

**COFNOD O BENDERFYNIAD WEDI'I DDIRPRWYO GAN SWYDDOG**  
**RECORD OF DELEGATED OFFICER DECISION**

**Penderfyniad Allweddol | Key Decision** ✓

**PWNC | SUBJECT:** CHANGE TO POLICY FOR LICENSING OF HACKNEY CARRIAGE/  
PRIVATE HIRE WHEELCHAIR ACCESSIBLE VEHICLES

**DIBEN YR ADRODDIAD | PURPOSE OF THE REPORT:**

The purpose of the report is to seek approval to change the current age-related policy conditions for wheelchair accessible Hackney Carriage / Private Hire vehicles licensed by Rhondda Cynon Taf County Borough Council, in order to ensure a balance is achieved between:

- i. The needs of the trade to operate a viable business.
- ii. The needs of the consumers with Rhondda Cynon Taf area.
- iii. The profile of the service to meet corporate objectives.

**PENDERFYNIAD WEDI'I DDIRPRWYO | DELEGATED DECISION:**

Approval is granted to change the conditions of Wheelchair Accessible Vehicles (WAV) to allow the maximum age a wheelchair accessible vehicle is permitted to be licensed be extended from 5 years from date of first registration to 7 years and increasing the expiry of licence from 10 years from date of first registration to 12 years.

The policy change is to take effect on 16th December 2022.



Louise Davies

06.12.22

**Llofnod y Prif Swyddog**  
Chief Officer Signature

**Enw (priflythrennau)**  
Name (Print Name)

**Dyddiad**  
Date

**Mae'r penderfyniad yn cael ei wneud yn unol ag Adran 15 o Ddeddf Llywodraeth Leol 2000 (Swyddogaethau'r Corff Gweithredol) ac yn y cylch gorchwyl sy wedi'i nodi yn Adran 5 o Ran 3 o Gyfansoddiad y Cyngor.**

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.

**YMGYNGHORI | CONSULTATION**



**06.12.22**

**LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET**  
CONSULTEE CABINET MEMBER SIGNATURE

**DYDDIAD | DATE**

*adam fox.*

**06.12.22**

**YR AELOD YR YMGYNGHORWYD AG EF**  
(Yn rhinwedd ei swydd fel Cadeirydd y Pwyllgor Trwyddedu)  
**CONSULTEE MEMBER SIGNATURE**  
(In capacity as Chair of the Licensing Committee)

**DYDDIAD | DATE**

**WILL THIS DECISION HAVE AN IMPACT ON THE WARD?**  
**A FYDD Y PENDERFYNIAD YMA'N CAEL EFFAITH AR Y WARD?**

**BYDD | YES**      **NA FYDD | NO** ✓

**Any further comments/Need for Local Member to be informed:**  
**Unrhyw sylwadau pellach/Oes angen rhoi gwybod i'r Aelod Lleol?:**

**N/A**

**RHEOLAU'R WEITHDREFN GALW-I-MEWN | CALL IN PROCEDURE RULES.**

**A YW'R PENDERFYNIAD YN UN BRYN A HEB FOD YN DESTUN PROSES GALW-I-MEWN GAN Y PWYLLGOR TROSOLWG A CHRAFFU?:**

**IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:**

**YDY | YES      NAC YDY | NO√**

**Rheswm dros fod yn fater brys | Reason for Urgency:**

.....

**Os yw'n cael ei ystyried yn fater brys - llofnod y Llywydd, y Dirprwy Lywydd neu Bennaeth y Gwasanaeth Cyflogedig yn cadarnhau cytundeb fod y penderfyniad arfaethedig yn rhesymol yn yr holl amgylchiadau iddo gael ei drin fel mater brys, yn unol â rheol gweithdrefn trosolwg a chraffu 17.2:**

*If deemed urgent* - signature of Presiding Officer or Deputy Presiding Officer or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....  
**(Llywydd | Presiding Officer)**

.....  
**(Dyddiad | Date)**

**DS - Os yw hwn yn benderfyniad sy'n cael ei ail-ystyried yna does dim modd galw'r penderfyniad i mewn a bydd y penderfyniad yn dod i rym o'r dyddiad mae'r penderfyniad wedi'i lofnodi.**

**NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.**

AT DDEFNYDD Y SWYDDFA YN UNIG | FOR OFFICE USE ONLY

DYDDIADAU CYHOEDDI A GWEITHREDU | PUBLICATION & IMPLEMENTATION DATES

CYHOEDDI | PUBLICATION

Cyhoeddi ar Wefan y Cyngor | Publication on the Council's Website:- \_\_\_\_\_08/12/22\_\_\_\_\_

DYDDIAD | DATE

GWEITHREDU'R PENDERFYNIAD | IMPLEMENTATION OF THE DECISION

**Nodwch:** Fydd y penderfyniad hwn ddim yn dod i rym nac yn cael ei weithredu'n llawn nes cyn pen 3 diwrnod gwaith ar ôl ei gyhoeddi. Nod hyn yw ei alluogi i gael ei "Alw i Mewn" yn unol â Rheol 17.1, Rheolau Gweithdrefn Trosolwg a Chraffu.

**Note:** This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Yn amodol ar y drefn "Galw i Mewn", caiff y penderfyniad ei roi ar waith ar / Subject to Call In the implementation date will be

14/12/22

\_\_\_\_\_  
DYDDIAD / DATE

WEDI'I GYMERADWYO I'W GYHOEDDI: ✓ | APPROVED FOR PUBLICATION :✓

**Rhagor o wybodaeth | Further Information:**

Cyfadran   Directorate:	Public Health, Protection & Community Services
Enw'r Person Cyswllt   Contact Name:	Martyn Owen
Swydd   Designation:	Assistant Licensing Officer
Rhif Ffôn   Telephone Number:	07384456967



## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **DELEGATED OFFICER DECISION**

**30<sup>th</sup> NOVEMBER 2022**

### **CHANGE TO POLICY FOR LICENSING OF HACKNEY CARRIAGE/ PRIVATE HIRE WHEELCHAIR ACCESSIBLE VEHICLES**

#### **REPORT OF THE DIRECTOR OF PUBLIC HEALTH, PROTECTION AND COMMUNITY SERVICES**

**Author(s):** Martyn Owen - Assistant Licensing Manager

#### **1. PURPOSE OF THE REPORT**

1.1 The purpose of the report is to seek approval to change the current age related policy conditions for wheelchair accessible Hackney Carriage / Private Hire vehicles licensed by Rhondda Cynon Taf County Borough Council, in order to ensure a balance is achieved between:

- (i) The needs of the trade to operate a viable business.
- (ii) The needs of the consumers with Rhondda Cynon Taf area.
- (iii) The profile of the service to meet corporate objectives.

#### **2. RECOMMENDATIONS**

2.1 It is recommended that:

- a) The maximum age a wheelchair accessible vehicle is permitted to be licensed be extended from 5 years from date of first registration to 7 years and increasing the expiry of licence from 10 years from date of first registration to 12 years.
- b) The policy change to take effect on 16<sup>th</sup> December 2022

#### **3. BACKGROUND**

3.1 The Local Government (Miscellaneous Provisions) Act 1976 makes provision for a Council to attach, to the grant of a licence of a Hackney Carriage under the Police and Town Clauses Act of 1847, such conditions as the district council may consider reasonably necessary.

3.2 The 1976 Act also allows a district council to attach to the grant of a Private Hire Vehicle licence such conditions as they may consider reasonably necessary.

3.3 The Equality Act 2010 places duties on both drivers and Councils around accessibility for passengers in wheelchairs. Through its role as regulator, the

Council is required to ensure that local taxi services provide a sufficient number of wheelchair accessible vehicles in accordance with the Disability Discrimination Act 1995 and the Equality Act.

- 3.4 The number of wheelchair accessible vehicles licensed by this Authority has dwindled over the years, to the point that there are now only 15 vehicles licensed.
- 3.5 In November 2017 Disability Wales launched an online survey to capture the experiences of disabled people using taxi and private hire vehicles across Wales. The survey found that the most common problem reported was the lack of availability for wheelchair accessible vehicles. Disabled people responding to this survey reported: having to wait hours for pre-booked journeys, being told that accessible taxis are not available during school runs or in the evenings, or standard vehicles being sent instead of the requested accessible vehicle.
- 3.6 The recent pandemic has caused the taxi trade to suffer losses in income which has had a further impact on the ability to purchase vehicles. Wheelchair accessible vehicles come at a higher cost to the drivers and operators than standard saloon type vehicles which is having a negative impact on the numbers of such vehicles being licensed. The cost of fuel has exacerbated this situation. Inflation is now at a 40 year high and interest rates are rising.
- 3.7 The Local Authority has been asked by members of the trade to consider ways to assist in the purchase of wheelchair accessible vehicles.

#### **4. REASONING**

- 4.1 The Authority has received requests from the trade to consider incentives for those drivers wanting to licence a wheelchair accessible vehicle.
- 4.2 The Licensing team has identified a simple and safe way of assisting the trade in being able to purchase affordable wheelchair accessible vehicles with the opportunity to recover costs over a longer period and which is believed will not negatively affect the safety of the public.
- 4.3 The Authority has determined that it can increase registration age from 5 years to 7 years & increase lifetime of the licensable age from 10 years to 12 years. This allows vehicles to be purchased at a lower cost and gives opportunity to the proprietor, extra time to make such a purchase cost effective.
- 4.4 It must also be noted that should a vehicle show poor maintenance and failure rates, action can be taken by the Department such as suspension or revocation of licence of the proprietor/operator.
- 4.5 The Integrated Transport Unit (ITU) who manage school contracts have been contacted and have expressed no concerns over the recommendations within this report.

- 4.6 The proposal has been shared with the Chair and Vice Chair of the Licensing Committee who have expressed no concerns and will support the proposal.
- 4.7 The proposal has been shared with the Cabinet member who has expressed no concerns and will support the proposal.
- 4.8 The proposal has been shared with the Chairman, Secretary and WAV disability representative of the 'Unite' union who will support the proposal. The disability representative being one of the trade members to initially raise the issue.

## **5. EQUALITY AND DIVERSITY IMPLICATIONS**

- 5.1 An Equality Impact Assessment (EqIA) form has been prepared for the purpose of this report. It is deemed the impact of this proposal has a positive effect. A copy can be viewed upon request.

## **6. WELSH LANGUAGE IMPLICATIONS**

- 6.1 A Welsh Language Impact assessment has been completed. It is deemed that the amendments proposed are demographic neutral and will not negatively impact on Welsh language.

## **7. FINANCIAL IMPLICATION(S)**

- 7.1 This report does not have any financial implications for the Council as it relates to a slight amendment to current policy only.

## **8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 8.1 Local Government (Miscellaneous Provisions) Act 1976 and the Police & Town Clauses Act 1847 was considered which provides legislation for taxis.
- 8.2 The Equality Act 2010, Sections 165 to 167 were considered, as well as the Disability Discrimination Act 1995.

## **9. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.**

- 9.1 The Hackney Carriage & Private Hire Vehicle trade provides an essential service to all members of the public. It is inclusive of all, including those who are vulnerable and those with disabilities, for whom wheelchair accessible vehicles can be utilised.
- 9.2 A safe and suitable taxi fleet is instrumental in assisting a vibrant economy. Wheelchair accessible vehicles are used to transport children to schools, by the public to attend medical appointments, for shopping, to go on vacation and assists in transporting people home safely from any other journey.

9.3 This report has been considered for evidence of the Five Ways of Working and how it may contribute to our Well-being Objectives.

- Prevention and collaboration: the purpose of this regulatory function is to protect the public and provide adequate numbers to those individuals who require access to wheelchair accessible vehicles.
- Collaboration: The Licensing department meets regularly with 'Unite' union who represent many of the taxi trade within RCT to discuss topics relevant to the trade. The issue regarding lack of accessible vehicles has been raised as a concern.

## 10. **CONCLUSION**

10.1 Disabled passengers already face a multitude of barriers to travel and the declining provision of public transport is further problematical. Efforts must be made, even in the short term, to aid the trade in purchasing wheelchair accessible vehicles. The proposal set out within this report allows the proprietor to purchase a vehicle at a lower cost while still allowing 5 years of lifespan of licence. If purchased from new it will allow a 12 year lifespan which again increases the potential to recover costs. This should provide an opportunity to the trade to gain income and further helps those who require such a service within the Borough.

10.2 No current data is available for the testing of vehicles over 10 years of age due to current age limits, however the change in policy will be monitored. The success of the amendment will be determined by:

- The failure rates of vehicles over 10 years old.
- The number of WAV vehicles currently licensed permitted to extend their lifespan.
- The number of new WAV vehicles licensed.

10.3 It is anticipated that the change to policy will take effect on 16th December 2022.

## 11. **STRATEGIC OR RELEVANT TO ELECTORAL WARDS (please specify)**

11.1 The proposed changes to increase age limits of wheelchair accessible vehicles will benefit members of the public and the taxi trade across all electoral wards within the Borough.



**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**DELEGATED OFFICER DECISION**

**30<sup>th</sup> NOVEMBER 2022**

**REPORT OF THE DIRECTOR OF PUBLIC HEALTH, PROTECTION AND  
COMMUNITY SERVICES**

**CHANGE TO POLICY FOR LICENSING OF HACKNEY CARRIAGE/ PRIVATE  
HIRE WHEELCHAIR ACCESSIBLE VEHICLES**

**Background Papers:**

None

**Officer to contact:**

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