

UPDATE ON THE SITUATION REGARDING WHEELCHAIR ACCESSIBLE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

Relevant Portfolio Holder	Councillor P J Whittaker
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

Licensing Committee has previously considered reports regarding the availability of wheelchair accessible Hackney Carriage and Private Hire Vehicles and has requested that an update report be provided to them on this subject. This report provides that update.

2. RECOMMENDATIONS

2.1 That Members note the contents of the report.

3. KEY ISSUES

Financial Implications

3.1 There are no direct financial implications arising from this report.

Legal Implications

3.2 None

Service / Operational Implications

3.3 On 18th January 2017, Licensing Committee considered a report that set out a number of different options that the Council could take with a view to increasing the number of wheelchair accessible vehicles licensed by the Council to be used as Hackney Carriages.

3.4 At the time of the preparation of that report, the Council licensed 124 vehicles to be used as Hackney Carriages, of which seven were wheelchair accessible vehicles. In this context “wheelchair accessible vehicle” means a vehicle that is constructed or adapted to carry a wheelchair user whilst they remain seated in their wheelchair.

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- 3.5 Having considered and discussed the content of this report Members resolved to take no further steps to increase the number of wheelchair accessible vehicles, but asked officers to work with the taxi trade to raise public awareness of those taxi companies that were able to provide wheelchair accessible vehicles.
- 3.6 Members also resolved that an update report be presented to them on the situation with wheelchair accessible vehicles after twelve months.
- 3.7 Following the Licensing Committee meeting, officers wrote to the proprietors of all Hackney Carriage and Private Hire Vehicles that were identified as being wheelchair accessible. The proprietors were asked to give their consent to their personal data, including telephone numbers, being publicised by the Council to raise public awareness of the availability of which taxi providers could supply a wheelchair accessible vehicle.
- 3.8 Unfortunately only one private hire operator responded to this request and they indicated that as their wheelchair accessible vehicles were committed to contracted work for much of the time, they were therefore not normally available without at least 24 hours notice.
- 3.9 Meanwhile, on 7th February 2017, the Department for Transport (DfT) announced their intention to implement sections 165 – 167 of the Equality Act 2010 and made the Equality Act 2010 (Commencement No. 12) Order 2017 which subsequently took effect on 6th April 2017.
- 3.10 As a result of this change to the law, drivers of designated wheelchair accessible taxi and private hire vehicles are now obliged to:
- transport wheelchair users in their wheelchair
 - provide passengers in wheelchairs with appropriate assistance
 - charge wheelchair users the same as non-wheelchair users
- 3.11 The new rules apply in England, Wales and Scotland, apply to both taxis and private hire vehicles and affect vehicles that are designated as wheelchair accessible.
- 3.12 The new powers only apply in those areas where the licensing authority has decided to maintain a list of designated vehicles under section 167 of the Equality Act 2010, and where the driver is driving a vehicle included on the list of designated vehicles maintained by the licensing authority.
- 3.13 On 21st June 2017 Council, following a recommendation from the Licensing Committee, adopted a position statement on sections 165 – 167 of the Equality Act 2010. This position statement committed the Council to publishing and maintaining a list of those vehicles it has

designated as wheelchair accessible for the purposes of sections 165 – 167 from 1st December 2017. A copy of the position statement can be seen at **Appendix 1**.

- 3.14 The designated list of wheelchair accessible vehicles has now been published and is maintained as part of the Council's public register of Hackney Carriage and Private Hire vehicles, which is hosted on the Worcestershire Regulatory Services website and accessible via a link on the Bromsgrove District Council website.
- 3.15 At the time that this report was prepared, the public register identifies six Hackney Carriages and six Private Hire Vehicles that are designated as wheelchair accessible vehicles. This is out of a total of 123 Hackney Carriages and 42 Private Hire Vehicles licensed by the Council.

RISK MANAGEMENT

- 4.1 None

5. APPENDICES

Appendix 1 – Position Statement on Sections 165 – 167 of the Equality Act 2010

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