

CONSULTATION RESPONSE

Department for Transport Consultation on
Improving Access to Taxis



Established in Edinburgh in 1902

INTRODUCTION

Ecas is an Edinburgh-based charity, founded in 1902, which represents the interests of disabled people by providing a number of different services. Our clients are predominantly physically disabled adults. We also campaign on a wide variety of issues affecting the lives of disabled people and we base our campaigns on well-considered research, which we often commission from leading academics. We also have links with other major organisations which represent disabled people and share expertise where possible.

We have particular expertise in the field of transport for disabled people, to a large degree drawn from the direct experiences of our disabled clients, and have campaigned for a number of years for better demand responsive community transport. Ecas was also the originator of, and instrumental in designing and helping to implement, the Taxicard system, which is a concession scheme aimed at those who cannot ordinarily use buses. This system has been emulated throughout Britain and wider afield.

We welcome the opportunity to respond to the consultation paper on Improving Access to Taxis and wish to make the general comments below, as well as answering specific questions in the consultation paper.

GENERAL COMMENTS

Ecas commends the Department for Transport for examining ways in which the provision of taxi services for disabled people might be improved. However, we believe that the issue should not be viewed in isolation to other types of transport initiatives which cater for disabled people, for example the Motability Scheme/Disability Living Allowance, demand responsive transport and bus services. A properly co-ordinated transport policy is the key to an effective transport services for disabled, and non-disabled, people.

To this end, Ecas especially supports the view expressed at Paragraph 2.32 of the consultation paper, that: "Some local authorities are already making the links between local taxi service provision, local transport planning and local area agreements and taking a more strategic, long-term view of taxi provision, but more could be done". We support the suggestion that the DfT could consider how to strengthen links between the provision of more accessible taxis and the local transport planning regime (Paragraph 2.2).

Accessibility is not just about ensuring that technical design specifications for vehicles meet the needs of people in wheelchairs and those with ambulatory impairments. Ecas supports the paper's recognition that the infrastructure

within which taxis operate is critical to their use by disabled people. The consideration of driver behaviour and attitudes is welcome as this is a particularly important factor in accessibility. This latter consideration is part of a number of different 'softer' measures, such as training, which could be taken to improve access. Other measures include better information and booking systems.

The paper considers three options – 1) 'do nothing'; 2) a mixed programme of initiatives; 3) regulation around technical specifications. In general, we support the second option, but we believe that the third option, regulation, should be considered as part of this. Regulation need not be solely around technical specifications, but could also address the actions of local licensing authorities, drivers and manufacturers. The DfT could consider the opportunity that the new Equality Bill presents to revise statutory powers to make regulations and should liaise with the DWP and the ODI as necessary.

SPECIFIC COMMENTS

Q1: What is your view of the analysis and data included here and in the Impact Assessment? Do you have any further or more accurate data that you would be able to send us?

The analysis and data presented is generally good and clear, however greater consideration needs to be given to the impact of the 'other factors' in the bullet point list – namely, driver training and behaviour, links with the physical environment at taxi ranks, (particularly) links with wider local transport policies and financial incentives or user subsidies like Taxicard schemes. As mentioned above, Ecas was the originator of the Taxicard scheme and we believe that there should be further evaluation as to the impact the scheme has had on the taxi market.

Our clients regularly use taxis in the Edinburgh area, including when attending Ecas classes and events, and we have repeat anecdotal data of a number of difficulties they experience (we make bookings for them). In our experience, unhelpful driver attitudes are a major issue which acts to reduce accessibility. There are also physical barriers, with some clients reporting that they find 'black cabs' too high to get into, so they use private hire cars instead.

Q2: What do you think are the potential impacts, costs and benefits of the 'do nothing' scenario?

Ecas does not agree with the 'do nothing' option for the reasons given in the paper. This does not fit the Government's objectives or the needs and expectations of disabled people

We agree with the assumption at Paragraph 2.15 that: "Levels of accessibility for people with an ambulatory disability might be reduced if the licensed fleet was only made up of wheelchair accessible taxis".

Q3: Do you have any further or more accurate data on potential costs and benefits of a 'do nothing' scenario that you would be able to send us?

Ecas believes that good, available transport is central to the ability of disabled people to function effectively and to take part fully in society. We do not believe that the current transport system is meeting the needs of disabled people, although we agree that it is hard to quantify the potential costs and benefits of 'doing nothing'.

Research commissioned by Ecas from the University of Glasgow, has produced data, collated from a questionnaire, which suggests that the current provision of transport in Edinburgh is insufficiently accessible for disabled people who wish to use it to travel to recreational and leisure facilities (Watson, N. et al (2007) 'Recreational and Leisure Facilities Available in Edinburgh for People with Severe and Complex Mobility Impairments', executive summary attached, full report available at <http://www.ecas-edinburgh.org/research-and-campaigning/publications/document-list>).

The Report notes that: "Many people with severe and complex mobility impairments rely on taxis for transport. While the taxi card system does offer some financial relief, it is, our findings suggest, too narrow in scope and insufficient in financial terms to allow people to participate in leisure or recreational activities that are seen by many as being 'non-essential'".

Q4: What type of guidance would be most effective, in what format should it be produced and what can the DfT do to promote ?take-up?

Ecas suggests that DfT could offer to part fund Council Taxicard schemes if the Council follows the guidance produced. The type of guidance suggested is appropriate.

Q5: What do you think of the draft technical specification? Do you think that it would help to improve levels of accessibility? Which aspects of it could be delivered easily and which ones would be problematic?

The draft technical specifications are generally good. It is suggested that lifts would reduce driver strain and increase availability for disabled people. However, reliability could be an issue.

Q6: What do you think are the advantages and disadvantages of DfT-funded demonstration schemes?

We believe that there would be advantages in DfT-funded demonstration schemes, however the proposals in the paper are too small in scale to be effective. Working with three or four local authorities would be appropriate in trying to ascertain further evidence of how access to taxis could be improved. However, it would not be appropriate as a means of implementation. Demonstration schemes and other training initiatives would have to be backed up by appropriate enforcement mechanisms and regulation to have effect.

Q7: What do you think would be the most effective ways of influencing action by local licensing authorities, drivers and manufacturers?

Ecas believes that the most effect ways of influencing action by local licensing authorities, drivers and manufacturers would be by regulation.

The paper considers three options – 1) ‘do nothing’; 2) a mixed programme of initiatives; 3) regulation around technical specifications. In general, we support the second option, but we believe that the third option, regulation, should be considered as part of this. Regulation need not be solely around technical specifications, but could also address the actions of local licensing authorities, drivers and manufacturers. (See general comments above.)

In relation to the financial incentives, mentioned at Paragraph 2.22, Ecas suggests that further consideration should be given as to whether it would be more cost-effective to fund demand responsive transport initiatives such as Edinburgh’s Handicabs. Further research should be undertaken to ascertain how often drivers are using ramps and other design modifications. How are drivers deterred from obtaining the funding for accessibility and then being excused on medical grounds from using the equipment? (In our experience, this is common.) Ecas suggests that if resources are available, these would be better spent in targeting other areas of transport for disabled people and should be targeted on producing a co-ordinated plan for transport.

Q8: What are your views on the Government’s proposal to amend and commence section 36 of the Disability Discrimination Act? This would impose a duty on drivers of taxis and private hire vehicles that are designated as being wheelchair accessible to assist passengers in wheelchairs, to carry them in safety and comfort and to not charge them any extra.

Ecas welcomes this proposal. Some wheelchair users use private hire vehicles with the wheelchair in the boot of the car and them in the seat. We agree with the Government that the duties to assist passengers in wheelchairs, to carry them in safety and in comfort and to not charge them an additional fare should apply to drivers of both licensed taxi drivers and drivers of private hire vehicles.

We agree that there should be better co-ordination with other areas of enforcement, such as parking, as suggested at Paragraph 2.24.

We also agree with permitting local enforcement officers to issue fixed penalty notices for minor breaches (Paragraph 2.26). Primary legislation would be needed to amend the penalty regime for Part 5 of the Disability Discrimination Act 1995, and the Government’s planned Equality Bill would be a good opportunity for amendment.

Q9: What additional enforcement action or tools would be the most effective ways of improving driver behaviour and attitudes?

We believe that additional enforcement action or tools could include further powers to issue fixed penalty notices (see above). There should be the option to suspend the offender’s taxi license, for repeat offences.

Q10: What measures do you think could act as positive incentives to improve driver behaviour and the levels of service offered to disabled people?

Ecas suggests that other useful measures might include compulsory 'moving and handling' training for wheelchair users. One possible incentive would be to only permit qualified drivers to accept Taxicards.

Q11: In relation to improving access to taxis, what do you think the DfT and local licensing authorities could do better or more effectively?

We believe that the positioning of taxi ranks is important and the whole infrastructure of taxi provision should be considered, not simply technical design criteria. Initiatives to address sheltered seating close to the rank, better information provision, kerb heights and pavement widths would all be welcome. Further consideration should be given to security for disabled people using taxis at night. The Scottish Government's research which has helped lead to the Offences (Aggravation By Prejudice) (Scotland) Bill establishes that disabled people are generally more vulnerable and at higher risk of suffering abuse and attacks, than are non-disabled people.

Q12: How could we help to increase the availability of accessible taxis and private hire vehicles at ports, airports, bus and rail stations?

We suggest that this is another area in which regulation could be used effectively. Other measures should include better information provision.

Q13: How could we improve the consistency and quality of information provided to disabled people about taxis?

We suggest that the issuing of best practice guidance would be appropriate in establishing the consistency and quality of information provided to disabled people about taxis. Peer review and benchmarking exercises should also be utilised to establish consistency and quality.

Q14: What do you think are the potential impacts, costs and benefits of a proactive programme of DfT-led initiatives?

Ecas believes that a full impact assessment should include, as far as possible, the indirect benefits of a pro-active programme of initiatives. Improved transport provision has a substantial impact on the lives of disabled people. The indirect benefits are hard to quantify but should include:

- Improved social integration;
- Participation in sport and recreation (and the associated social and health benefits);
- Greater economic participation – consumer spending.

Q15: Do you have any further or more accurate data on potential costs and benefits of a programme of DfT led initiatives that you would be able to send us?

Ecas has some data concerning the lack of accessible transport (including taxis) for disabled people who wish to use recreational and leisure facilities in Edinburgh (see above). An executive summary is attached.

Q16: What do you think about the draft technical specification?

Ecas suggests that it might be possible to focus on producing two separate specifications:

- Wheelchair accessible taxis (black cabs)
- Saloon cars meeting ambulatory accessibility requirements (private hire)

Q17: What do you think are the potential impacts, costs and benefits of a regulation?

We suggest that the considerable financial investment in the impact assessment might be better spent in other areas of accessible transport for disabled people, such as accessible minibuses. We believe that investment should focus on improving an integrated, co-ordinated transport scheme (see above).

We believe that it would be difficult to implement a regulation according to whether an area is an urban authority or areas with high levels of limiting, long-term illness. These factors are hard to determine and to assess. This might inadvertently promote uneven and unfair provision.

Q18: Do you have any further or more accurate data on the potential costs and benefits of a regulation that you would be able to send us?

Ecas does not hold such data.

Q19: How do you think that a technical standard should be enforced?

(As above, we do not believe that the regulation of technical standards should be the priority in establishing better accessibility.) However, if this approach is to be taken, the third enforcement option suggested is appropriate: a national standard list of items that could be checked at the time of annual or supplementary checks and adopted as good practice by local licensing authorities. Spot checks and intelligence/complaint led enforcement could back this up.