly no chance of them seeing signs on the sides of cars not only at night but even during the day.’*
- Another driver states that *‘The proposal appears to be aimed at eliminating the casual pick-up of fares by cruising PHVs which are not responding to bookings. But the exclusion of signs would do little more than inhibit the tradition to a slight degree because a cruising PHV with or without a sign can spot a fare in need of a ride at 100 yards or better. The exclusion of signs would do more harm than good because it would facilitate pick-up of fares by unlicensed and uninsured chancers and therein put at risk the public which would quickly become accustomed to flagging down cruising cars with no signs.’*
- The majority of statutory consultees are opposed to the proposal as well, with one group stating that they *‘strongly urge that private hire vehicles and taxis should continue to be permitted to have illuminated signage on their roofs and that this should also incorporate the licence plate detail’*.
- Another statutory consultee responded that rather than removing roof signs *‘stiffer penalties for illegal use of private hire taxis and more rigorous enforcement is likely to have positive results with no downside’*. This respondent goes on to say: *‘Roof signs have a valuable role to play. The introduction of taxi plates do not entirely obviate the need for them. [T]heir removal would not in itself make a significant contribution to prevent illegal use’*.
- Section 75 respondents are totally opposed to the removal of roof signs. One believes that it *‘could lead to confusion and missed journeys’*. Another, representing people with sight loss, has said : *‘A roof sign makes it much easier for a person with limited sight to spot a taxi amidst other traffic or, for example, across a car park. The roof*

*sign will often be visible when the side of the car is obscured, and people unable to read a side panel or even the information on a roof sign may well still be able to make out the fact that there is such a sign. People are often waiting for booked taxis in difficult conditions, and even a sighted person looking out on behalf of a blind or partially sighted person will find it easier to spot the taxi if it has a roof sign.'*

**Q32** *The Department proposes to discontinue the repute checks on vehicle keepers/proprietors currently associated with the PHV test in order to facilitate the sale or transfer of vehicles without the need for re-testing within 12 months.*

***Do you agree with this proposal?***

- Apart from one key stakeholder, who did not give a reason for his objection, this proposal received full approval.
- One key stakeholder believes that the proposal will '*speed up dates for licensing vehicles*' while another believes that the '*proposal should go further and address the issue of taxi drivers changing vehicles*'.
- Another key stakeholder suggests that the provision should operate on '*the same basis as sale or transfer of vehicle under SORN [Statutory Off Road Notification] arrangements*'.
- Taxi operators believe that this proposal will shorten the time taken time to get a taxi vehicle licence.
- Taxi drivers have stated that this will '*make life easier*', adding that '*if a vehicle does change hands it should cost almost nothing to alter the appropriate records accordingly*'.
- All the Section 75 and statutory consultees support the proposal.

**Q33** *It is proposed that a current certificate/note of appropriate taxi/PHV insurance cover should be carried in the vehicle at all times.*

***Do you agree?***

- There is general agreement for this proposal.
- All the key stakeholders are in favour, with four suggesting that they '*would wish to see a requirement for insurance documentation to be made visible on the windscreen*'.

- All the Section 75 and statutory consultees are in favour, with a Section 75 respondent stating that the requirement '*will reduce the instances of taxis operating with no or inadequate insurance and it will reassure passengers*'.
- Taxi operators are split over the proposal — four responded in favour of it and four against. Those who are against the suggestion are concerned that these important documents are liable to be lost, stolen or damaged. It would be preferable, if '*insurance details can be inspected at the depot at anytime*.'
- Nine taxi drivers agree with the proposal, with four against it. One driver who agrees says that insurance documents '*should also be displayed at all times*'. He goes on to say '*Even with the new plating system drivers are finding it all too easy to drive without the necessity for proper insurance documents. This issue is what has so many "pirates" flooding the industry*.'

**Q34 Department intends to draw up new regulations and guidelines relating to the display of advertising in and on Small PSVs.**

***Do you agree with this proposal?***

- There is broad agreement for this proposal.
- Two key stakeholders, however, feel that current guidelines are sufficient.
- One key stakeholder strongly supports the proposal, saying that '*A flexible approach should be taken. [Due to likelihood of rising compliance costs] operators will need to gain revenue from other sources, including advertising. Given this, all advertising should be legal, decent and honest and all providers should be compelled to abide by any decisions taken by the Advertising Standards Agency*.'
- All the Section 75 and statutory consultees support the proposal.
- Taxi operators and drivers are in favour of the proposal, though several would like more details. Overall opinion, however, is that '*not every sort of advert should be permitted*'.

## 7. Compliance and Enforcement

**This section summarises the responses to Questions 35 and 36.**

The **key points** are that the proposal to grant additional enforcement powers to police and vehicle examiners – particularly to combat illegal taxiing – is welcomed. Several key stakeholders stress the importance of the Department implementing a new comprehensive enforcement strategy. There is support from all respondents for stiffer penalties for licensing offences, again particularly for illegal taxiing.

**Q35 Do you agree with the outline proposals to grant additional enforcement powers to authorised vehicle examiners and police officers?**

- There is overall agreement for this proposal but several respondents express concern about whether giving police and enforcement officers will actually improve things. One key stakeholder who agrees with the proposal goes on to say *'We have been let down by police officers and examiners at present because when illegal taxiing has been reported nothing has been done about it.'*
- Key stakeholders believe that although this proposal has merit, its success will depend on the Department's formulating, and allocating resources to, a comprehensive enforcement strategy. *'It may well be the case that the growth of taxis in Northern Ireland has not been matched by a commensurate increase in enforcement staff. [We] are in favour of a greater emphasis on enforcement matters and more resources being directed to it.'*
- Taxi drivers — who responded favourably — caution that these additional powers must be directed at illegal drivers and not simply the legal trade. They say, *'The powers must be carried out against illegal taxis (pirates) not just the cars who are waiting dates for PSV'* and *'For too long it has been the legal members of the industry who have been brought to book while the illegal members have seemed to act with complete impunity.'*
- Another driver adds that it should of happen long time ago and police should have had the power to stop and take these illegal people and cars off the road.
- All the Section 75 and statutory respondents are in favour of the proposal.

**Q36 Do you agree with the outline proposals to extend the range of taxi licensing offences and impose stiffer, more deterrent penalties for taxi licensing offences?**

- The majority of respondents agree with this proposal — nine key stakeholders, seven taxi operators, 12 taxi drivers and all of the Section 75 and statutory respondents.
- Of the nine key stakeholders who agree, six feel that *‘there must be consultation with the industry regarding the details of offences and penalties’*. One suggests that *‘interim legislation to impose stiffer and more deterrent penalties should be directed towards the illegal drivers in the first instance to send out [a] message of intent’*.
- Another key stakeholder has responded that *‘it is essential for additional resources to be made available to combat illegal taxiing and illegal picking up by private hire vehicles’*.
- One taxi operator disagreed with the proposal, saying that *‘taxi drivers get a tough enough time without stiffer penalties: it seems easy to stiffen up taxi penalties but hard to stop “bandits”*.
- Taxi drivers who responded are in favour of the proposal. They believe that *‘more of the pirate operators/drivers/taxi depot owners must feel the full force of the law coming down on top of them’* and that *‘no penalty could be too great’*. *‘The offending drivers must be heavily fined and any money received from such a project put straight back into the legal industry so that they get the benefits from it.’*

## 8. Other Taxi Regulation Issues

This section summarises the responses to Questions 37 to 52.

This section, which deals a large number of very different proposals which generated a wide variety of responses, is best read in full.

**Q37** *The Department proposes to introduce provisions similar to those in the (GB) Transport Act 1985 to allow taxis and PHVs to provide a range of bus-type services without the need to hold a Road Service Licence.*

***Do you agree with this proposal?***

- Four key stakeholders have not answered questions 37 – 42. The reason they give is that *the* section of the consultation [document] concerning the development of shared taxis is confused and does not contain sufficient detail.
- Six other key stakeholders are in favour of the proposal, with one saying that *'taxis should be allowed to provide a mix of services under taxi legislation and this proposal will allow the development of bus type services in rural areas in line with DRD proposals'*.
- One key stakeholder, representing consumer interests, responded as follows. *'The existing provisions that permit taxis to provide stage carriage bus-type services could be improved. The proposals... could have benefits, particularly for passengers in rural communities where there is little scheduled public transport provision. This reform would also help to support the role that taxis can play in future demand responsive transport services, as envisaged under the Regional Transportation Strategy. Taxis can play an important role in a newly designed public transport network, where all types of transport are integrated to provide consumers with better transport options. However, it is important that this is strictly controlled to ensure that passengers are protected and that these schemes do not operate to the detriment of public transport.'*
- Two key stakeholders object reasoning that vehicles providing bus-type services should have separate licensing arrangements and that *'you would be deregulating existing service providers'*.
- Taxi operator and drivers and the Section 75 and statutory respondents are in favour of the proposal.

**Q38** *The Department proposes to introduce provisions similar to those in the (GB) Transport Act 1985 to allow taxi and PHV sharing schemes, charging separate fares, to be set up.*

***Do you agree with this proposal ?***

- There is general agreement for this proposal, with several respondents acknowledging that as it happens already, it is right that the practice is made legal.
- Of the three key stakeholders who object, one does so on grounds of *'The Department [has failed] to strictly regulate... since receiving powers from councils in 1972. This would be an unenforced nightmare [which would] only creates grey areas'*.
- The second key stakeholder who objects believes that taxi sharing schemes, charging separate fares, are already legal. He says that *'this already occurs so we do not need new legislation'*.
- The third objector believes that the proposal *'could create... confrontation ... between different service providers'*.
- A key stakeholder who supports that proposal believes that the schemes could work well *'in strictly controlled circumstances'*. It advises that *'consideration should be given to other schemes such as Paddington Railway Station, London'*.
- The majority of taxi operators agree with this proposal. General opinion is that it will *'help ease the shortage of night taxis and help beat the poaching illegal taxis'*.
- Taxi drivers agree also but with the reservation that *'each passenger should pay the normal fare from his or her pick-up point to his or her destination'*.
- There is full support from the Section 75 and statutory respondents, who believe that it is *'good to make this illegal practice legal'*.

**Q39 Do you agree with the outline arrangements and conditions that it is proposed should apply to taxis providing bus-type services ?**

- Apart from two key stakeholders, there is full agreement for this proposal.
- One key stakeholders who objected says '*this would impinge on the hail -and-ride service which is struggling to become established*'. Another says that '*the taxi bus type services provided in West and North Belfast are unique*'.
- The proposal generated little comment from other respondents, with one taxi operator alone stating that '*this type of service should be kept within a set mile radius of the operator e.g. five miles*'.

**Q40 Do you agree with the outline arrangements and conditions it is proposed should be attached to taxi-sharing schemes ?**

- The majority of respondents — five key stakeholders, four taxi operators, five taxi drivers and all the Section 75 and statutory consultees — support this proposal, which generated few comments.

**Q41 It is proposed that all vehicles used to provide bus-types services, or in authorised taxi-sharing schemes, will be required to be accessible.**

***Do you agree?***

- Apart from one key stakeholder and two taxi drivers, this proposal is supported fully, with little comment made.

**Q42 It is proposed that a PHV, meeting the same accessibility standards as a taxi, may also be used to provide pre-booked bus-type services.**

***Do you agree?***

- The majority of respondents, apart from two key stakeholders and three taxi drivers agree with this proposal.
- One taxi drivers who disagrees queries the proposal, saying '*if they meet the same standards why aren't they licensed as PHTs (public hire taxis)?*'.

**Q43 Do you agree with the proposal to remove the exemption whereby taxi drivers are not required to wear a seatbelt while their vehicle is being used to carry a passenger for reward?**

- Respondents from the taxi industry — key stakeholders, taxi operators and taxi drivers — reject this proposal outright. One key stakeholder and all the Section 75 and statutory respondents support it fully.
- The key stakeholders who oppose the proposal comment as follows. *‘Until the PSNI can guarantee our calls will be attended, this proposal will endanger drivers.’* In particular they have concerns for the security of drivers when passengers are present. *‘[It is] not acceptable on the grounds of safety and attacks.’ [Drivers’ personal safety would be compromised if they had to wear a seatbelt.]* and *‘With the increase in violence against drivers this would make drivers more vulnerable.’*
- The key stakeholder who supports the proposal says that removing the exemption *‘should improve the safety of both the taxi driver and passengers, particularly in the case of an accident’.*
- Taxi operators who rejected the proposal have stated that *‘drivers should be free (when passengers on board) to protect themselves’* and *‘[whether or not to wear a seatbelt] should be left to the drivers choice’.*
- The proposal is rejected by all the taxi drivers who answered the question. In their view the environment they work in is dangerous and the risk of increased attacks on them outweighs any road safety concerns relating either to themselves or their passengers.

**Q44 Do you agree with the Department’s proposal to abolish the statutory condition relating to the waiting of private hire taxis?**

- 53 respondents including two key stakeholders, notably those representing operators and affiliated drivers oppose the proposal to remove the statutory condition allowing taxis licensed for private hire to wait within 45 metres of a taxi depot. They say that the condition facilitates the ability of customers who book a taxi at a taxi depot to step into an available taxi. Abolition they believe would leave operators and drivers wondering where to wait while awaiting a booking.
- 21 respondents, including three taxi representative groups, support the proposal on grounds that the waiting condition gives the perception of ‘taxi ranking’ (that is, taxis available for immediate hire even though they may include private hire taxis which must be pre-booked).

**Q45** *The Department proposes to develop and provide access to public registers of licensed vehicles, drivers and operators.*

***What are your views on this?***

- Most taxi representative groups, taxi operators and drivers oppose the proposal mainly on grounds that it would compromise the security and personal safety of drivers.
- A small number of other respondents, while supporting the proposal, say that would have concerns about the possible disclosure of personal details.

**Q46** *The Department proposes to review the nature and structure of fees charged for services relating to Small PSV licensing with a view to improving customer service by reducing cross-subsidisation and increasing greater flexibility.*

***What are your views on this proposal?***

- Many of the comments received – mainly from taxi representative groups, taxi operators and drivers – are to the effect that ‘*fees are already too high*’.
- One key stakeholder contends that ‘*fees should be transparent and not subject to inefficiencies*’. Another feels that the consultation did not give them a real opportunity to comment since there was no indication of what the revised costs and fees were likely to be.
- One operator suggested that ‘*the fee structure should be reviewed*’.

**Q47** *The Department proposes to replace, repeal or revoke (as necessary) all existing taxi by-laws.*

***Do you agree with this proposal?***

- There is unanimous support for this proposal from respondees.

**Q48 Do you agree with the proposal to set up a Taxi and PHV Consultative Forum?**

**Q49 Do you have any views on the membership of the Forum?**

**Q50 Do you have any views on what the role and priorities of the Forum should be?**

- The majority of key stakeholders including those representing the taxi industry support the proposal. They see the forum as a much-needed venue to make representations about the needs and requirements of the industry.
- One representative group, supported by a number of drivers, opposes the proposal doubting whether it would achieve anything positive. Another key stakeholder from the taxi industry asks '*What weight will the forum have?*' and wonders whether it '*will have any power to effect change*'.
- Taxi industry respondents hold the view that membership of the forum should comprise mainly of representatives from the taxi industry along with key stakeholders such as DOE, PSNI.
- One taxi stakeholder suggests that the forum '*should have power to influence and effect change*'.
- A number of taxi drivers think that '*the forum should deal with all responses to the proposals with a view to 'cleaning up' the industry*'.
- Two respondents suggest that the forum could facilitate the smooth implementation of the proposed changes and ensure that '*all policies drawn up are relevant*'.
- Two taxi groups call for regular meetings of the forum when established.

**Q51 The Department proposes to make more and better information about taxi and PHV regulation widely available to all users and in a wide range of formats.**

***What are your views on this?***

- Taxi industry respondents, including taxi representative bodies, regard this proposal as being '*essential*'.
- One key stakeholder comments on the need for '*the development of a partnership approach involving the industry and the Department*'.

**Q52** *It is proposed that the Department should consult separately on the issue of whether – and if so, how – stretched limousines should be licensed. Do you have any views about the potential licensing of stretched limousines that you wish the Department to consider when preparing to consult on this issue?*

- Six key stakeholders, along with a number of drivers and taxi operators, agree with the proposal to consult.
- Views from the taxi industry include calls for stretched limousines to be subject to PSV requirements and conform to type approval standards.
- One key stakeholder suggests that stretched limousines should be licensed separately from taxis.

## 9. Draft Impact Assessments

This section summarises the responses to Questions 53 to 61.

The Department received just one response which included comments on the Draft EQIA. Responses both to the proposals overall, and to the draft EQIA specifically, identified two main contentious issues: (1) how the licensing system is structured and (2) how to improve taxi accessibility. For a detailed discussion of the points made please see the final Equality Impact Assessment which can be read at the [www.roadsafetyni.gov.uk](http://www.roadsafetyni.gov.uk) website (follow the links for 'consultations').

The final Partial Regulatory Impact Assessment and the Rural Proofing Statement can also be accessed on this site.

**Q53** *Do you agree with the assumed impacts outlined in the [Draft Equality Impact Assessment]?*

**Q54** *If no, please can you explain why and provide any evidence that you may have which supports that view?*

**Q55** *Are there any issues that will impact specifically on Section 75 groups?*

**Q56** *If there are any such issues, can you explain them and provide evidence that supports that view?*

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**Q57** *In your view will any of the policy proposals contained in this consultation document affect rural areas in an adverse way?*

**Q58** *If yes, please can you explain why and provide any evidence that you may have which supports that view?*

- Three key stakeholders representing the taxi industry along with number of taxi drivers consider that the policy proposals would affect rural areas in an adverse way.
- One key stakeholder believes that 'some of the proposals would force operators out of business leading to more "illegals" '.

- Another suggests that a one tier system would open up an opportunity to develop the rural taxi industry. On the other hand, another contends that the accessibility requirements could force small operators in rural areas out of business and therefore encourage increased illegal taxi activity
- One key stakeholder advocates the payment of subsidy to taxi operators in rural areas which would help those such as the disabled or unemployed who had no access to transport.

**Q59** *Do you agree with the points that have been made in [the Draft Partial Regulatory Impact Assessment]?*

**Q60** *Are there any other potential impacts that have not been listed but which you feel should be included?*

**Q61** *If there are any such potential impacts, can you explain them and provide evidence that supports that view?*

- A number of key stakeholders and drivers felt unable to respond given the absence of detailed costings in respect of the new measures.
- Several acknowledged that additional costs as a result of the proposals and increased regulation were likely to impose a greater financial burden on the industry and cautioned against this.
- One operator suggested that any '*financial hardship faced by the industry should be addressed through financial assistance from a fund*'.

## List of Respondents

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### **Taxi Drivers (274)**

- BPHTA – 77
- NWTPL – 69
- CGBTPA – 98
- **Others – 30**

### **Taxi Operators (26)**

A 2 B Taxis  
A2B Taxis Dungiven  
Call-a-Cab  
City Cabs  
Co-op Taxis Derry  
Delta Cabs  
Derry Taxis  
Elite Taxis  
Enterprise Taxis Ltd.  
Fonacab  
Glassagh Taxis  
Maiden City  
Mr R Fleck  
Mrs D Fleck  
Pennyburn  
Phon-a-cab  
Portstewart Cabs  
Quayside Taxis

Regency Cabs

**Rosemount**

Stranmillis Taxis

Tempo Taxis

Thornhill

Value Cabs

WJC Taxis

**Yorkgate Taxis**

**Key Stakeholders (14)**

Belfast Public Hire Taxi Association (BPHTA)

Combined Group Belfast Taxi Proprietors' Association (CGBTPA)

Department for Regional Development\*

Driver Vehicle Licensing Northern Ireland\*

Driver Vehicle Testing Agency\*

Education and Library Boards Transport Officers' Group

Inclusion and Mobility Transport Advisory Committee (IMTAC)

Limavady Taxi Drivers Association

Mid-Ulster Taxi Association

Newry Independent Taxi Association

North Coast Taxi Federation

North West Taxi Proprietors' Ltd.(NWTPL)

The Consumer Council

West Belfast Taxi Association

(\* Internal stakeholders)

## **Section 75 Respondents (11)**

Community Transport Association

Guide Dogs for the Blind Association

Down and Lisburn HSS Trust

South and East Belfast HSS Trust

Living Streets

Royal National Institute for the Blind

Age Concern

Road Safety Council For Northern Ireland

Women' Support Network

Training for Women Network

Equality Commission for Northern Ireland

## **Political Parties and Statutory Bodies (8)**

Ulster Unionist Party

Democratic Unionist Party

Ballymena Borough Council

Carrickfergus Borough Council

Lisburn City Council

North Down Borough Council

Strabane Borough Council

NI Tourist Board

## **Miscellaneous (7)**

Transport Research Institute (Tri) - Taxi Study Group

Europa General (Insurance)

National Association of Funeral Directors

GoSkills

London Taxis International (LTI) - Taxi Manufacturer

2 taxi users

**Chauffeur Services (3)**

Crown Chauffeur Services

W & N Services

Spectrum Group