

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF ENVIRONMENTAL AND HOUSING SERVICES	PUBLIC PROTECTION COMMITTEE	13 MARCH 2024	5
REQUEST FOR CONSENT TO LICENCE WHEELCHAIR ACCESSIBLE VEHICLES WHICH FALL OUTSIDE THE HACKNEY AND PRIVATE HIRE VEHICLE LICENSING POLICY			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

RELEVANT LEAD MEMBER

This item is within the remit of Lead Member for Social Wellbeing (Councillor Chris Dixon)

PURPOSE OF THE REPORT

To seek consent from the Committee for the Licensing Officers to review part 5 of the Hackney Carriage and Private Hire Licensing Policy relating to the required specification of Wheelchair Accessible Vehicles (WAVS)

RECOVERABILITY

This decision is not recoverable because it relates to:

- A decision relating to the determining of any approval, consent, license, permission or registration.

RECOMMENDATION

1. That the panel considers giving Licensing Officers authorisation to licence up to 5 wheelchair accessible vehicles which fall outside the remit of the Hackney and Private Hire licensing policy.
2. That a review of the Wheelchair Accessible Vehicle Policy is undertaken to encourage applications for appropriate vehicles.

REPORT

1. The Council Licensing Team have been approached by two current proprietors of Wheelchair Accessible Vehicles (WAV's) which are licensed under the authority of Hackney Carriage Plates. They are looking to replace them with other WAV's, however the replacement vehicles will fall outside the requirements of Part 5 of the Hackney and Private Hire Licensing Policy (Appendix 1). The vehicles in question will be over 6 years old and one of them is rear loading (see photos at appendix 2).
2. Fylde Council has a shortage of WAVs and relaxation of the previous policies has not been as successful as hoped. Since the Policy was introduced, 17 vehicles have been issued with the additional licence at various times – from those 17, only 3 are currently licensed as WAVs. There are also 5 wheelchair accessible hackney

carriages, but these do not have the requirement that they have to remain as wheelchair accessible placed on them. These 5 could be transferred to saloons at any time, further reducing the capacity of the fleet to carry wheelchairs.

3. When questioned Operators have advised that the cost of purchasing a second-hand wheelchair accessible vehicle under 6 years old and to the specification required by the Fylde Council is prohibitive (over £20,000), up to £55000 for a brand-new cab. London Taxis are about the same price new and £25000 upwards for a vehicle up to 6 years old, with the price reducing to around £2500 for vehicles which are up to 11 years old. In addition they report that customers are reluctant to use side loading WAV'S and will pick other vehicles on the rank for their journey instead.
4. Proprietors also report that the style of vehicle has increased running costs and that in responding to wheelchair bookings, they will often leave the Borough, therefore returning empty
5. Licensing Officers are contacted by wheelchair users on a regular basis, who express concerns at the lack of Wheelchair Accessible Vehicles available for hire in Fylde. They struggle to book WAVs in advance and have reported that they are told to phone back on the day to see if there is one available for them to book.
6. The current arrangements mean that when an enquiry is made regarding the possibility of licensing a WAV which is out of the policy guidelines, there is a delay as the application would be referred to the Public Protection Committee for determination. Frequently the need to change a vehicle is urgent, generally due to some form of mechanical breakdown, the proprietor is unable to wait and will licence a vehicle without wheelchair access instead.
7. Officers are therefore requesting that the Committee consider instructing them to commence a consultation exercise with regards to licensing of WAVs with the intention of encouraging more onto the fleet. Some considerations may include:
 - a. Relaxing the age limit
 - b. Allowing the use of side loading vehicles
 - c. Enquiring as to whether the licence fee could be waived for WAVs
8. It is acknowledged there is a shortage of WAVs in the Borough, and 2 of these licences have been surrendered in the past month. The current arrangements are not sufficiently flexible to quickly react to requests to licence vehicles which are outside Policy. Members will also be requested to consider authorising Officers to issue up to 5 additional hackney carriage licences which are outside scope but are wheelchair accessible. Any vehicle will be subject to inspection and must hold the necessary safety approvals. If the Committee are supportive, they may wish such applications to be determined in conjunction with the Chairman and Vice Chairman.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	√
Environment – To deliver services customers expect	√
Efficiency – By spending money in the most efficient way	√
Tourism – To create a great place to live and visit	√

IMPLICATIONS	
Finance	There are no implications arising directly from this report
Legal	There are no implications arising directly from this report
Community Safety	There are no implications arising directly from this report
Human Rights and Equalities	There are no implications arising directly from this report
Sustainability and Environmental Impact	There are no implications arising directly from this report
Health & Safety and Risk Management	There are no implications arising directly from this report

SUMMARY OF PREVIOUS DECISIONS

2005 - The policy adopted required that any new Hackney Carriage vehicle licences are only granted in respect of vehicles that:

- (i) are less than a year old at the time of the initial grant of the Hackney Carriage licence and
- (ii) conform, initially and thereafter, to the Conditions of Fitness as laid down by the Metropolitan Police and the Road Vehicles (Construction and Use) Regulations 1986 until further conditions are issued by the Department for Transport concerning technical requirements.

20th September 2006 – The policy was amended - Any new Hackney Carriage vehicle licences are only granted in respect of vehicles that are:

- (i) less than two years old at the time of the initial grant of the new Hackney Carriage licence and
- (ii) a TX11 taxi or purpose-built Euro Cab, designed and developed for use as a wheelchair accessible taxi. Wheelchair access must be from the side and not from the rear. The vehicle must be unaltered from the manufacturers/converters specification and documentation must be produced to show that the vehicle is certified to M1, European Whole Vehicle Approval or Low Volume Approval standards. Any replacement vehicle must also meet the standard required of such newly licensed hackney carriage vehicles.

19th July 2017 - Public Protection Committee - RESOLVED to recommend the revised Hackney Carriage and Private Hire Licensing Policy for approval by full Council subject to amending the maximum age at first registration for wheelchair accessible hackney carriages to six years.

16th October 2017 – Full Council approved the revised Hackney Carriage and Private Hire Policy. Policy was subsequently amended to read - Any new Hackney Carriage vehicle licences are only granted in respect of vehicles that are:

- i) less than six years old at the time of the initial grant of the new Hackney Carriage licence and
- (ii) a purpose-built vehicle, designed and developed for use as a wheelchair accessible taxi. Wheelchair access must be from the side and not from the rear. The vehicle must be unaltered from the manufacturers/converters specification and documentation must be produced to show that the vehicle is certified to M1, European Whole Vehicle Approval or Low Volume Approval standards. Any replacement vehicle must also meet the standard required of such newly licensed hackney carriage vehicles.

BACKGROUND PAPERS REVELANT TO THIS ITEM

Name of document	Date	Where available for inspection
Hackney and Private Hire licensing policy		Hackney carriage and private hire licensing policy – Fylde Council

LEAD AUTHOR	CONTACT DETAILS	DATE
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Appendix 1 – Part 5 of the Hackney and Private Hire Licensing Policy

Appendix 2 – Examples of Vehicles