

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	14 FEBRUARY 2018	4

WHEELCHAIR ACCESSIBLE VEHICLES

PUBLIC ITEM

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

SUMMARY

The current Hackney Carriage and Private Hire Licensing Policy only permits new hackney carriage licences being granted in respect of purpose built, side loading wheelchair accessible vehicles that are less than 6 years old from the date of first registration. The Policy also permits a maximum length of vehicle.

A licensed private hire operator in the Borough has requested that the policy be amended so that new hackney carriages licences can also be granted in respect of vehicles that would otherwise comply but are rear loading wheelchair accessible vehicles instead of side loading and to also licence vehicles longer than the maximum length.

RECOMMENDATION

1. That the Committee considers and determines the request.

SUMMARY OF PREVIOUS DECISIONS

8th March 2005

Public Protection Committee resolved to grant new Hackney Carriage vehicle licences on application to vehicles less than a year old at the time of the initial grant of the Hackney Carriage licence for purpose built wheelchair accessible vehicles.

20th June 2006

As part of the introduction of the new Hackney Carriage and Private Hire Licensing Policy, the age restriction was relaxed to 2 years for purpose built wheelchair accessible vehicles.

16th October 2017 - Full Council

Following consultation upon a revised Hackney Carriage and Private Hire Licensing Policy, the Policy was amended as follows:

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.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	√
Delivering the services that customers expect of an excellent council (Clean and Green)	√
Working with all partners (Vibrant Economy)	√
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	√
Promoting Fylde as a great destination to visit (A Great Place to Visit)	√

REPORT

1. Correspondence has recently been received from a licensed Private Hire Operator in the Borough as follows:

Thank you for the earlier call relating to the acceptability of the Ford Journey Plus rear loading Wheelchair accessible vehicle for use as a Hackney Carriage in the Fylde Borough.

As you know we are currently operating X2 Wheelchair accessible Hackney Mini busses, both side loading. Unfortunately, although large vehicles, the side loading is proving very difficult for the Drivers, both of whom have experienced back problems as a result of the "Turn and manoeuvring" of clients, once they have pushed them up the ramp. As you know Kirkham Macs are keen to be able to provide our clients with the best vehicles for this type of specialist travel, but Driver Health also has to be considered.

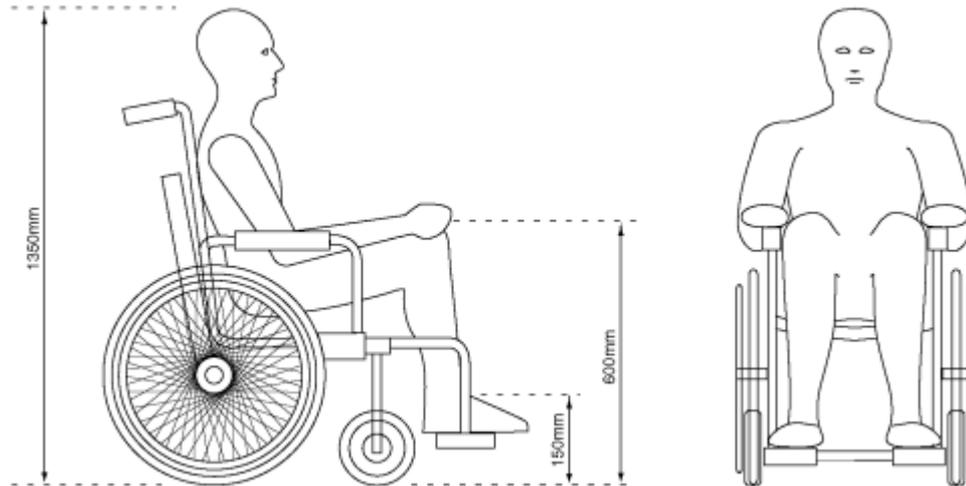
We are keen to explore the possibility of the Licensing Committee members accepting rear loading vehicles, such as the Ford Journey – details viewable via this link:

https://www.cabdirect.com/wp-content/uploads/2015/10/FordJourney_June17_Web.pdf

I feel that the rear loading will eradicate the risk of driver injury and also reduce the journey experience for the client, whilst being loaded/unloaded. We have also asked about larger Mini busses with hydraulic rear tail lifts being able to qualify as new Hackneys with Fylde Council? Unfortunately we are unable to get a vehicle for Councillors to view, but the brochure does give a good representation. I would very much welcome this application being considered by Councillors at their next Licensing meeting.

2. Members will be aware that a revised Hackney Carriage and Private Hire Licensing Policy was consulted upon and approved during 2017. One area of particular discussion was the provision of wheelchair accessible vehicles (WAV's) and, in an attempt to encourage more WAV's onto the fleet, the policy was relaxed from a maximum age restriction on first application from 2 years to 6 years. The policy specifically requires the vehicles to be side loading and not rear loading (para 5).
3. A fare increase has also recently been approved for journeys where between 5 and 8 passengers are being carried where the driver may charge 1.5 times the metered fare. Whilst WAV's are specifically designed to carry wheelchairs, when not doing so they are capable of carrying up to 8 passengers and it is hoped the possibility of the additional charge will encourage more WAV's onto the fleet.
4. The reasoning behind the side loading requirement rather than rear loading hackney carriages is simple – the licences are issued for hackney carriages which may ply for hire on hackney carriage stands and also respond to bookings. The wheelchair user should be able to access the vehicle from the pavement using the ramps provided. When a vehicle is rear loading, the ramps to the rear can extend some 3 to 4 metres into the road thus presenting challenges for the hackney carriage parked immediately behind which is forced to move, and the passenger is also forced into the road.

5. It should be noted there are no similar restrictions for private hire vehicles and suitable side and rear loading vehicles will be licensed accordingly. Whilst the issues of boarding the vehicle from the road will still exist, the vehicle is responding to a booking and will be able to park where it is safe to do so, rather than being restricted to a hackney carriage stand or being hailed on the street.
6. When considering the Equality Act, the legislation makes reference to a “reference wheelchair” the size requirements of which are defined in the Public Service Vehicle Accessibility Regulations 2000 as shown below:



A purpose built wheelchair accessible vehicle will be capable of conveying reference wheelchairs and their user, without the user having to leave the chair.

7. It is of concern that the operator refers to the drivers experiencing back problems. However, rather than consider this as a reason to move to rear loading vehicles, it is suggested that the Licensing team look to provide some form of manual handling training for the drivers. The licensing team has not been requested to issue any Exemption certificates for drivers suffering from such issues.
8. The request also includes an enquiry regarding the possibility of licensing additional large vehicles with hydraulic ramps as hackney carriages. In addition to the concern already identified regarding rear loading, the Policy suggests that the maximum length of a hackney carriage should be 18'5.5m. When rank spaces are designed, it is done so assuming the average car length to be approximately 5.5m and the number of spaces is calculated accordingly. To licence longer vehicles as Hackney Carriages has the potential to have a negative impact on the number of rank spaces available.
9. For the information of the Committee, following the amendment of the Policy In October 2017, an additional WAV has been licensed bringing the total number of WAVs to 7 out of a fleet of 103 hackney carriages. The number of queries regarding the licensing of WAV's has increased following the policy amendment and officers feel that any further amendment to the policy should be delayed until there has been an opportunity to fully assess the impact of the relaxation. It should also be noted that whilst the policy does not allow for the licensing of rear loading vehicles as hackney carriages, the rear loading restrictions do not apply to private hire vehicles and such vehicles would be licensed accordingly provided it satisfied the application requirements.
10. The Committee is therefore requested to consider the report and determine the request.

IMPLICATIONS	
Finance	No implications arising directly from the report.
Legal	No implications arising directly from the report.
Community Safety	No implications arising directly from the report.
Human Rights and Equalities	No implications arising directly from the report.
Sustainability and Environmental Impact	No implications arising directly from the report.
Health & Safety and Risk Management	No implications arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Hackney Carriage and Private Licensing Policy	October 2017	http://www.fylde.gov.uk/assets/files/11/Hackney-Carriage-and-Private-Hire-Licensing-Policy.pdf