LICENSING POLICY

Wheelchair Accessibility Policy for Hackney Carriages

Supplementary Policy Document

Note: This policy must be read in conjunction with the Council’s LICENSING POLICY For Hackney Carriages And Private Hire Vehicles, APRIL 2009, or future updates.

Background

The Equality Act 2010 amended the Disability Discrimination Act 1995 and lifted the exemption in part 3 of that Act for operators of transport vehicles. Regulations applying part 3 to vehicles used to provide public transport services, including taxis and private hire vehicles, came into force on 4th December 2006.

Taxi drivers now have a duty to ensure people with disabilities are not discriminated against or treated less favourably. In order to meet these new duties, licensing authorities are required to review any practices, policies and procedures that make it impossible or unreasonably difficult for a disabled person to use their services.

Rugby Borough Council’s Cabinet at their meeting on 16th November 2009 considered the report of the Chairman of Licensing and Safety Committee (Part 1 – agenda item 18, Minute 113/2009) concerning compliance of hackney carriages under the Disability Discrimination Act.

Cabinet Resolved that:

1. Licensing and Safety Committee require all new hackney carriage licences, issued by the Council, to have new vehicles which are wheelchair accessible, and meet standards agreed by this Council. Owners of existing hackney carriages could replace them with the same type of vehicles, but owners of existing wheelchair accessible vehicles would have to replace with another wheelchair accessible vehicle;

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1 Available at http://www.rugby.gov.uk/site/scripts/download_info.php?downloadID=2364

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2. all drivers of wheelchair accessible hackney carriages would have to attend a training course on dealing with disabled passengers and provide proof to the Council; and

3. delegated authority to be given to officers to agree with the Rugby Disability Forum and the trade, types and models of vehicles that are accepted as wheelchair accessible.

Following a practical exercise on 26th September 2011 involving Rugby Disability Forum (RDF), Rugby Hackney Operators and Drivers Association (RHODA), Rugby Borough Council (RBC) and hackney manufacturers and suppliers, where a variety of manual and electric wheelchairs tested accessibility to the hackneys, and meeting with RDF, RHODA and RBC on 24th November 2011 the following policies will apply to wheelchair accessible hackneys.

1. Any hackney must comply with the requirements of the Council’s adopted policy document ‘LICENSING POLICY For Hackney Carriages And Private Hire Vehicles, APRIL 2009’ or subsequent updates.

2. As a minimum it must be able to accommodate a standard NHS manual wheelchair and a NHS electric wheelchair (Badger or latest equivalent)

3. The vehicle must accommodate a minimum of 2 passengers + 1 passenger in a wheelchair

4. Both rear-loading and side-loading vehicles will be permitted and designated as either Class RL or Class SL. Class RL is rear-loaders and Class SL is side-loaders.

5. The Council will permit a mixed fleet of wheelchair accessible vehicles. However, rear-loaders are the preferred type. If the proprietor requests a vehicle which is not in Class RL to be licensed the applicant is required to submit in writing (which can include e-mail) to the Council as licensing authority an application explaining why. The Council will aim to achieve a minimum of 60:40 rear-loaders:side-loaders. The Council may have to, from time to time, insist on rear-loaders if there is significant deviation from this target. Where possible this will be through discussions with proprietors/proposed proprietors but it may be necessary to specify a specific class. If this is required, the proprietors/proposed proprietors will have a right of appeal to the Council’s Licensing and Safety Committee.

6. Only single width ramps which can accommodate all 4 wheels of a wheelchair will be permitted. Ramps which consist of 2 or more separate parallel ramps will not be permitted.

7. The Council will maintain a list of approved vehicles. In order to determine the suitability of a vehicle, it may be necessary for any vehicle to undergo a practical test to confirm suitability and class. Testing will include the types of wheelchair that can access the vehicle, any physical restrictions (e.g. having to lower their head to access the vehicle, excessive length ramps) and head height in the vehicle. Any vehicle considered unsuitable will have the reasons for the decision given in writing by the Council. No vehicle which is not on the approved list will be licensed as a wheelchair accessible hackney.

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