

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013 – 2014

SPECIAL LICENSING COMMITTEE
30th April 2014

REPORT OF:

SERVICE DIRECTOR
PUBLIC HEALTH AND PROTECTION

Item No. 3

**Revision of Technical Standards;
Hackney Carriage/Private Hire
Vehicles**

1. PURPOSE OF THE REPORT

The purpose of the report is to:

- (i) appraise Members of the proposed policy regarding vehicles considered suitable for licence as Hackney Carriages & Private Hire Vehicles;
- (ii) review conditions of licence for such vehicles to ensure the comfort & safety of fare paying passengers;
- (iii) ensure the vehicle fleet meets the transport needs of the communities it seeks to service.

2. RECOMMENDATION

It is recommended that:

- (i) **Members note the contents of the report, which is provided for information;**
- (ii) **Agree to the proposal of the Divisional Director Public Health & Protection to consult with stakeholders in respect of the proposed changes to vehicle specification; such consultation to be for a period of 28 days**
- (iii) **That the outcome of the consultation process be the subject of a further report to this Committee, together with any changes to the draft vehicle specification that may be necessary, prior to their inclusion in a formal policy statement .**

3. **BACKGROUND**

3.1 **Current Policy**

The current technical specification for vehicles is included in conditions of licence. Relevant extracts are reproduced for information as follows:-

Hackney Carriage - **Appendix 1A**

Private Hire Vehicle - **Appendix 1B**

The current specification was determined as a result of the proposed implementation of the Disability Discrimination Act 2005 which placed a duty on Licensing Authorities to ensure that Hackney Carriages available for hire & reward could be readily accessible to passengers with disabilities.

The specification/policy was intended to provide a 'year on year' increase in the number of wheelchair accessible vehicles within the Hackney Carriage fleet and also contribute to an improvement in the standard of vehicles purchased for licence.

- 3.2 To promote this policy, certain commercial advantages were offered to licensees who were seeking to purchase **wheelchair accessible, purpose built Hackney Carriages** as an incentive to invest in the additional costs that such vehicles incurred.

This included:

- An acceptance of 'Purpose Built vehicles' for licence, provided they were **less than 8 years old**;
- Consecutive **renewal of the licence for a period of 15 years**, (subject to fitness).
- **NEW Hackney Carriage Licences** were restricted to 'Purpose Built Vehicles', which by nature of their definition were intended for 'conveyance of passengers for hire & reward' and also met the requirements of the Disability Discrimination Act 2005. This made provision for WHEELCHAIR ACCESSIBLE VEHICLES (WAV), where passengers could be conveyed whilst seated in their wheelchairs.

- 3.3 Best practice at that time, (as advocated by Department of Transport) was considered to be the provision of 'Purpose Built' Wheelchair Accessible Vehicles. Licensing Authorities were encouraged to maximise the numbers of such vehicles in their fleet, with the expectation that certain Authorities, (Rhondda Cynon Taf being one), would meet a quota that was considered desirable.

Discretion was afforded to local authorities as to how the provisions should be implemented, mindful of local conditions.

- 3.4** The response from the licensed trade in Rhondda Cynon Taf was a request that a provision be made to retain the facility for replacement of existing saloon vehicles with an alternative saloon vehicle. The Trade position was that some operators in the County Borough may not be able to meet the additional costs for 'Purpose Built vehicles' and this would be to the detriment of the service resulting in a reduction in the numbers of licensed vehicles available. The proposal for the continuation of both types of vehicle was therefore accepted, subject to further advice from the Department of Transport and the need to meet the requirements of the impending Disability Discrimination legislation.

The age limits for saloons, (licensed as Hackney carriages or Private Hire Vehicles) were retained as follows:

- An acceptance of such vehicles for licence, provided they were **less than 5 years old**;
- Consecutive **renewal of the licence for a period of 10 years**.

4. Unintended Consequences

- 4.1** Initially the revised specification partially met its aims and resulted in a small increase in the number of wheelchair accessible, 'Purpose Built vehicles' in the Hackney Carriage fleet. There was also a complimentary improvement in the standard of licensed vehicles. However, a considerable number of Hackney Carriage licensees continued to operate saloon vehicles, choosing to replace 'like with like' on the basis that cost of the 'Purpose Built' vehicles was prohibitive.
- 4.2** The changes introduced primarily affected Hackney Carriages, (in accordance with the provisions of the Disability Discrimination Act) and Private Hire Vehicles continued to be primarily saloon type vehicles, small mini buses and Multi Purpose Vehicles (MPVs). (No commercial advantage was offered to wheelchair accessible Private Hire Vehicles, as it was outside the remit of the legislation and this is a source of concern to the licensed trade.)
- 4.3** However, a combination of factors, which included the deferral of the implementation of the legislation; a change in the approach of the Department of Transport to wheelchair accessible vehicles and the economic climate resulted in an increasing reluctance of the Trade to purchase 'Purpose Built' wheelchair accessible vehicles, primarily as a result of cost.

