

Response to the Department for Transport consultation

Improving Access to Taxis

Prepared on behalf of the Scottish Taxi Federation
In association with the TRI Taxi Studies Group, Edinburgh Napier University

This response has been prepared by the Scottish Taxi Federation (the federation) and with the assistance of the TRI Taxi Studies Group of Edinburgh Napier University. The response reflects the views of the federation and is presented to the Department for Transport (the department) as such. Questions relating to the content of the document can be addressed directly to the federation, or to: j.cooper@napier.ac.uk.

1.0 Introduction

This report is has been prepared as a response to the Department for Transport Consultation on improving access to taxis (DfT, 2009) (the consultation), on behalf of the Scottish Taxi Federation.

The Scottish Taxi Federation (the Federation) was founded in 1984 when it was recognised that the Scottish Taxi Trade required a representative body that would be fully committed to represent the many varied and yet common interests of all members of the Scottish Taxi Trade and keep the same advised of ever changing legislation and how this affects them individually and collectively. The federation represents a significant voice of the taxi trade in Scotland.

The federation recognises the significance of providing transport for all members of our communities, and the right of every individual to equality in accessibility. We do not, however, believe that this is achieved through universal adoption of a single vehicle type. Nor do we feel that a blanket approach of a “given proportion of taxis within a fleet” will necessarily achieve the aims as set out by the department.

In preparing this response, the Scottish Taxi Federation has ensured that a full cross section of its membership has been consulted and contributed to the development of our response.

2.0 Structure of our response

Our response has been structured to provide full and detailed replies to each of the questions set out by the DfT in the consultation document. We also recognise the significance in providing sufficient background analysis in support of our answers to allow for full assessment, by the Department, of the arguments and, where appropriate, identification of areas where

we feel that an initial premise within the consultation requires clarification.

Our study has included the Federation employing an independent taxi analyst to undertake a review of the views of UK local authorities. A survey has been completed under the auspices of the Taxi Studies Group of the Transport Research Institute, Edinburgh Napier University, reviewing the approaches to taxi accessibility across the entirety of UK councils (at city, district and county level) with a responsibility for taxi licensing – in excess of 400 UK councils. A more detailed assessment of the responses is available from the TRI Taxi Studies Group, with a summary of responses included in this document. The views of the councils have been significant in developing a balanced response as laid out below.

We have structured our response to include an overview of the consultation process, set out in section three. We urge the Department to consider this as a part of their assessment of responses.

3.0 Review of the consultation

The DfT consultation arises from a desire to enhance access and help equality of opportunity (Sect. 1.3) an element of the DfT strategy “Delivering a Sustainable Transport System” (DfT, 2008), and mirrored in the cross governmental independent living strategy, also published in 2008. Reference is also made to the positive effects of the Disability Discrimination Act 1995 (DDA) on the provision of public transport services. It is of note (sect. 2.4) that the department see a need to address both Hackney and PHV markets, which have traditionally sat separately.

The federation is strongly of the opinion that taxi users should be entitled to a full range of services fully appropriate to their needs. We **do not**,

however, believe that this objective will be achieved through development and application of an enhanced standard vehicle without a significantly greater awareness of the local market conditions of the markets being considered, and accommodation of financial issues - mainly, but not exclusively, allied to the cost of an accessible vehicle. It is our view that the needs of Rural Communities differ from town demands, which differ from metropolitan cities.

Currently Parts 3 and 5 of the DDA affect taxis. Part 3 entered force on the 4th December 2006 determining that disabled people should not be discriminated against or treated less favourably than able-bodied customers. This is a significant achievement, which may be negatively affected in the instance of declining fleet.

Moreover the consultation sets out key pointers of success, set out below which may, perversely, be negatively impacted upon. Our view of the nature of impacts on these areas is set out in our responses to the department's specific questions.

In terms of taxis, the focus of this consultation is to seek to establish a more accessible taxi system. This concentrates on the five areas as indicators of success:

- To achieve sufficient numbers of accessible taxis, including the view that much of the demand for accessible vehicles is suppressed as a result of a visible lack of vehicles
- To reduce significant variation between regions,
- To improve kerbside infrastructure
- To reduce instances of poor behaviour on the part of the driver, as illustrated by drivers not helping or refusing to stop
- To provide for improved information to help disabled people plan!!!!

The federation supports these goals, but is seeking to ensure that, in doing so, the department fully considers the range of impacts, beyond the level of analysis as detailed in the consultation. These include impacts allied to increased mobility, but should also be taken to include direct and indirect cost impacts on the drivers and taxi owners. The failure to account fully for the full range of costs associated with vehicle purchase and operation include the decline of a respected and required service; and a concurrent change in the user costs through the various cost models applied to tariffs.

We are deeply concerned that the current consultation does not fully account for the costs of taxi operation, as set out in our responses below. The federation would seek to engage in a positive conversation specific to the full costs and impacts of accessible taxi operation; moreover we would seek to develop, with the department, Scottish Government and councils, methods of ensuring increased accessibility being aware of the costs and potential need for incentivisation, as set out in our answers below. It is equally important to underline without full consideration of the cost impacts of vehicle technologies on the ability to operate, and the overall impacts on service levels themselves, such developments are likely to be a significant challenge.

4.0 Consultation Questions and Responses

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

The federation agrees that the principle methodologies applied to the impact assessment. The consideration of key monetised costs appears appropriate in the development and application of policy. Moreover, the federation is, in principle, in agreement with the development of more

robust analysis utilising the same or similar methodologies, as indicated as progression from this point of initial consultation.

We do not agree with the extent of impacts input, these are discussed below, nor with the levels of costs considered. This being illustrated by the lack of reliable costs appropriate to the purchase of a new vehicle. Given this fact we are unable to concur with the costs figures under Policy Option 3, key monetised costs (p.52). Moreover, while the impact assessment refers to a “likely cost more than the models that meet the interim standard”, itself a phrase based on uncertainty, we consider this cost differential to be a **very significant element** in the required appraisal, and currently reflected purely by supposition on the part of the department.

Patterns of ownership and replacement are included across policy options, and are illustrated in policy option 2, page 50. A reasonable supposition is made, that the accessible taxi is likely to have a longer service life than a saloon vehicle, but this is neither substantiated nor elaborated upon. The significance of such assumptions is reflected in the reliance of further analysis on the values drawn against this supposition. It is our contention that the actual patterns of ownership may be better identified through fleet analysis, and that this should be a serious consideration of the department in the development of their policy direction.

We would also feel that implicit assumptions regarding the patterns of fleet acquisition and disposal should be made explicit. This including, for example, the likely purchase and resale value of particular vehicle types within the taxi fleet. We would reject the view that a second hand taxi, under the current market operation, has no inherent resale value, and feel that sufficient evidence can be collated, for example via Mann Overton or Cabdirect sales teams on the precise values of vehicles through their life cycles.

We have not been able to identify within the impact appraisal any reference to the relationship between actual operating costs and tariffs. Indeed we are of the opinion that the majority of the impact assessment remains unaware of the actual relationships between costs of supply (taxi operator production costs) and outturn fares. This is in our view a major omission in the development of the impact assessment and one we would urge the department to include in its ongoing analysis.

In previous work undertaken on behalf of the federation and its members we have been able to identify cost models that can provide a scientific basis for the analysis we consider to be necessary to fully understand these relationships. These considerations are, in our view, absolutely necessary in ensuring full impact assessment; and to avoid, for example, the creation of schemes that, through the costliness of their application, result in a taxi service that is significantly more expensive at point of use. The development of an enhanced standard that results in taxis becoming unaffordable for the user appears to us to be as unacceptable as no development at all. This is a view that has been expressed by 95% of all responses to our own survey of licensing authorities.

Impact Assessment of policy options 2, 3 and 4 relate to specific vehicle operations on the basis of interim, enhanced and urban access options. Consistent reference is made to the serviceable life of an accessible vehicle as opposed to a saloon vehicle. We do not feel that sufficient evidence exists to assume that all accessible vehicles will achieve a 12 year life span, nor that all saloon vehicles require a four year replacement pattern (See Cooper, 2007: Taxi Licensing, Regulation and Control: An analysis of taxi supply in medium sized UK cities, Napier University, Edinburgh). Implicit assumptions are likely to remain specific to the life span but these are inherently dependant upon the local conditions of supply, local quality controls in force, and derive from the relationship between costs of supply (taxi supply) and taxi tariffs, which are

determined locally. We would urge the department to seek more detailed information specific to these relationships. The Napier University analysis of these relationships is available from the Taxi Studies Group at the University (www.tri-napier.org).

4.1 Do Nothing Scenario

Questions 2 and 3 relate to a do nothing scenario. The definition of a do nothing scenario in fact relates to no additional action being taken on the part of the department, a do minimum scenario, rather than an absolute absence of activity specific to increasing levels of accessibility. Do nothing, as defined in section 2.13 of the consultation, will, in fact, continue to rely on the licensing authority, market and trade to make decisions specific to their fleets at a local level. The do nothing scenario may also allow for the devolved administrations (Scottish Government, Northern Ireland Assembly and Welsh Assembly Government) to make informed decisions concerning the supply of taxis in the countries of the UK along the lines of those currently made by the Northern Ireland Assembly in relation to taxi supply in Northern Ireland. We have, however, grouped the latter (Scottish Government guidance) into the second option – a do something scenario, from question 4.

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

In our review of 400 licensing authorities 80% of respondents identified local needs as including Wheelchair accessible vehicles, although the specification of such vehicles appears varied throughout GB. Most non-urban authorities identified a mixed fleet as a desirable outcome though many did not feel that 50% of their fleet should be comprised of Wheelchair Accessible Vehicles (WAVs). London style, TX, and current

design Allied Vehicles taxis were widely felt to be WAV compliant. A small number of authorities reported that they would wait for departmental guidance as to which vehicles would be classified as WAV before committing to policies within their own area.

The outcomes of our survey can lead to a logical conclusion that **the do nothing scenario does not equate to no positive change in accessibility.**

It is, however, significantly more difficult to assess a global impact of the “do nothing” scenario given that licensing authorities approaches may differ. Common patterns observed in the responses suggest that the most likely outcome of the “do nothing” scenario will be a continuation of previous gradual moves toward accessible vehicles, of the “interim standard” type.

Statements outlined in section 2.15, the department’s own assessment of the do nothing approach, indicate a significantly longer period of time to achieve a fully accessible fleet than under a more pro-active approach. Whilst we can not argue that achieving a positive outcome over a short period of time is to be welcomed, the actual difference between do minimum and do everything scenarios is quite limited.

The costs and benefits of this pattern of development are measurable, and would be achieved with some degree of accuracy through application of a standard Social Cost Benefit Analysis (SCBA) on the stated aims of each council area. Correlation would also be possible at a council level of the monetarised impacts arising in the production of taxi journeys on the consumption of taxi journeys, beyond that that might be achieved using aggregate national (UK) statistics.

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?

We feel that the actual costs and benefits of the “do nothing” scenario depend upon the individual policy decisions of the council areas. We feel that these figures are fully identifiable and should be followed up to represent a detailed and inclusive analysis. For our part we are able to provide a summary of our findings resulting from the survey of GB Licensing Authorities, which should provide an input sufficient to initiate the CBA seen as necessary.

4.2 Pro-active programme

Questions 4 to 15 relate to a pro-active programme of DfT initiatives. These form the bulk of the consultation and cover details of the effectiveness of (other) DfT pro-active measures. Our answers are based on our experience and understanding of such measures as they apply to the taxi trade in Scotland, but are limited to the application of measures as they may be interpreted or mirrored by legislation at a Scottish level.

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

The development of guidance, most specifically the nature and layout of such guidance will depend on the intended use of such guidance. Our interpretation of the consultation sections 2.16 to 2.18 suggests that the intended aims of such guidance is to achieve a wider implementation of appropriate accessibility measures within the taxi trade applied at a licensing authority level. This itself may split between guidance specific to

the vehicle, specific to the analysis of the taxi market, or indeed in the combination of these factors.

At a basic level, and specific to the uptake of such guidance, it is important that the structure of the guidance is readily understandable by the council officers whose job it will be to interpret and apply such guidance.

Our review of licensing authorities highlights two issues, a desire for clarity, particularly in terms of vehicle design; and a fear that costs of implementation will negate benefits. It should also be underlined that clarity of vehicle specification **did not equate**, in any response, is the need for a new vehicle design.

The department's previous guidance: Taxi and Private Hire Vehicle Licensing best practice guidance (DfT, 2006), mirrored in Scottish Government best practice guidance (Scotland, 2007) has had an impact in the methods adopted in reviewing the market, and we would suggest that similarly direct communication is appropriate.

The federation would feel it important that any guidance specific to vehicle design, as suggested in enhanced vehicle design specifications, also be accompanied by detailed methodologies specific to the assessment of markets and market economics. This picks up on our previous point, contained in the opening analysis, that a full range of impacts including those cutting across domains (such as quality, quantity and economic control) be considered. This is necessary to avoid the implementation at a local level of a requirement that would not be affordable either within the trade or in the resulting pressures on fare levels. We would also feel that serious consideration be given to analytical models of proportional demand, of which we are aware, that allow for specific analysis of mixed fleets, those comprising both accessible and saloon vehicles. We would be happy to provide contact to the author of the proportional taxi supply model.

The relationship between Hackney and Private Hire vehicles is also subject to some interpretation. We would suggest that any guidance would need to be specific as to the market segment for which it is intended. This could, in our view, be achieved through separate guidance, or the clear identification in a global review.

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

It is our view that a detailed specification of a new vehicle is likely to be problematic. This does not negate the benefits achieved by specifying forms of mobility accessible vehicles; indeed a level of clarity is likely to be beneficial. The draft technical specifications thus provide a dichotomy between the desire for clarity, and the impacts of an excessively over-specified vehicle impacting negatively on business and ultimately on the passenger and fare.

Where it is clear that guidance is provided to allow for a detailed and appropriate assessment of the localised market conditions at the appropriate level of government, there are benefits to be achieved. We would suggest that this be allied directly to the forms of analysis previously discussed and including proportional demand, where this is an appropriate approach adopted by the licensing authority, and allied to the consideration of all costs and benefits.

The impact of guidance on the levels of accessibility will depend, largely on the practicality of their application, and the nature of supply prior to their use. Where the guidelines are applied to a largely accessible fleet, including those operating London style taxis, the actual outcomes may be more limited than those achieved in less accessible fleets. Moreover, the

movement of accessibility up a political ladder will have an impact on a wider basis than related directly to the make up of a fleet., and it is the latter area, positive impacts on driver behaviour and customer expectations, that may have a lasting and positive impact on the industry.

Our main concerns in the application of a detailed specification relates to the development of a detailed, enhanced specification of vehicle, set out in relation to questions 16 to 19. We would also be cautious in adopting approaches that failed to fully account for individual users desires particularly in relation to an observed preference for saloon vehicles by some users.

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

We would see the development of demonstration schemes as an appropriate measure in establishing the effectiveness of a particular approach. From an academic view, the term demonstration implies a level of definition - that a scheme being demonstrated is fixed as a final solution seeking public acceptance. In this respect we would prefer to identify pilot as a method of developing guidelines and validating the assumptions that had been set out in their design. Although this may appear to be an issue of semantics, the actual benefit of such a scheme, we suggest, lies in the ability to learn prior to widespread application.

We would also underline the need to address differing markets differently. The observation of impacts (positive or negative) in an urban environment does not imply equal impacts in non-urban communities.

We would also like to underline that the different regional economies of the UK, as exemplified by differing markets in England compared to Scotland, should be considered.

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

It is our opinion that the development of new requirements that increase the operating and enforcement costs (on the operators and licensing authorities respectively) should be offset. We feel this to include a level of incentivisation, as for example achieved through financial grant assistance, VAT reductions etc.

Our review of licensing authorities revealed a number who already provide fee holidays for operators buying accessible vehicles, though the likely levels of additional costs are unlikely to be achieved through this approach alone. We would also identify the need for a licensing authority to remain cost neutral, and would seek to avoid additional costs of enforcement being passed directly to the trade in the form of higher license fees. Any such increase would be likely to be divisive and act to reduce the impacts of the scheme, or to increase conflict between trade and authority, or trade and department.

Q8. What are your views on the Government's proposal to amend and commence section 36?

The Scottish taxi trade recognises the right of the individual to receive appropriate treatment in their carriage. We underline the fact that this applies to all users regardless of handicap. It is significant that the taxi driver provides such help as is requested but does not impose or imply a need where one does not exist. Many individuals may see enforced help as being unnecessary, even discriminatory. In many instances the need for help and a proportionate approach will be self-evident.

We would therefore underline the commitment of the taxi trade to respond to requests for assistance appropriately at the time of such a request.

We would also uphold the rights of the driver to avoid circumstances that may result in personal harm. This applies only to a tiny minority of journeys.

We would suggest that guidance on the “reasonable duties” and responsibilities of a driver would be helpful in this respect. We recognise that a duty of care commences on engagement and concludes on safe egress from a vehicle, and would wish to uphold and enhance the rights of the passenger at any point within their journey. We would be willing to contribute positively to such a discussion.

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

The Scottish Taxi Federation recognises the need not only for its drivers to behave appropriately to all its customers, but also be seen so to do. In many instances the trade has entered voluntary training programmes, this being reflected in the views of respondents to our GB wide survey, and the positive outcomes in terms of perception and experience would suggest this a positive method of ensuring high levels of customer experiences.

In other jurisdictions driver training and driver awareness has also proved positive, including those covered by go-skills.

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

Mandatory training at specified intervals will provide the basic framework for appropriate behaviour. We would see the provision of free training and covering lost income at point of use as a highly effective method of ensuring a positive outcome.

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

The needs of a local community in the design and application of taxi services still remains largely interpreted at a local level, in addition to the national (UK) and country based (Scottish Government) best practice guidance. The system of a local application has formed a strong basis for the delivery of services without fundamental or negative impacts.

Differences do exist between the need to determine and apply reserved national legislation, such as the Disability Discrimination Act, and the setting of licenses and fares at a local level. We feel that this differential should be maintained.

We would see the development of UK and Scottish Government best practice guidance as an appropriate method of determining standards to be applied at a local level. We would also see a demonstrable need to include local authorities in the development of guidelines and their testing using pilots, as alluded to in previous responses. Detailed research that is transferable will be best achieved with the full and funded

collaboration of the local authority and taxi trade, and the full inclusion of users and other transport planners / academics.

Q12. How could we help increase the availability of accessible taxis and PHVs at ports, airports, bus and rail stations?

We recognise the significant issues arising from the differing nature of some ports, airports and railway stations as opposed to public facilities, and do not underestimate the difficulties in achieving consistency in approach.

We would also be concerned with the status of so called “private” stances. In pursuance of the Civic Government (Scotland) Act 1982, only Licensing Authorities are able to appoint taxi stands (public stands) leaving remaining locations, railways, hotels, airports as offering “private” facilities as a convenience for their customers and outwith legislated control.

The nature of private facilities is likely, in our view, to increase differentials and this may well impact on the nature of services and accessibility at such locations. While we would seek to ensure common and consistent standards across all taxi stands, we would urge the department to be mindful of the different status of stands at airports etc., and to progress in such a way as to not bias a market or result in differing application of the law.

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

Licensing authorities and private stand owners should be required to maintain a database of the forms of taxi services available, and contact

points. Such information could be made available using an on-line information system such as Transport Direct or Traveline Scotland.

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

We would consider the development of DfT and Scottish Government led initiatives to be beneficial. Without a detailed specification of the actual initiatives a direct measurement of their costs and benefits is not possible. This said the outline of the possible forms of initiative within the consultation is helpful.

We would be in favour of developing guidelines that allow for the detailed analysis of the social costs and benefits of a scheme beyond those set out in the impact assessment within the consultation, which we respectfully suggest is flawed in the absence of these figures.

The application of a guidance, rather than mandatory, approach allows for the full identification of the costs and these might be offset where appropriate by incentivisation, or the appropriate use of proportional application of accessible vehicles to the benefit of the travelling public.

We would see the development of pilot schemes as appropriate (defined in the consultation as demonstration schemes), in which the real costs and benefits of the proposed measures be identified prior to and informing a wider development of guidelines.

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

The constituent members of the Scottish Taxi Federation have previously commissioned research addressing the issue of proportional measures of accessible taxi use, and are further aware of work developed by the Taxi Studies Group of Edinburgh Napier University including published material pertaining to “parataxis” and to a model of taxi demand encompassing disabled accessible vehicles. The studies developed by the group are available in the public domain and can be embellished by request to our contacts in the taxi studies group (www.tri-napier.org).

Some of the data as required to operate the accessible taxi model is regularly collected as a part of Licensing Authority studies of Significant Unmet Demand (SUD and SUDSIM) though the Federation itself has limited access to the range of data held within such studies. We would also caution against the wholesale adoption of SUD data as the only significant dataset specific to accessible vehicle demand. We are also aware of the current developments by some authorities of accessible taxi assessments, exemplified in the results of our survey of UK licensing authorities. We would anticipate, but can not legislate, that the findings of such analyses should be available to the department.

We are further aware of analyses completed by the Scottish Government (Research Findings 220/2006) specific to “Improved Public Transport for Disabled People” which highlights specific needs and definitions of “door-to-door” transport, services which complement existing taxis, mirrored by similar research undertaken by the Department of the Environment for Northern Ireland (DOE, 2005) and that highlighted in Cooper, J M, Nelson, J D, Wright, S D and Cooper, U., (Cooper et al, 2007; “Parataxi: The potential for focused taxi services to serve new demands for travel.” Paper presented for International Colloquium on Taxis, Lisbon, September 2007); and within research developed from the Americans with Disabilities Act in the USA. Details of such work is available via our contact with the TRI Taxi Studies Group, as outlined above.

The Federation would also like to underline a need to fully address Cost Benefit analysis in terms of its **Social Costs and Benefits**, in addition to those that have been included in the department's consultation documentation. These extend, in our view, to include Social Benefits arising from increased mobility and directly measurable operational costs of vehicle development to the trade. We would feel it appropriate for this to include analysis of the potential positive present values of supported purchase schemes.

4.3 Regulation

Questions 16 to 19 relate to the development of new regulations, focused on the specification of a new vehicle design, and are defined within the consultation as a regulation option. Such regulations derive from powers set out within the Disability Discrimination Act 1995 as a reserved function. We would recognise the significance of such regulation, as set out in our responses below, and would seek to ensure appropriate consideration of the split of responsibilities between reserved matters and those devolved, under the Scotland Act, to the Scottish Government, including the majority of taxi control functions.

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

The phrasing of this question invites responses to the actual specification of a vehicle type alone. It is significant that the needs of the disabled traveller are under consideration, and the federation would be supportive of that discussion. It is appropriate, however, that any such discussion be carried out in light of the external context in which such definition occurs, and these elements are not, in our view, separable.

The definition of interim and enhanced vehicle standards suggests a process in which any move to enhanced accessible vehicles achieved over an extended period of time. This in itself questions the original statement within the consultation, section 2.15, that in the departments “do nothing” scenario, vehicles would never the less achieve full accessibility from a point in 20 years. Section 2.43, which is addressed to the “regulation scenario” suggests and has considered impact assessment for compliance by 2025, a period of 15 years. The difference between compliance in the do minimum and compliance under a do everything scenario is limited.

This anomaly aside, it is appropriate to comment on the impacts of a new design specification on the operation of the taxi market, and on the market for new taxi vehicles. The consultation itself, in section 2.38, highlights the fears expressed at a trans-national level of the impacts of specified custom vehicles on the ability of the market to bear such development, concluding (ECMT) that such a vehicle is unlikely to be developed. The department suggesting, section 2.42, that the alternative: innovation and post-manufacture conversion (section 2.38) may in some way achieve the goal of an “enhanced” accessible vehicle at an affordable cost; the methods including (sect 2.39) an “expert opinion” that manufacturing problems and costs be offset against “guarantee of a market given by” ...”regulation”.

The federation would wish to identify significant drawbacks of the approach of a defined specification being applied in the manner indicated within the consultation. We would particularly highlight the difficulties in relying on a post-production conversion for the implementation of a technical standard. This concern arises in a number of domains. The first relating to any continued production of custom built taxis, and the apparent assumption that such manufacturers (eg: LTI) will either change to a modification principle or cease business. There also appears, to us, to be an implicit market protectionism in that taxi operators will be forced

to buy vehicles from a reducing number of (oligopolistic) suppliers – “guarantee of a market given by regulation”.

We would also highlight our concerns as to any reliance placed on the long-term security of post-production conversion as a long term model of taxi production.

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

We would wish to address the issues set out in questions 16 and 17 together, and have laid out our initial analysis above.

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?

While there are few indications of vehicle costs specific to new vehicle designs it is difficult, if not impossible, to develop an accurate analysis. We do, however, strongly urge the department to undertake full and detailed analysis. It is essential, in our view, for impact assessment to be undertaken and fully cogniscent of all of the impacts of vehicle development and new design enforcement. We do not consider, in this respect, that the department’s calculations are fully aware of the full range of economic impacts.

The federation would urge a wider cost benefit analysis to be undertaken, and can provide indicative analysis undertaken on our behalf.

4.4 Enforcement

The final question, question 19, relates to enforcement of regulation. While it is not within the federation's remit to enforce governmental regulation, it is clear that significant costs are allied to such enforcement, and we would seek to ensure that these costs are identified within the economic analyses alluded to above.

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

The federation consider that the local authority structures currently in place, which include vehicle testing, police overview, and licensing authority officers, are appropriate. Our review of UK authorities does, however, highlight that the current staffing levels within licensing authorities would not be sufficient to cope with significantly increased demands, suggesting a need for more such officers. While taxi licensing and enforcement costs are currently passed directly to the trade through license fees it is significant that **such enforcement is included as a cost of vehicle development**. We do not currently see any such consideration within the consultation impact assessment, and would urge a wider Cost Benefit Analysis, as indicated in previous responses.

5.0 Analysis and Conclusions

In preparing this response, the Scottish Taxi Federation has sought to be positive, and engage fully in establishing an appropriate and thoughtful response. We feel it important that the work of our members is fully recognised, and we feel that the vast majority of taxi services in Scotland provide considerate and appropriate responses to requests for transport from individuals with disabilities.

In completing our analysis we have consulted within the trade in Scotland and across the UK, including reviews of Licensing Authorities undertaken on our behalf by the TRI Taxi Studies Group at Edinburgh Napier University. We feel that this cross section of views has been appropriate and provides a strong base on which we have based our response.

The department's consultation seeks to improve the levels of service that are offered to individuals with disabilities, and the federation supports this objective. We do not feel, however, that the department's consultation fully achieves this objective – in that it does not go far enough in its analysis. We are also concerned that the underlying elements, which will form a “factual” basis in future implementation, are based on conjecture and are, in some instances, incorrect.

The consultation asks for our response to a number of questions based on the development of an impact assessment detailed in the document, with a numbers of scenarios following. The impact assessment provides a detailed and monetarised review of applying accessible vehicles, including those which currently exist, and those which (as enhanced vehicles) will need to be developed. Subsequent analysis is based on these fundamental statements. Whilst we agree with the general approach to the analysis, we do not concur with the underlying calculations. We do not, for example, feel it is possible to derive a value applied to the impacts of an enhanced vehicle in the absence of accurate costs for such a vehicle. An approximate value is included in the department's analysis, but we can not identify the department's method of arriving at an approximate cost. This effectively reduces the scientific base of subsequent argument within the consultation document to that of guesswork.

Conjecture arising from the variety of enhanced vehicles, the operation of a competitive market at the point of first purchase, also appears to miss the effective use of a vehicle over its entire life cycle. Resale values of taxis

play an important role in individual choices, and we feel this has been ignored in the analysis completed by the department.

The consultation addresses potential outcomes by building and assessing scenarios. We would also see this approach as appropriate, in view of our concerns regarding methodologies applied in monetarised benefits, set out above. We also feel that some of the terminologies may be misleading, the use of the term “do nothing” to equate a scenario which we would describe as a “do minimum”, the latter being realistic of the fact that, without further intervention, the market will actually achieve full accessibility from a point in 20 years, as opposed to achieving full accessibility over a period of 15 years in the department’s “do everything” scenario.

We have identified a strong concern within the Scottish Taxi trade that imposition of enhanced vehicle standards without a full analysis of their cost implications is likely to create significant tensions, with similar views expressed within the licensing authorities approached that any such vehicle development should be made affordable to the trade at base cost or through vehicle purchase incentivisation. There are clear links between these purchase elements of a vehicle market and vehicle second hand values and scrappage rates. The consultation does not, in our view, adequately represent these issues.

The department refers, in question six, to the development of department funded “demonstration” schemes. The federation would generally favour the provision of support, particularly financial support, in the development of new schemes. We would also see the use of area wide assessment as appropriate in the development of the department’s policies. We would see this in terms of an assessment, potentially of a pilot scheme, rather than the introduction of a proven demonstration, as we do not feel that the department’s analysis is sufficiently complete to allow for the latter.

The federation would wish to underline our view that the industry would find it significantly easier to introduce more accessible vehicles if VAT was reduced. We understand this may not result in a zero rate, in line with EU directives, but could be introduced at a lower rate, we suggest, of 1%. Alternatives to this might include review of the motor vehicle road fund license costs.

Questions 16 and subsequent, seek views on the specification of a new, as yet not produced, vehicle. The federation would urge extreme caution in this area, and feel that the responses to our survey in UK licensing authorities supports the view that this brings with it significant difficulties. The federation would seek to underline the universal view that excessive costs to the industry will result in a declining service, not an expanding one, our arguments in this relation being set out in our responses above.

In conclusion, the Scottish Taxi Federation seeks to engage and fully contribute to the department's actions in achieving an improving taxi service. We support the principles of wide access and can contribute to this discussion in many ways, including through our responses set out above. We advise caution in a number of fields and would seriously question some of the assertions included in the department's consultation, not least that figures being stated as fundamentals in discussion, including those set out in the impacts assessment are, in our view, flawed. The federation is prepared to contribute to the fullest extent possible to ensuring the development of an accurate analysis, and would urge the department to work with the trade to ensure impacts are fully identified in advance of any policy changes implicit in the consultation.

Further details are available from the federation or its partners:

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