

REPORT TO	ON
Licensing and Public Safety Committee	12 November 2019



TITLE	REPORT OF
Wheelchair Accessibility Hackney Carriage Licences	Interim Monitoring Officer

Is this report confidential?	No
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PURPOSE OF THE REPORT

1. To advise members on the current Wheelchair Accessible Vehicle (WAV) fleet profile, assess the potential air quality implications relating to the current policy and review the current policy on granting new hackney carriage licences to WAV only.

RECOMMENDATIONS

2. To consider a change to the existing policy on granting new Hackney Carriage Vehicle Licences to Wheelchair Accessible Vehicles Only and other related ancillary changes to policy (as referred to in the report)
3. Agree that the licensing section undertake a consultation exercise with relevant stakeholders on the proposed changes to policy.
4. Agree to receive a report on the consultation response at a future meeting.

CORPORATE OUTCOMES

5 The report relates to the following corporate priorities: *(tick all those applicable)*:

Excellence, Investment and Financial Sustainability	x
Health, Wellbeing and Safety	
Place, Homes and Environment	x

Projects relating to People in the Corporate Plan:

Our People and Communities	
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BACKGROUND TO THE REPORT

6. The current policy on the grant of new Hackney Carriage Vehicle licences is found at paragraph 6.10 of the Hackney Carriage and Private Hire Vehicle Policy which states;

“The Council will only accept applications for a New Hackney Carriage Vehicle Licence for vehicles which meet the age criteria and are wheelchair accessible. There is no restriction on whether accessibility is via rear or side loading doors.

Hackney Carriage Proprietors in possession of a current Hackney Carriage Vehicle Licence that was issued to them before the 21st October 2014 (GLC minute 2014/20) may apply to replace their vehicle with either a wheelchair accessible vehicle or a non-wheelchair accessible vehicle.

All other Hackney Carriage proprietors may only replace their vehicle with a wheelchair accessible vehicle.

The decision will be reviewed in 2019, when the Council will consider whether there is still a balance of vehicles for all taxi users, and thus if the authority is complying with its equality duty.

Proprietors of vehicles which have been converted from the manufacturer’s original specification, to a wheelchair accessible vehicle, must comply with the SRBC policy on modified vehicles which will be made available separately.”

- 7...In order to keep the data analysis consistent, the records examined have been the same data used in the vehicle age policy report. We hold 256 vehicle records, 115 hackney carriage and 141 private hire although the amount of licensed vehicles is actually less at 231.
8. The number of WAV in the hackney records is 34 which represents 29.5%
9. The number of WAV in the private hire records is 78 which represents 55.3%
10. The total WAV availability across the 2 fleets is 112 which represents 43%.
11. Two things can be determined with the current Hackney Carriage data, these are we are in a good position with regards to the overall number of WAV however, the WAV’s tend to be higher polluting than salon vehicles.
12. A further disparity in policy exists between the types of vehicles we allow to stay on to the age of 12 years. In the hackney carriage fleet, we specify WAV and give an example of “Peugeot E7, Euro taxi or other wheelchair accessible vehicle” whereas the Private Hire fleet seems to have more latitude by stating “larger MPV’s, minibuses and other wheelchair accessible vehicles.” The difference in definition has created a loophole that means there are numerous MPV’s which are not WAV on the private hire fleet, these are obviously more polluting and do not necessarily offer a valuable service in the same that WAV would do.
- 13 Whilst this area of policy does not impact directly on the grant of a new hackney carriage licence it creates uniformity and fairness across the two sectors to close the loop hole that is currently seeing higher polluting vehicles such as MPV come on to the fleet at the older age of 6 and stay on till 12. An MPV does not offer disabled access in the same way a WAV does so it is arguable that there is no benefit to transport users other than they can carry more people on one trip.

PROPOSALS (e.g. RATIONALE, DETAIL, FINANCIAL, PROCUREMENT)

14. The proposal is to adopt a change in policy with regards to new Hackney Carriage Vehicles which seeks to move towards the Lancashire Region preferred option which is found in the table in **Appendix 1** attached. This policy moves us to a position of issuing new Hackney Carriage Licences to fully electric wheel chair accessible vehicles only.
15. Any Hackney Carriage vehicle granted a licence after 2014 can only use a WAV so the likely reduction of the overall WAV numbers is likely to be minimal as “ post 2014 licence holders “ have no choice but to replace any vehicle they use with a WAV
16. The policy safeguards both air quality and the availability of Hackney Carriage WAV's. In order to incentivise the trade to come forward with modern non-polluting WAV vehicles it is proposed to have no licensing fees attached to any such application for a period of 2 years.
17. There could be some financial implications as a consequence of offering concessions on licensing fees; 1 vehicle licence will generate £230 per year but the take up of such offer is likely to be very low in the short term due to the expense of a suitable vehicle (55k), and the limited infrastructure locally and regionally. These factors could change in time so this area of policy with regards to fees will need to be monitored closely to ensure that the licensing authority maintain as much as possible cost neutrality
18. There is no proposed change to the current Grandfather rights provision that exists to licences held prior to 2014.
19. To align the wording in the policy to not allow older more polluting vehicles where they do not offer an ancillary benefit ie WAV, the adoption of the wording in paragraph 6.9 of “the policy” should be in place for both hackney carriages and private hire vehicles. Members should note that the wording below may need to be slightly tweaked in the light of what they decide on the Age policy (elsewhere on the agenda).

The policy should read;

Vehicle Age Limits The Council operates an age policy in respect of licensed vehicles and since its introduction, the travelling public of South Ribble have benefitted from more reliable vehicles which are fitted with better safety features and are more environmentally friendly. The Council will where appropriate, issue Hackney Carriage Licences to vehicles which:

a) Are no older than 4 years, when first presented for licensing

b) In respect of purpose built taxis (i.e. Peugeot E7, Euro taxi) or other wheelchair accessible vehicles are no older than 6 years, when first presented for licensing

Vehicles in (a) above, which have been continuously licenced by South Ribble, will no longer be eligible for renewal once they are 8 years old.

Vehicles in (b) above, which have been continuously licenced by South Ribble, will no longer be eligible for renewal once they are 12 years old

In order to ensure that the Council does not fetter its discretion, a vehicle proprietor retains the right to apply to licence a vehicle which falls outside the Council's age criteria. All such

applications will be referred to the next scheduled General Licensing Committee for consideration. The Committee will take into account factors including, but not restricted to:

- The make and model of the vehicle
- The exceptional condition of the vehicle, including the bodywork and interior passenger accommodation
 - The mileage
 - The service history
 - Details of all repairs undertaken throughout the vehicles life
 - Details of all replacement parts fitted throughout the vehicles life
 - Whether any particular contracts rely on the specific use of the vehicle.

The Committee will not take into account the personal or financial circumstances of a proprietor when considering a departure from this policy Each case will be determined on its own individual merits and any departures from this policy will be in exceptional circumstances only and will be recorded along with the reasons such a departure. Any departure from the policy will not create a precedent for future decisions. Determination of the number of passengers which the vehicle will be licensed to carry will be the responsibility of the Licensing Officer on presentation of the vehicle at first inspection.

The paragraph that requires alignment is paragraph 7.8

CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

20. None.

AIR QUALITY IMPLICATIONS

21. The proposed changes are designed to make a positive contribution to air quality.

COMMENTS OF THE STATUTORY FINANCE OFFICER

22. The change in policy is not expected to have a large effect on the income received from licence fees. The change will only affect new customers and since the number of hackney carriage licenses was not expected to grow, the potential 'lost' income from new customers who would have paid, but would not need to under the new policy, is low.

COMMENTS OF THE MONITORING OFFICER

OTHER IMPLICATIONS:

<p>► Risk</p> <p>► Equality & Diversity</p> <p><i>Add any other implications which you consider particularly relevant</i></p>	<p>The risks of poor air quality are well documented of course.</p> <p>No implications here</p>
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BACKGROUND DOCUMENTS -There are no background papers to this report

APPENDICES

Appendix 1- Action Plan Table

LT Member's Name- Dave Whelan
Job Title- Interim Monitoring Officer

Report Author:	Telephone:	Date:
Mark Marshall, Head of Licensing	01772 625401	30 th October 2019