

WHEELCHAIR ACCESSIBLE HACKNEY CARRIAGES AND COMMERCIAL ADVERTISING ON LICENSED VEHICLES

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Wards Affected: All

PROPOSED DECISIONS

1. That the current policy requiring that all wheelchair accessible hackney carriage vehicles are side loading is maintained.
2. That from the 1st January 2018, drivers of wheelchair accessible vehicles should be required to undergo refresher training on disability awareness on a three yearly basis as a requirement of their licence.
3. That further consideration should be given as to appropriate wheelchair accessible vehicle type once government guidance on this issue has been published.
4. That the current policy prohibiting commercial advertising on licensed vehicles is maintained.

Executive Summary

Members will recall that various amendments to the Hackney Carriage and Private Hire Policy were considered at the meeting in February this year and that an amended policy was approved. Two matters remained undetermined at the conclusion of this meeting, however, and it was agreed that these would be reconsidered at the next meeting of the committee. These matters relate to commercial advertising on licensed vehicles and the loading point of wheelchair accessible hackney carriage vehicles.

Unfortunately the sub group was unable to make any recommendations due to problems with meetings and at the committee meeting on the 24th July it was decided that another sub group should be convened to consider both issues.

After careful consideration of all the relevant evidence, the sub group has recommended that there should be no changes to the current policy in respect of either issue, but that work should be carried out with Bucks County Council to ensure that the hackney ranks are safe and suitable for both rear loading and side loading vehicles.

Corporate Implications

The Council is required by law to license the operation of taxis and private hire vehicles. The paramount consideration in this respect is the safety and convenience of those travelling in licensed vehicles. The Local Government (Miscellaneous Provisions) Act 1976 permits local authorities to place conditions on licensed private hire and hackney carriage drivers and vehicles. Conditions and requirements should be aimed at improving service and protecting the users of licensed vehicles.

Policy/Community Plan Implications

The suggested decisions would contribute to all of the objectives set out in the Corporate Plan.

Detailed Report

Rear Loading Wheelchair Accessible Vehicles

1. The draft revised policy included a proposal to permit rear loading wheelchair accessible vehicles. This type of vehicle has not previously been authorised as a hackney carriage. Several comments were received from individuals in support of this proposal, which was also generally supported by the private hire trade. A large section of the hackney carriage trade, however, is opposed to this proposal on the grounds of public safety.
2. Following the committee meeting in February, the High Street rank was inspected by the Division's Health and Safety Officer and the use of rear loading vehicles (one of which had been provided for this purpose by a private hire operator) was considered.
3. It was the opinion of the health and safety officer that a wheelchair could not be safely loaded into a rear loading wheelchair accessible vehicle from the High Street rank.
4. It was agreed that this issue would be considered by a sub group of the committee and this group has met on several occasions for this purpose. These meetings have included an inspection of all of the ranks within the town centre and two demonstrations of wheelchair users being loaded into different types of vehicle at the High Street rank. One of these demonstrations was attended by Neil Stannett in his capacity as a health and safety adviser and Alan Switalski, the Council's Equalities Officer. It was also kindly assisted by Alison Lewis of Wycombe Area Access for All, who is the user of a powered wheelchair.
5. It became apparent during these demonstrations that the High Street rank is not safe or suitable for the use of rear loading wheelchair accessible vehicles. The only means by which such a vehicle can be properly positioned to load a wheelchair user entails the front end of the vehicle protruding into the High Street, which is a main bus route. The tailgate on the vehicle demonstrated also covered a large part of the pavement at head height which would not only cause an obstruction to pedestrians but would also be likely to cause a health and safety hazard.
6. This view was shared by all Members and officers present at the demonstration.
7. The majority of the remainder of the ranks within the town centre are also deemed to be unsuitable for this type of vehicle for similar reasons, although it is considered that the ranks in Frogmoor and Lilys Walk could reasonably easily be adapted for use by rear loading vehicles.
8. As a result of the above, it is considered that rear loading hackney carriage vehicles are not currently suitable or safe to be used as a result of the design and layout of the town centre ranks. The sub group has therefore recommended that the current policy should remain in force (which permits only side loading wheelchair accessible hackney carriage vehicles) and that this policy should remain in place until the ranks can be made safe and suitable, at which point it can be reconsidered.
9. It is proposed that joint meetings will take place between relevant officers and Members from this authority and Bucks County Council with this intention of moving this issue forward as quickly as possible.

Vehicle Type

10. During the sub group's research, concerns were raised that some of the side loading vehicles did not appear to be fit for purpose for wheelchair users. The main concerns raised in this respect were that there was insufficient head room when loading a wheelchair user and that it was not possible to manoeuvre the passenger so that they were required to travel facing out of the off side of the vehicle. This is neither a pleasant experience for the user nor safe in the event of an accident. The majority of the vehicles which were a cause for concern were converted by non-specialist garages.
11. It is a current requirement of the Council's policy that a certificate of compliance / conformity is provided for any vehicle which has been modified in any way since manufacture, although it was considered that this requirement may not be sufficient alone to ensure that only appropriate vehicles are licensed.
12. As a result of the implementation of parts of the Equalities Act 2010 earlier this year, the government have confirmed that specific guidance will be issued on the subject of wheelchair accessible vehicles. It is hoped that this guidance will be published later this year or in the spring of 2018.
13. The sub group have recommended that the specific type of vehicle permitted to be used as a wheelchair accessible hackney carriage (whether side or rear loading) should be reconsidered once the guidance in this respect has been issued. Any future recommendations may include minimum interior dimensions for vehicles or other relevant matters such as lowered floors.

Training of Drivers of Wheelchair Accessible Vehicles

14. One issue that has been raised by various disabled users and bodies representing wheelchair users has been that it is not considered that drivers of wheelchair accessible vehicles currently receive sufficient training in terms of dealing with disabled passengers. This was particularly evident in terms of a lack of refresher training.
15. All drivers of wheelchair accessible vehicles are currently required to successfully undertake the Passenger Assistant Training course which is provided by Bucks County Council. This training covers various different types of disability and includes instruction on how to safe load, secure and unload wheelchair users.
16. Given the current low usage of hackney carriages by wheelchair users at ranks, it is likely that some drivers may carry very few during the course of any given year. It is therefore quite likely that, due to a lack of usage, their training in this respect may become far less effective over a period of time.
17. Although not frequent, the Licensing Unit do receive occasional complaints that drivers are unable to properly load or secure wheelchair users in their vehicles.
18. It is accepted that types of wheelchair and advice in relation to the use of them change over time and advice also changes on the best ways of dealing with different disabilities. It was therefore recommended by the sub group that, as part of their continuing professional development and to better assist them in carrying out their duties, drivers of wheelchair accessible vehicles should be required to

undertake refresher training on a three yearly basis and that such refresher training should be a requirement of their licence.

19. If approved by the committee, it is suggested that such a requirement should become effective from the 1st January 2018 to enable officers to source an appropriate training package which is likely to take in the region of a half to one day to complete.

Commercial Advertising

20. The private hire trade requested that commercial advertising is permitted on private hire vehicles. This subject was discussed at the committee meeting in February and it was decided that a sub-group be set up to consider the issue further.
21. Benchmarking was carried out nationally which resulted in sample advertising policies / conditions being received for the sub-group's consideration. It was also confirmed that a large majority of local authorities throughout England and Wales do not permit commercial advertising on licensed vehicles.
22. The sub group have now considered this matter. Having taken all of the relevant information into account, there were concerns that additional signage on licensed vehicles may detract from the vehicle's main purpose and may cause confusion to members of the public.
23. It was felt that there is generally signage already present on all four vehicle doors which is intended to make the vehicle easily identifiable as a private hire vehicle. It was not considered appropriate for any other signage to be placed on the rear of the vehicle due to the presence of the licence plate. Safety concerns were also raised about the possibility of placing signage on the rear window or any other glass on the vehicle.
24. As a result of the above it is the recommendation of the sub group that the current prohibition on commercial advertising on licensed vehicles is maintained.

Background Papers

Files in Environmental Services