

DECISION-MAKER:	LICENSING COMMITTEE		
SUBJECT:	TRADE REQUEST TO AMEND REQUIREMENTS OF WHEEL CHAIR ACCESSIBLE HACKNEY CARRIAGES FOR PLATES 264 TO 283		
DATE OF DECISION:	19 SEPTEMBER 2013		
REPORT OF:	HEAD OF LEGAL, HR AND DEMOCRATIC SERVICES		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY
Not applicable

BRIEF SUMMARY

The last 70 hackney carriage plates to be issued by the authority are required to be wheel chair accessible vehicles. The last 20 of these require the access for the wheel chair to be from the nearside.

A request from the trade is to allow the last 20 vehicles to be rear loading and bring them into line with the other 50 wheel chair accessible vehicles.

RECOMMENDATIONS:

- (i) to determine whether the requirement of wheel chair accessible hackney carriages imposed on the last 20 hackney carriages be relaxed to rear loading rather than side loading.

REASONS FOR REPORT RECOMMENDATIONS

1. At the Trade Representatives Consultation meeting with Licensing Committee Members on 18th April 2013 it was asked if consideration could be given to allowing the last 20 Hackney Carriage Licences, plates 264 to 283, to have the requirement to be side loading wheel chair accessible removed.
2. The Licensing Committee Members present at the meeting requested a report be submitted for consideration.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. All options are contained within this report.

DETAIL (Including consultation carried out)

4. In 1986 there were 214 hackney carriage licences issued by the authority. There was no requirement for these to be wheel chair accessible.

5. Between 1987 and 2009 a further 49 hackney carriage licences were issued. These 49 vehicles and one existing vehicle were required to be wheel chair accessible – allowing a wheelchair passenger to remain seated in their wheelchair in the vehicle. These vehicles were not required to be nearside loading.
6. On the 11th March 2009 the Licensing Committee resolved the authority would issue a further 20 hackney carriage licences, plate numbers 264 to 283.
7. It was agreed these licences would have conditions attached to them requiring the vehicles to be fully wheel chair accessible, have a minimum standard of nearside loading capability for any wheelchair and conform to European Whole Vehicle Type Approval as a Hackney Carriage or VCA (Vehicle Certification Agency) qualification.
8. At the consultation meeting the trade asked if the nearside loading requirement could be removed to allow rear loading vehicles.
9. The trade explained there are a large number of different makes and models of wheel chairs and some are quite large. Manoeuvring them within the confines of a vehicle is difficult. Often a fare is left facing in a direction other than forwards. In addition there are some locations where loading a wheel chair to the side of the vehicle is difficult or impossible. Whereas rear loading vehicles allow for the fare to be loaded facing the front each time.
10. The nature of the work of a hackney carriage determines the majority of fares are picked up in the street either at a rank or hailed at the road side and these are usually in busy City centre locations. To facilitate loading a wheel chair to the rear of the vehicle will require the fare to be placed in the road behind the vehicle. This can present difficulties if the vehicles behind have not allowed enough room for the ramps and wheel chair to be properly positioned. Alternatively, if there is no vehicle behind that loading the wheel chair it leaves the fare unprotected behind the vehicle and in the road.
11. The Department for Transport state they have not issued any guidance but they do acknowledge that different solutions may suit different operational environments, e.g. a side loading solution may be better suited to an inner City environment whereas a rear loading solution may be best suited to a rural environment.

12. **Options**

1) Retain the condition as it is requiring hackney licences 264 to 283 to be nearside loading for wheel chairs.

Pros: Provides a safer environment for a wheel chair user, allowing them to access the hackney carriage from the safety of a pavement.

Con: Denies the owner the choice of having a side or rear loading vehicle. Some larger wheel chairs will be difficult to manoeuvre within the hackney carriage requiring considerable patience from both the user and the driver to ensure the fare is facing forwards when loaded from the side.

2) Allow the removal of the condition requiring nearside loading.

Pros: Allows a fare sat in a wheel chair to be loaded directly into a hackney carriage facing forwards with no requirement to manoeuvre within the cab of the vehicle.

Cons: For hails at the road side by a wheel chair user it will necessitate the wheelchair going onto the road at the rear of the hackney carriage to board it. This increases the risk to the fare of being struck by passing traffic.

For hails at a rank the hackney carriages behind will have to leave a large enough gap between vehicles to facilitate the loading of a wheel chair from the rear. This is likely to reduce the number of hackney carriages able to fit onto a rank adding to the problem of over subscribed ranks.

13. After consideration of all of these factors the officer's recommendation is to retain the condition as this provides the safest option and ensures a mix of available vehicles.

RESOURCE IMPLICATIONS

Capital/Revenue

14. Nil.

Property/Other

15. None.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

16. S. 47 Local Government (Miscellaneous Provisions) Act 1976

Other Legal Implications:

17. None.

POLICY FRAMEWORK IMPLICATIONS

18. None.

KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	None.
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SUPPORTING DOCUMENTATION

Appendices

1.	None.
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Documents In Members' Rooms

1.	None.
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Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None.	
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