

RESPONSE TO LINCOLN CITY COUNCIL CONSULTATION REGARDING S167 -WAV TAXIS & PHVS

Dear Mr Charlesworth,

SUMMARY.

I urge Lincoln City Council to trigger s167. Cutbacks in public transport and stagnation of incomes have adversely affected the disabled and made WAVs more necessary but less affordable. There are unlikely to be significant reductions in numbers of WAV taxis and WAV PHVs due to loss of revenue as cheaper fares will encourage more journeys by resident and visiting wheelchair users.

Research by Muscular Dystrophy UK in 2016 indicated that a quarter of wheelchair users had been refused service by a taxi driver purely because they are disabled. This is a long awaited and much needed Equality measure and Lincoln City Council is subject to the Public Sector Equality Duty. Wheelchair users and disability groups are receptive to publicising those places which are friendly or unfriendly to wheelchair users and their families.

COMMENTS

Thank you for the opportunity to comment and for the extra time to do so. I am Richard Fowler, a disabled wheelchair user living near Horncastle and an occasional visitor to Lincoln and its cultural attractions. I am also in the middle stages of a nationwide 10% sample study of availability of wheelchair accessible taxis and PHVs, (collectively, "WAVs") and a related 'mini-study' of WAVs and the Rail industry because train operators licenses impose specific requirements about taxi accessibility.

A fellow wheelchair user did a full study of s167 commencement among all approx 350 LAs about 3 months ago which was published directly and via various organisations including Muscular Dystrophy UK. This indicated that about 41% of LAs expect to have s167 commenced in the 2017-2018 financial year. <https://kingqueen.org.uk/s167> With changes following discussion with DfT that study will be updated soon.

The DfT have just put out for consultation their Accessibility Action Plan August 2017. Extract:

4.36 Authorities already have the powers they need to ensure that taxis and PHVs within their jurisdiction are accessible to those who need them, and the revised guidance aims to help them to make more effective use of these powers.

4.41 The continued illegal discrimination by some taxi and PHV drivers against disabled passengers is unacceptable, and we encourage local authorities to take appropriate action against those responsible when instances are reported. In particular, we would encourage local authorities to provide clearer information on the making of complaints about continued discrimination by some taxi and PHV drivers, and encourage them to take effective action against those responsible when instances are reported.

Lincoln City Councils main concern is that triggering s167, essentially "carrying (people in) wheelchairs" and "not charging more" will result in fewer WAVs or higher fares for everyone. Secondly that the council will be perceived as defying government equality guidance and being anti-wheelchair.

DfT STATISTICS – LINCOLN CITY COUNCIL

2015 WAV Taxis 29 (of 31) No separate 2015 WAV PHV figure, total 303

2017 WAV Taxis 30 (of 31) 2017 WAV PHVs 7 (of 350)

Notes on statistics:

1.The above is similar to many LAs, in showing about the same or a slight reduction in WAV taxis and a small increase in WAV PHVs between 2015 and 2017.

2.About a quarter of LAs in my sample have had 'not charging more for WAVs' policies in place BEFORE 2016 (ie before commencement of s167 and its February 2017 Statutory Guidance was announced by government) and have not recorded a significant change :

Eg Cambridge City Council	2015 WAV Taxis 210 (of 324)	2015 WAV PHVs 7 (of 178)
	2017 WAV Taxis 214 (of 327)	2017 WAV PHVs 2 (of 153)
Weymouth and Portland BC	2015 WAV Taxis 7 (of 80)	2015 WAV PHVs 12 (of 184)
	2017 WAV Taxis 6 (of 80)	2017 WAV PHVs 16 (of 202)

3. Simple WAV numbers do not tell the whole story. A range of factors reduce WAV availability eg SEN, schools and Social Services contracts (Durham for example say that 80% of their licensed WAVs are engaged just on on schools contracts, so are not available say, on schoolday mornings and afternoons ; Figures are available for Lincolnshire County Council are available if required) ; medical exemptions ; large rural areas especially in Wales and Scotland. Conversely some factors help eg comprehensive and easy to find listings of WAV phone numbers; cooperation amongst drivers and operators to cover different shifts or refer work between them under a 'buddy' system. Even a mixture of religions helps where different holy days mean that say Christmas and Easter can be covered.

COST

In 2016, Cabserve charged me £10 for a WAV from the bottom of Lindum Hill to the cathedral (standard fare I believe £5) and £15 to Whisby. As I recall, both Cherry and Marks took 4-24 hours to reply and quoted me about double the saloon taxi rate for similar journeys. A saloon phv from Lincoln to Horncastle area costs about £28-£30, whereas for a WAV I have been quoted from £40 to £50. For comparison outside Lincoln, from Horncastle I was quoted £40 for a 7 mile trip whereas from Louth where there is more competition and perhaps more cooperation, the equivalent 7 miles cost £25 in a WAV.

Lincoln City Councils consultation has highlighted a national loophole in the DfT guidance on s167. WAV taxi fares are published and 'not charging more' means not putting loading/unloading time on the meter.

However, while the DfT guidance clearly covers WAV PHVs there are no set charges so determining what 'not charging more' is unspecified and may have to be enforced via complaints or mystery shopper exercises etc. Trying to get a quote first without declaring that a WAV taxi/phv is needed sometimes backfires in being told that a WAV is not available. It is possible that some eg SEN transport providers are accustomed to generally higher fares than other PHV operators.

I hope you will find these comments relevant .

Richard Fowler, [REDACTED] 17 October 2017

[REDACTED]