

Rear Loading for Hackney Carriage Vehicles

Licensing Committee, item 5

Committee: Licensing

Date: 31 May 2006

Title: Rear Loading for Hackney Carriage Vehicles

Author: Murray Hardy, Licensing Officer, 01799 510598

Agenda Item

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Item for decision

Summary

- 1 This report sets out as a discussion document whether or not this Council wishes to introduce a condition to amend their current policy on Hackney Carriage Vehicles.

Recommendation

- 1 The report be noted.
- 2 Suitable conditions be introduced that specifically affect Hackney Carriage Vehicles after the vehicle specification regulations are introduced.

Background papers

- Letter from National Taxi Association
- Letter from ROSPA

Impact

Communication/Consultation	Trade Associations when regulations are introduced
Community Safety	Access Groups when regulations are introduced
Equalities	No specific implications
Finance	No specific implications
Human Rights	Hackney Carriage Proprietors will need to be compliant when regulations are

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	introduced
Legal implications	Hackney Carriage Proprietors will need to be compliant when changing vehicles after 1 January 2010
Ward-specific impacts	None
Workforce/Workplace	None

Situation

- 2 At the Annual General Meeting of the National Taxi Association held in October 2005, their members decided to endorse a resolution that in effect prohibits the use of a disabled passenger confined to a wheelchair being loaded at the rear of the vehicle. This resolution was adopted purely on road safety grounds and only applies to vehicles licensed as Hackney Carriage Vehicles.
- 3 This policy does have the support of the Royal Society for the Prevention of Accidents albeit they do regard wheelchair users being loaded from the rear provided it is in an off road location.
- 4 The policy which the National Taxi Association have adopted recognises that this will not apply to vehicles licensed as Private Hire, as clearly vehicles fitted with a tail lift is the sole method of loading and unloading a wheelchair user. In adopting this policy the National Taxi Association only represents drivers and operators of Hackney Carriage Vehicles. Other organisations that represent drivers and operators of Private Hire Vehicles have not adopted such a policy.
- 5 On 28 October 2003 the then Minister of Transport announced on behalf of the Government a timetable for the introduction of all new vehicles capable of carrying a wheelchair passenger. He agreed that it should be phased in by all local authorities and for this authority the commencement date is 1 January 2010.
- 6 Currently there are 31 vehicles licensed in this district as a Hackney Carriage with only one capable of carrying a wheelchair passenger. Operators may continue with their fleet after 1 January 2010 but when they come to replace it then the new vehicle must be wheelchair compliant.
- 7 The Government are still consulting with manufacturers and the Trade Associations to produce a suitable vehicle and will at a later date introduce regulations that set out the relevant specifications.
- 8 On 21 February 2006 this matter was discussed at a meeting between Officers, Trade Associations and Operatives and the general view was that it

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was safer to use the rear loading method, however drivers should wear high visibility jackets and care should be taken when choosing a location to conduct this type of manoeuvre

- 9 Consultation has been made with our local access group who consider that the risk of this type of operation is not great and rear loading may be the only method of conveying this type of passenger.
- 10 The Department of Transport do not have a policy on this issue as they are of the view that there is not sufficient evidence to support the National Taxi Association's case.
- 11 The National Association of Licensing and Enforcement Officers are still consulting with their members on this issue.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
The number of Hackney Carriage Vehicles in the District reduces	High The cost of side accessible vehicles is substantially higher than rear accessible vehicles	High	As this would be government policy the Council has no direct mitigating action
There would be no vehicles available for hire by people with disabilities	Low Some Private Hire companies have vehicles adapted for the disabled due to contracts with Essex County Council. When not used in connection with these contracts the vehicles can be made available for	Private Hire Vehicles would not be subject to the same conditions. There could therefore be a wholesale switch if Hackney Carriage Proprietors change to Private Hire which could mean no vehicles plying	In the event that there were no vehicles available for the disabled the Council could consider making some provision

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	hire by the general public	for hire other than by pre booking High People with disabilities would have severe mobility issues	
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