

# LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

## Agenda Item 32

Brighton & Hove City Council

**Subject:** Hackney Carriage Accessibility Policy Review

**Date of Meeting:** 6 March 2014

**Report of:** Head of Regulatory Services

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**Wards Affected:** All

### 1. PURPOSE OF REPORT AND POLICY CONTEXT:

To review the Hackney Carriage Accessibility Policy.

### 2. RECOMMENDATIONS:

- 2.1 That Committee approve amendments to the Hackney Carriage Accessibility Policy (Appendix 1); specifically to require additional single ramps to be provided for all wheelchair accessible vehicles and allow a minimum capacity for a WAV of wheel chair, passenger, passenger and luggage.

### 3. CONTEXT/ BACKGROUND INFORMATION:

- 3.1 On 27 June 2013 committee endorsed the current Hackney Carriage Accessibility Policy.
- 3.2 Following further consultation with the Taxi Forum, The Fed Centre for Independent Living, Manufactures and Suppliers of vehicles it has become necessary to make some changes to the existing policy and to be consistent with the Blue Book. Officers also organised a WAV day where disabled members of the FED could look at the existing fleet of wheelchair accessible vehicles and potential new vehicles.
- 3.3 A contentious issue has been vehicles that are only supplied with, or only have parallel ramps rather than single ramp. The FED centre for independent living express a strong recommendation that single ramps are safer, less likely to tip. Some drivers have explained that parallel ramps reduce risks of accidents in particular situations. Some vehicles are supplied with parallel ramps or parallel and single ramps. Incorrect manual handling is one of the most common causes of injury at work. It causes work-related musculoskeletal disorders. The risk of injury from hazardous manual handling, should be avoided or reduced, so far as is reasonably practicable. Drivers must use equipment provided for their safety properly. To resolve the issue the policy has been amended to:

“The vehicle should normally have a single ramp which can accommodate all four wheels of a wheelchair to load and unload persons wishing to travel in the vehicle whilst remaining seated in their wheelchair. The vehicle may have in addition, parallel ramps where the proprietor requires them for safety reasons or to meet specific needs of their passengers”

Whilst promoting single ramps as the desired option this will accommodate existing vehicles and new vehicles where the manufacturer / supplier will only supply vehicles with parallel ramps.

- 3.4 Another conflict between current blue book and hackney carriage accessibility policy is defining the minimum capacity of a wheelchair accessible vehicle. Policy needs to clearly allow modern, versatile, specially adapted vehicles that are popular with drivers and passengers. Some rear loading, small car-derived vans, like Peugeot Premier Partners or VW CaddyMax, are specially adapted to offer quick and easy wheelchair accessibility with passenger and luggage carrying capacity. In practical situations, a single carer is often sufficient support for a passenger. It is proposed that the minimum licensing standard should be set at a vehicle capacity of a passenger in a wheelchair, a second passenger and luggage. The WAV day demonstrated that having space for at least 2 carers would exclude the small rear loading vehicles so this is changed to 1. There are situations where specialist, configured vehicles are required, in response to market need, for instance school transport.
- 3.5 Amend delegation in the policy to Executive Director Environment Development & Housing to be consistent with the Blue Book.
- 3.6 The Chair of Licensing wrote to a number of manufactures, converters and suppliers of wheelchair accessible suppliers (see Appendix 2) asking the following
- What wheelchairs are each of your vehicles is designed for, i.e. The London Cab for the reference wheelchair, the invicta, harrier or badger wheelchairs etc.
  - what wheelchairs can be accommodated by these vehicles
  - if any of your vehicles are available as electric or low emission vehicles
  - which vehicles are able to load wheelchairs from the rear, side or both
  - is a swivel seat available
  - Which vehicles can only have parallel ramps and if so why?
  - What, if any, type of crash testing and safety testing have your vehicle modifications been subject to
  - We would also be interested to know what liaison goes on between wheelchair designers, manufacturers and vehicle converters at the design stage.

Disappointingly only 3 responses were received (see Appendix 3)

- 3.7 Officers from the Taxi Licensing Office organised a WAV demonstration day in Memorial Way so that wheelchair users from FED could try the vehicles with their various types of wheelchair. There were also some ambulant disabled from the

FED who tried the vehicles as well. The main operators provided a range of vehicles already licensed and LTI provided the latest London cab that has a higher door way and modified ramp and Cab Direct who provide a VW Caddy Max (rear loading vehicle). The demonstration day proved that no vehicle was suitable for all types of wheelchair some users preferred the rear loaders and some the side loaders.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

Finance, Legal Services and Taxi Forum. The matter has been discussed at the council's Hackney Carriage and Private Hire Consultation Forum. Members of the FED Centre for Independent Living tested Wheelchair accessible vehicles.

#### **6. CONCLUSION**

Licensing Committee is invited to consider the recommendations with a view to providing consistency between the hackney carriage accessibility policy and the blue book.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### **7.1 Financial Implications**

There are no direct financial implications associated with the recommendation in this report, other than for the use of officer time which had been funded from existing Environmental Health & Licensing revenue budgets.

Finance Officer Consulted: Steven Bedford

Date: 14/01/2014

##### **7.2 Legal Implications**

The policy will assist the trade in meeting its obligations under the Equality Act 2010.

Lawyer Rebecca Sidell

Date: 16/01/14

##### **7.3 Equalities Implications:**

Recommendations are designed to promote equality of opportunity, eliminate unlawful discrimination, promote participation in public life and meet the needs of disabled people. Improving access to taxis/Private Hire Vehicles (PHVs) is a priority action in the council's Equality Scheme. Improving access to services by public transport is included in the Local Area Agreement.

#### 7.4 Sustainability Implications:

The role of the taxi trade is included in the Local Transport Plan, which identifies it as a key element in providing sustainable transport choices. It creates important links in the transport network to other forms of sustainable transport providing a seamless connection. It will contribute to three of the government's four shared transport priorities – reducing congestion, improving air quality and accessibility. Use of taxis for school transport, licensed vehicles using bus lanes, locating ranks at railway stations and the city coach station, approved use of liquid petroleum gas all contribute to reducing congestion and moving passengers quickly.

#### 7.5 Any Other Significant Implications:

Sufficient late night transport to reduce public place violent crime is recognised in the community safety, crime reduction and drugs strategy. The presence of CCTV can be an important means of deterring and detecting crime and increasing the safety of passengers and drivers.

The transport industry should be safe, profitable and be a positive experience for residents and visitors. Tourism needs to provide a warm welcome to visitors and the tourism strategy depends upon effective partnership with transport operators particularly to achieve safe late night dispersal for the night time economy.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Hackney Carriage Accessibility Policy.
2. Letter to suppliers, Converter or Manufacturer of wheelchair accessible vehicles to the trade.
3. Responses from suppliers, Converter or Manufacturer of wheelchair accessible vehicles to the trade.