

Licensing Committee – 8<sup>th</sup> April 2014

## 5. Hackney Carriage and Private Hire Policy

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### Purpose of the Report

To present options for the Licensing Committee to consider that will achieve an increase in the number of Wheelchair Accessible Vehicles (WAV's) and also to improve the quality and age of the licensed fleet of vehicles within South Somerset.

### Recommendations

1. Licensing Committee adopt Option 2 from the options outlined in the report and authorise the Licensing Manager to make the necessary amendments to the draft Hackney Carriage & Private Hire Policy.
2. The draft Hackney Carriage & Private Hire Policy (as amended by 1 above) is presented to Full Council for approval.

### Background

The Equality Act 2010 promotes positive action to advance equality of opportunity. Positive action means action which enables or encourages persons who share a protected characteristic (e.g. disability) to overcome or minimise that disadvantage and participate in the activity by meeting their needs. A wheelchair accessible vehicle policy is a proportionate and reasonable positive action to alleviate disadvantage experienced by wheelchair users in accessing taxis. Such a policy should facilitate hires from the street or from dedicated taxi ranks.

Following the consultation on the draft Hackney Carriage and Private Hire Policy it was decided that the Licensing Manager should come up with options to address the two main issues identified during the consultation. These were requirements in relation to the age of vehicles and the provision of WAV's.

The Licensing Manager has considered the alternatives available and has presented 3 options which will address both of the issues identified.

#### Option 1

As proposed in the original draft policy. Hackney Carriage Vehicles (HCV's) will only be licensed for the first time within 28 days of first registration with the DVLA. All HCV's to be accessible to disabled people; including, but not only those people that need to travel in a wheelchair.

This option would ensure that anyone regardless of disability would be able to hire a HCV on the street or from a designated rank. The requirement for new vehicles would ensure that vehicles have been tested to the latest safety and emissions standards.

This option was strongly opposed during the consultation by HCV proprietors who felt that this was a step too far and would prove to be too costly for them.

### Option 2

All HCV's to be less than 3 years old from first registration with DVLA. All HCV's to be accessible to disabled people; including, but not only those people that need to travel in a wheelchair.

This option would ensure that anyone regardless of disability would be able to hire a HCV on the street or from a designated rank. The requirement for newer vehicles would ensure that vehicles have been tested to a reasonable safety and emission standard.

This was an option put forward by several proprietors' during the consultation and would appear to satisfy both parties' requirements. Vehicle availability in this market also appears to be reasonable.

### Option 3

No age limits on vehicles at first registration but any new vehicle applications to be restricted to WAV's until 50% of the fleet is wheelchair accessible.

This would ensure operators' had access to the widest pool of available vehicles, although the reality would be that these would be by the nature of the trade high mileage vehicles that were unsuitable for licensing with other authorities with maximum age limits.

This option would also not guarantee the availability of a WAV on the rank, although it would improve the availability.

### Financial Implications

None at this stage. There is the possibility of legal challenge to the policy, however as the proposed policy has been reconsidered and amended in light of the consultation it is thought that any challenge would be unlikely to succeed.

### Implications for Corporate Priorities

The new policy will positively impact on Focus 1 – Jobs, the standards for taxis will be raised resulting in more employment opportunities for all within the trade.

The proposed policy will also have a positive impact on Focus 2 – The Environment, as the emission standards for taxis will be stricter, resulting in less pollution to the environment. Focus 3 – Health & Wellbeing will also be positively affected as access to taxis for people with disabilities will be improved.

### Other Implications

None

**Background Papers:** *Equality Impact Assessment – Hackney Carriage & Private Hire Policy*  
*Department for Transport – Taxi & Private Hire statistics 2013*  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/226355/taxi-private-hire-statistics-2013.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/226355/taxi-private-hire-statistics-2013.pdf)  
*Licensing Committee 11/02/14 and 08/10/13*