

Public Agenda Item: **Yes**

Title: **Wheelchair Accessible Vehicles**

Wards Affected: **All**

To: **Licensing Committee** On: **19 January 2017**

Contact Officer: **Steve Cox**  
☎ Telephone: **01803 208034**  
✉ E.mail: **Steve.cox@torbay.gov.uk**

**1. What we are trying to achieve**

1.1 This report discusses the work undertaken to date with regard to attempting to achieve an aspirational target of 20% of Wheelchair Accessible Vehicles.

**2. Recommendation(s) for decision**

2.1 That no additional work is undertaken to increase the percentage of wheelchair accessible vehicles in either the Hackney Carriage and the Private Hire fleets at this time.

**3. Key points and reasons for recommendations**

3.1 By the provisions of the Local Government (Miscellaneous Provisions) Act 1976, Torbay Council is the Licensing Authority in respect of Hackney Carriages, Private Hire Vehicles and their drivers within Torbay.

3.2 Over the period of the last four years officers have been looking at ways to increase the percentage of wheelchair accessible vehicles licensed in Torbay. This has led to a doubling of the percentage of wheelchair accessible vehicles, from 3-4% to 6-8%, but this has remained stubbornly at this level for several years.

3.3 Advice has been sought on how to increase the percentage of wheelchair accessible vehicles, and number of options have been considered and consultation has taken place on those options. However the consultation response was low and none of the options have been universally received. A review of the perceived lack of wheelchair accessible vehicles was undertaken in response to the findings but this has not been able to evidence a problem. There have been no recent Council complaints and no disability user group has engaged during two consultations with them, suggesting to Torbay Council there is no significant problem.

3.4 Significantly, however, there is a new Private Hire company who is dedicated to providing wheelchair accessible vehicles, which is advertised on the Council website along with other providers. They have informed the Council that residential homes and school trips provide the vast majority of their work. Additionally the percentage of available vehicles is significantly above the percentage of the population that is estimated to be wheelchair users, which is 2.2%. It is therefore recommended that no further work is undertaken to try to raise the percentage of wheelchair accessible vehicles due the lack of a clear need and the difficulty in finding an easy methodology to do so.

**For more detailed information on this proposal please refer to Appendix A.**

**Frances Hughes**  
**Assistant Director (Community and Customer Services)**

## Appendix A – Supporting information to Report

### A1. Introduction and history

- A1.1 By the provisions of the Local Government (Miscellaneous Provisions) Act 1976, Torbay Council is the Licensing Authority in respect of Hackney Carriages, Private Hire Vehicles and their drivers within Torbay.
- A1.2 On the 31<sup>st</sup> January 2013 Licensing Committee agreed to amend the Hackney Carriage and Private Hire Licensing Policy to include an aspirational target of 5% of both fleets being wheelchair accessible by 2018. See Appendix 1, under point 16 (iv).
- A1.3 This was achieved by the 30<sup>th</sup> September 2013, with 6.8% of the Hackney Carriage Fleet (11 out of 169) and 7.2% of the Private Hire Fleet (21 out of 293) being wheelchair accessible, mainly as a result of extending the life of a wheelchair accessible vehicle licence from 8 to 10 years.
- A1.4 On the 15<sup>th</sup> May 2014 Licensing Committee agreed to undertake a survey of drivers and owners during the 2014 Unmet Demand Survey and to seek advice from the authors of the report on ways to increase the percentage of wheelchair accessible vehicles. See Appendix 2, under point 6.
- A1.5 Meanwhile, the percentage of wheelchair accessible vehicles did not change significantly over the next 18 months, remaining for both Private Hire and Hackney Carriage fleets at between 6-8%. In response to this Licensing Committee on the 22<sup>nd</sup> January 2015, proposed a new aspiration of 20% of vehicles to be wheelchair accessible. This would be an amendment to condition 14.16 below, if implemented. See Appendix 3, under point 12.

*“The Licensing Authority aspires to achieve 20% wheelchair accessible vehicles by 2018 with regard to both hackney carriage and private hire vehicles.”*

- A1.6 On the 4<sup>th</sup> June 2015, the Unmet Demand Study report was presented to Licensing Committee, with the following key points.

The provision of Wheelchair Accessible Vehicles were benchmarked against other authorities which are classified by the Audit Commission as it's statistically nearest neighbours to Torbay. Torbay was the ranked lowest amongst those 10 Local Authorities; see Section 8.1 of the report in Appendix 4.

- A1.7 Section 8 of the report identifies a number of methods that are being tried or have been successful in other areas in increasing the percentage of Wheelchair Accessible Vehicles. The report also identifies that about half the trade would not be prepared to change to Wheelchair Accessible Vehicles for any reason. In addition all parties believe that a mixed vehicle fleet is the best vehicle fleet. See Section 8 of the report in Appendix 4.
- A1.8 Section 8.5 recommends incentives are implemented to encourage or require the uptake of Wheelchair Accessible Vehicles. See Section 8.5 of the report in Appendix 4. This could include

- Reducing the fee for new or/and renewal Wheelchair Accessible Vehicles for a time limited period.
- Requiring all transferred licences to become Wheelchair Accessible Vehicles.
- Requiring all new vehicles with 5 seats or over to be Wheelchair Accessible Vehicles, but allowing for an increase in the Hackney Carriage tariff when there are 5 or more passengers.

A1.9 At the Licensing Committee meeting on the 4<sup>th</sup> June 2015 a report made a number of proposals for consultation, based upon advice from the authors of the report above. This was agreed by Licensing Committee, see Appendix 5. These consultation proposals were as follows, (though please note that the dates are not relevant)

- (i) Torbay Council will offer a financial incentive to encourage members of the licensed trade to 'plate' wheelchair accessible vehicles by cutting the cost of licensing a vehicle of this type by 50%.
- (ii) Torbay Council will require all new and replacement Hackney Carriage and Private Hire Vehicles from the 1<sup>st</sup> May 2016 to be wheelchair accessible. We would continue this policy until such time as we have achieved a minimum 20% of the entire fleet as wheelchair accessible.
- (iii) Torbay Council will require, from 1 May 2016 that all new Hackney Carriage Vehicles with 5 passenger seats or more to be wheelchair accessible. Those vehicles will have a higher rate of tariff set for journeys where 5 or more passengers are carried.

A fourth option was added, which was similar to the final recommendation in the Unmet Demand Study report.

- (iv) Torbay Council will issue additional new (not replacement) Hackney Carriage licences to operators opting to plate wheelchair accessible vehicles, thus increasing the number of current full-time Hackney Carriages above current limitations. Although limitations on Private Hire Vehicles numbers do not exist, Torbay Council will only issue licences for new Private Hire Vehicles where these are wheelchair accessible.

A1.10 The consultation took place in November and December 2015. Letters were sent to all licensed plate holders, drivers and operators. In total 50 replies were received. This represented about 10% of the trade. However no replies were received from disabled user groups.

A1.11 The most popular option was (iii) above, supported by 33 of the responders, and all were Hackney Carriage plate owners. The support for the other three was more even, with 5 supporting option (i) and (iv). These were mostly from the Private Hire trade. Option (ii) only received one supporting response.

A1.12 There was also a number of comments from responders saying that the financial incentive under option (i), was not enough to encourage the purchase of a wheelchair accessible vehicle due to the cost of such a vehicle.

- A1.13 These results don't identify any clear support or pattern, except for possibly option (iii). However this option would result in a reduction in the fleet make up as it would effectively remove vehicles known as 'people carriers' from the fleet, as they are designed to carry 5 or 6 people. This is therefore currently discounted.
- A1.14 Since there does not appear to be a clear option, officers decided before further work was undertaken to review whether there is in fact a problem of a lack of wheelchair accessible vehicles, or whether this is a perceived problem.
- A1.15 The outcome of that review was that Torbay Council receives no complaints about lack of wheelchair accessible vehicles. It consulted again with disabled user groups and gave them an opportunity to meet with officers. This however still resulted in no significant engagement. Finally it reviewed the population profile, which identified an estimated 2.2% of the population are wheelchair users, though these are not necessarily wheelchair bound.
- A1.16 Further to the above, there is also a new taxi company, called The Wheelchair Cab Company, which along with other wheelchair accessible vehicles is advertised on our website. Their main clientele is residential homes and school runs.
- A1.17 The current percentage of wheelchair accessible vehicles remains very similar as the last 3 years at 12 (7.40%) for Hackney Carriages and 24 (7.74%) for Private Hire Vehicles. Although this report relates specifically to wheelchair accessible vehicles, it should be remembered that there is a current legal duty on every Hackney Carriage and Private Hire driver to assist people with disabilities, and the current mixed vehicle fleet can accommodate all other forms of disability, which includes wheelchairs, if the user can stand briefly and be seated in a vehicle. This is often the case with wheelchair users.
- A1.18 It is therefore the view that there is not the problem that has been previously perceived, and therefore the recommendation is to not do any further work or to change the policy at this time. However if members are minded for officers to look at further options, then consideration should be given to option (iv). Professional advice would need to be sought about issuing up to ten new Hackney Carriage plates and restricting them to Wheelchair Accessible Vehicles only. These can also be used for private hire work. There is however no guarantee that any or all of them would be taken up.

## **A2. Risk assessment of preferred option**

### **A2.1 Outline of significant key risks**

There are no significant risks if the recommendation is followed.

## **A3. Options**

- A3.1 The other option is to consider issuing additional Hackney Carriage licences, though there is no guarantee these will be taken up.

#### **A4. Summary of resource implications**

A4.1 There are no resource implications for the Council if the recommendation is accepted.

A4.2 However if further work is required then there will be resource implications for both licensing team but also potentially procurement, if at a future date new Hackney Carriage plates are issued.

#### **A5. What impact will there be on equalities, environmental sustainability and crime and disorder?**

A5.1 There are no environmental sustainability or crime and disorder issues. There is no perceived equality issues either based upon the research undertaken.

#### **A6. Consultation and Customer Focus**

A6.1 There has been consultation with both the hackney carriage and private hire trade and disability user groups.

#### **A7. Are there any implications for other Business Units?**

A7.1 There are no significant implications for other business units.

#### **Appendices**

Appendix 1 Minutes of the Licensing Committee 31<sup>st</sup> January 2013

Appendix 2 Minutes of the Licensing Committee 15<sup>th</sup> May 2014

Appendix 3 Minutes of the Licensing Committee 15<sup>th</sup> January 2015

Appendix 4 Hackney Carriage Unmet Demand Study Final Report – Section 8.0 January 2015

Appendix 5 Minutes of the Licensing Committee 4<sup>th</sup> June 2015

#### **Documents available in members' rooms**

None

#### **Background Papers:**

The following documents/files were used to compile this report:

None