

7. Law Commission Update

LAW COMMISSION ON TAXI AND PRIVATE HIRE SERVICES SETS OUT ITS PROPOSALS FOR THE FUTURE

In a statement made at the NALEO National Training Event on the 21st January 2014 Ms Jessica Uguccioni of the Law Commission outlined the methodology behind the Commission's work on taxi and private hire services.

Jessica stated that although a draft bill is being prepared hopefully to be published in April 2014 it will depend on Government whether it decides to implement the Law Commission's recommendations, and even if they do, whether further changes may result during the parliamentary process. **Only if the Government of the day decided to accept the proposals (and any amendments) could new legislation result. It is unlikely to occur in the immediate future.**

Major proposals include:

- Maintaining a two tier system with only licensed taxis being allowed to pick up via hails or at ranks;
- Replacing plying for hire with a statutory definition of private hire bookings through licensed operators;
- Officers to have the statutory power to require private hire vehicles or out-of-area taxis to move on thereby removing the vehicles from being on display to the public;
- The retention of taxi quantity controls and in areas with a plate value those plates to continue to be transferable;
- Pedicabs and stretched limousines to be brought within the scope of licensing;
- Wedding and Funeral cars to continue to be exempted;
- National safety standards for both services with Ministers having the power to set standards for enforcement, safety, accessibility and the environment;
- In respect of taxis only authorities could set additional standards
- Cross border rules for taxis remains the same;
- Cross border for private hire would remove the "three licences from one council" rule with operators able to operate anywhere;
- Operator definition narrowed to dispatch functions;
- Intermediaries inviting or accepting bookings guilty of an offence if reckless to services provided being via unlicensed persons;
- Ministers to set standards for promoting accessibility;
- New duty on drivers to stop in specified circumstances;
- Mandatory disability awareness training for all licensed drivers;
- New enforcement powers including:
 - Powers to stop licensed vehicles by accredited officers;
 - Power to impound vehicles for serious breaches by accredited officers;
 - New fixed penalty schemes;
 - Cross border enforcement powers in respect of other borough vehicles and drivers;

- More uniform appeals procedure: an optional reconsideration stage with the licensing authority;
 - Magistrates' Courts to continue to hear appeals with an option of further appeal to the Crown Court; and
 - Simplified judicial review procedure in the County Court in respect of challenging local taxi conditions.
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