

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

WEDNESDAY 18TH JANUARY 2017 AT 6.00 P.M.

PRESENT: Councillors R. L. Dent (Chairman), C. J. Spencer (Vice-Chairman), M. T. Buxton, B. T. Cooper, J. M. L. A. Griffiths, C. M. McDonald, S. R. Peters, S. P. Shannon, M. A. Sherrey (substituting for Councillor P. L. Thomas), L. J. Turner and S. A. Webb

Officers: Mrs. V. Brown, Mr. D. Etheridge and Mrs. P. Ross

18/16 **APOLOGIES**

An apology for absence was received from Councillor P.L. Thomas. The Committee was advised that Councillor M. A. Sherrey was attending as the substitute member for Councillor P. L. Thomas.

19/16 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

20/16 **MINUTES**

The minutes of the meeting of the Licensing Committee held on 14th November 2016 were submitted.

RESOLVED that the minutes of the meeting held on 14th November 2016 be approved as a correct record.

21/16 **OPTIONS FOR INCREASING THE NUMBER OF HACKNEY CARRIAGE VEHICLES THAT ARE WHEELCHAIR ACCESSIBLE VEHICLES**

At the Council meeting held on 23rd November 2016, a Notice of Motion was submitted by Councillor C. M. McDonald as follows:-

“That this Council takes positive action in adopting a policy that ensures all new Hackney Cabs will be wheelchair accessible vehicles”.

A substantive motion was declared carried in the following terms:-

“That the Council reviews its policy for wheelchair accessible vehicles in light of the Licensing Committee’s deliberations, the meeting of the Committee to be held within 8 weeks and 3 days”.

Following on from the Council meeting, an additional meeting of the Licensing Committee was arranged in order for Members to consider the substantive motion as carried.

The Senior Licensing Practitioner, WRS, presented the report and in doing so reminded Members that two consultations had previously taken place; one in March 2015 and one during January to April 2016.

Members were informed that currently 124 vehicles were licensed in the district to be used as hackney carriages, seven of which were wheelchair accessible vehicles (WAV's). 'Wheelchair accessible vehicles' referred to a vehicle that was constructed or adapted to carry a wheelchair user whilst they remained seated in their wheelchair.

During previous Licensing Committee meetings Members had expressed their concern with regard to the low number of wheelchair accessible hackney carriage vehicles currently licensed in the district.

The Senior Licensing Practitioner, WRS, reminded Members that the second comprehensive consultation was conducted in order to ascertain if there was a demand for WAVs, if that demand was being met, or if there was a perception that demand was not being met. The consultation also took into account visitors accessing Bromsgrove via the new railway station.

The Senior Licensing Practitioner, WRS then drew Member's attention to Appendix 1 to the report, which included the second consultation document and the responses received. Only seven responses were returned from the relevant organisations consulted with. The replies received from the taxi trade suggested that there was little demand for WAV's in the district. The consultation document was sent to all licensed drivers, with advice sought from the Council's Policy Manager as to the relevant organisations / agencies to consult with. The consultation document was also made available on the Council's website and advertised in the local press.

Members agreed that they were disappointed with the low number of responses received.

Councillor S.P. Shannon reiterated the issues he had raised at previous meetings; with regard to the improved facilities for wheelchair users now provided at the new railway station. He felt that there was some resistance to supply a suitable taxi service. There had been a rather slow change in getting buses adapted, but this had now been achieved and had made it easier for wheelchair users to access the bus services provided. With the facilities that were now available at the new railway station there could be a potential increase in wheelchair users visiting Bromsgrove, which would potentially see an increased need for WAV's in the district.

In response to questions from Members, the Senior Licensing Practitioner, WRS, informed the Committee that Redditch Borough Council had adopted a policy that applications for additional licences for hackney carriages would only be granted to approved new vehicles with facilities for carrying a disabled person in a wheelchair within the vehicle. Wyre Forest District Council only licenced new vehicles of a purpose built design for use as hackney carriages. The vehicle must be designed and developed exclusively for use as a wheelchair accessible taxi. Wychavon and Malvern Hills District Councils had no policy requirement for vehicles to be WAV's. Worcester City Council currently has a cap in place meaning they will not increase the number of hackney carriages it licences beyond current levels. Before the cap came into effect in 2014, any additional hackney carriage licensed by Worcester City Council had to be a WAV but the existing saloon cars that the Council had licensed could be replaced "like for like" with another saloon car then reaching the age limit set out in the Council's policy.

In response to Councillor B. T. Cooper, the Senior Licensing Practitioner, WRS, informed Members that the Equality Act 2010 included many of the taxi and private hire vehicle provisions from the Disability Act 1995. Some of the taxi and private hire vehicle sections were brought into force on 1st October 2010, namely, relating to duties to assist passengers in wheelchairs and guide dogs and assistance dogs. But there were many provisions of the Equality Act 2010 which had not been brought into force and no clear indication had been given as to when these provisions would be brought into force.

Members continued the debate with regard to evidence of an unmet demand for WAVs. The majority of Members were in agreement that there was no specific evidence to indicate that there was currently an unmet demand. No specific complaints had been received by Members or officers from WRS. Two consultations had been conducted with the taxi trade and service users, with a low response being received from both.

Councillor C. M. McDonald reiterated her view that the Council should do something positive and take the lead to ensure that new hackney cabs were wheelchair accessible vehicles. She reported that she had tried, today, but had found it difficult to successfully find a wheelchair accessible vehicle for hire. The practicality of booking a WAV was also questioned.

In response to further questions from Members, the Senior Licensing Practitioner, WRS, stated that there were currently thirteen wheelchair accessible vehicles licensed in the district; six private hire vehicles and seven hackney carriage vehicles. Birmingham City Council and Coventry City Council had a policy whereby all hackney carriages had to be WAV's, which could be due to the specific demand /market forces in such large cities; rural areas may not have such a demand for WAV's.

Members were in agreement that it was disappointing that there were only thirteen WAV's currently licensed in the district, this was a low percentage of vehicles.

Further in depth discussions followed with regard to a lack of supporting evidence to suggest that there was currently an unmet demand and raising public awareness. Members agreed that it would be useful to raise public awareness. A number of Members were aware that other local authorities provided detailed information on their websites of taxi companies who had WAV's available on their fleets.

The Chairman reiterated the three options as detailed at 3.12, 3.17 and 3.12 in the report.

RESOLVED:

- a) that Option 3 be approved – “The Council to take no further steps with a view to increasing the number of hackney carriage vehicles licensed by Bromsgrove District Council that are wheelchair accessible vehicles”;
- b) that officers be tasked to liaise with the taxi trade with regard to specific information being provided in a media campaign to raise public awareness of taxi companies licensed in the district with wheelchair accessible vehicles; and
- c) that following the public awareness raising campaign, a twelve month review of WAV's be carried out with the results being brought back to a future meeting of the Licensing Committee.

The meeting closed at 7.15 p.m.

Chairman