

Date: 13 July 2017

Item: Taxi and Private Hire– An Overview of Enforcement Activity

This paper will be considered in public.

1 Summary

1.1 At its meeting on 2 March 2017, the Panel requested a paper on TfL's approach to Taxi and Private Hire (TPH) enforcement. This paper summarises TfL's approach and the key activities underway to deliver on the Mayor's commitment in the Taxi and Private Hire Action Plan (launched September 2016) to rigorously enforce taxi and private hire laws.

2 Recommendation

2.1 **The Panel is asked to note the paper.**

3 Overview of TfL's approach to enforcement

3.1 As the licensing authority and regulator for the TPH trades in London TfL has an essential role in enforcing the laws relating to taxis and private hire services in the Capital. TfL's Directorate of Enforcement and On Street Operations (EOS) has lead responsibility for TPH policing, enforcement and compliance activity. EOS delivers, a wide range of TPH enforcement activities to drive up standards of the licensed TPH trades, tackle illegal activity and improve passenger safety.

3.2 The key objectives of TfL's enforcement and compliance activity – whether that be through TfL's own direct activities or through its partnership with the police – include:

- (a) improve passenger safety;
- (b) tackle illegal taxi and private hire activity;
- (c) drive up the standards of compliance across the licensed trade; and
- (d) support the licensed and law-abiding taxi and private hire trades so they can operate effectively and deliver a high quality service to customers.

3.3 Our approach to achieving compliance and undermining illegal TPH activity through enforcement is intelligence-led. We prioritise resources to issues that pose the greatest safety risk to the travelling public alongside delivering comprehensive coverage through high visibility on street checking and operator visits to drive up industry standards and provide an effective deterrent to non-compliant and illegal TPH activity. These activities are delivered on street, through camera monitoring and enforcement as well as specialist crime reduction and education measures.

Activities span prevention and problem solving, routine compliance checking, deterrence, disruption, detection and the investigation and prosecution drivers for illegal activity.

- 3.4 These activities are informed by analysis of TPH issues based on valuable intelligence from the licensed trades and members of the public, reports from TfL's on street officers, passenger complaints, crime data and other intelligence sources. Making the best use of this data has enabled TfL and the police to take a clear risk-based approach, focusing resources on the drivers, vehicles and operators that pose the greatest risk to the public, supporting those that comply and having sufficient capacity to respond in real time to new and emerging threats.
- 3.5 The current priorities for TPH enforcement and policing are:
- (a) TPH journey-related sexual offences – there were 136 reports of this in 2015. The vast majority of these were sexual assaults, but around 21 per cent were rape offences. A paper on TPH-journey related sexual offences was presented to the Panel at its meeting on 2 March 2017;
 - (b) touting and unlawful plying for hire – both pose a serious risk to the travelling public – these vehicles are unregulated and uninsured for the purposes of carrying passengers, and present an economic threat to the licensed trade by intercepting their customers and representing unfair competition;
 - (c) unlicensed drivers and illegal trading – the growth in forged licences and insurance documents; and the fraudulent impersonating of a licensed driver also present a serious risk to public safety, take business away from the licensed, law-abiding trade and has the potential to damage the world class reputation of taxis and of PHVs;
 - (d) road danger reduction – proactive work to contribute to Vision Zero by tackling any risk posed by licensed drivers; and
 - (e) compliance activity - to deter unlawful activity and provide visible reassurance to the law abiding licensed trade. There has been an increased focus on new TPH requirements as part of the recent Private Hire regulations review.

4 Activities

Taxi and Private Hire Compliance

- 4.1 TPH Compliance Officers have a vital role in the regulation of the licensed taxi and private hire trades, working to ensure that they maintain high standards of safety for the travelling public.
- 4.2 Their work involves intelligence-led and routine inspections of licensed operators; roadside vehicle and driver inspections; investigating reports from the trade and members of the public relating to unlawful and non-compliant activity; test purchases to detect offenders; joint work with the police to investigate cases of fraud by unlicensed drivers and forgeries of drivers' licences and insurance certificates and undertaking joint operations with the police at key locations such as Heathrow and the West End or as part of targeted operations on key issues e.g. Operation Safer Travel at Night (Operation STAN, improving the safety of traveling by taxi or minicab at night) and Operation Neon (high visibility enforcement in the West End every Friday and Saturday night).

- 4.3 In 2016/17 over 150,000 on street compliance checks were undertaken of taxi and private hire vehicles and drivers.
- 4.4 Following the Mayor's announcement in August 2016, an extra 250 Compliance Officers are currently being recruited and on track to be in place by September 2017. This will take the number of Compliance Officers to 332, a growth of over 300 percent on Compliance Officer numbers in April 2016. The rollout of the additional Compliance Officers will significantly enhance TfL's on street capability, particularly at night. These officers are being deployed to hotspot areas to deter and disrupt criminal and non-compliant TPH activity, take action against drivers that break the rules and gather intelligence on suspected offenders.

Policing

- 4.5 TfL's enforcement and compliance activity is complemented by targeted police action. TfL funds 68 dedicated cab enforcement officers in the MPS Roads and Transport Policing Command (RTPC) and the City of London Police. These officers are supported by officers from across the 2,300 strong policing command to deal with identified issues or as part of large scale operations.
- 4.6 While these officers carry out and support compliance activity, they are predominantly focussed on the more serious criminal activity which poses the greatest risk to the travelling public.
- 4.7 Key activities include plain clothes touting patrols in hotspot areas to detect drivers acting illegally; high visibility enforcement to deter and disrupt illegal activity; engagement and education; targeted operations (e.g Operation STAN); crime investigation and proactively following up intelligence leads, along with joint compliance activity with TPH Compliance Officers.
- 4.8 The Taxi and Private Hire Policing Team unit acts as a centre of excellence for TPH policing issues, working alongside and advising other MPS Teams on TPH related issues.

Specialist Support

- 4.9 In addition to on street activity, EOS' prosecution team, investigators and crime reduction and problem-solving specialists provide valuable support to TPH enforcement. In 2016/17 TfL successfully prosecuted around 100 drivers for various TPH offences, such as touting, using an uninsured vehicle, operating without a licence, refusing to accept an assistance dog.

5 Next Steps

- 5.1 In line with the actions and commitments made within the Mayors Taxi and Private Hire Action Plan, TfL is currently focussing attention on strengthening its overall approach to enforcement. This includes:
 - (a) making greater use of existing powers to prosecute when offences are detected or investigated by compliance officers, with a tougher stance on repeat offenders;

(b) lobbying Government for additional enforcement powers, including powers to issue Fixed Penalty Notices for a small group of more common, less serious offences; and

(c) bringing greater transparency to our activity through improving publication of enforcement data.

5.2 Panel members are invited to attend 'Operation Safer Travel at Night' taking place during September 2017 (exact dates to be confirmed) to observe a joint TfL and police enforcement operation which will involve both high visibility enforcement and plain clothes policing.

List of appendices to this report:

None

List of Background Papers:

Mayor's Taxi and Private Hire Action Plan, September 2016

Contact Officer: Steve Burton, Director of Enforcement and On Street Operations
Number: 0203 3054 0755
Email: steve.burton@tfl.gov.uk