

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Licensing Committee      **DATE:** 5<sup>th</sup> October 2011

**CONTACT OFFICER:** Tolani Idowu – Licensing Officer  
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Michael Sims – Licensing Manager  
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**WARD(S):** All

**PART I**  
**FOR DECISION**

**REAR LOADING WHEELCHAIR ACCESSIBLE VEHICLES**

1. **Purpose of Report**

To consider a request by a member of Hackney Carriage vehicle licence holders, for a review of the current Council Policy on the specifications for Wheelchair Accessible Hackney Carriage Vehicles to licence Rear Loading Wheelchair Accessible vehicles.

2. **Recommendation**

To decide whether Rear Loading Wheelchair Accessible Vehicles (RLWAV) are suitable to be licensed as Hackney Carriage vehicles by Slough Borough Council and if so to authorise a full consultation with stake holders including disability groups to be conducted.

3. **Community Strategy Priorities**

- **Being Safe, Feeling Safe**
- **Prosperity for All**

4. **Other Implications**

(a) **Financial**

There will be a cost implication involved in conducting a consultation if approved.

There will not be any financial implications if the policy is approved following a consultation being conducted.

(b) **Risk Management**

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
From section 2 and as detailed within the report	A consultation on the possible licensing of rear loading wheelchair accessible vehicles will highlight the views of disability groups	If approved the licensing of rear loading wheelchair accessible vehicles will provide an alternative form of transport for some disabled persons.

(c) Human Rights Act and Other Legal Implications

Articles 1 and 6 of The Human Rights Act apply:

Article 1 – Every person is entitled to the peaceful enjoyment of his or her possessions including the possession of licence and shall not be deprived of the possession except in the public interest

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

(d) Equalities Impact Assessment

An Equalities Impact Assessment screening has been completed and the conclusions are that there are no adverse or negative impacts of opportunity for any equality target group or for any reasons.

**5. Supporting Information**

- 5.1 In 2005, The Licensing Committee recommended to Full Council a report to remove the limit on the number of Hackney Carriage vehicles and to approve conditions that must be met by any new vehicle to be licensed and used as a Hackney Carriage.
- 5.3 The approved conditions stated that only vehicles meeting European Whole Vehicle Type Approval or UK Low Volume Type Approval be licensed as Hackney Carriages. Vehicles that meet UK Single Vehicle Approval should not be licensed as Hackney Carriage vehicles. A copy of the current conditions is attached at **Appendix A**.
- 5.4 The Conditions also prohibited the licensing of vehicles in which a wheelchair is loaded into the vehicle from the rear. This condition was added after advice from the National Taxi Association, the Spinal Injuries Association, as well as a number of other associations such as Primary Care Trusts.
- 5.5 Research has shown there are approximately 400,000 rear-end shunts on the roads each year in the UK, accounting for one in four of all road traffic accidents. Data from more than 200,000 accident claims in 2010 found that 27% of them occurred when one car hit another from behind.
- 5.6 Due this fact, in a situation where a RLWAV vehicle is struck from behind by another vehicle, there may not be any way for the wheelchair occupant to exit the damaged vehicle without help from the emergency services.
- 5.7 On the 22<sup>nd</sup> August 2011, the Licensing Office received a formal request by email, to licence RLWAV's from a Mr Mohammed Mustafa, a Hackney Carriage vehicle licence holder.
- 5.8 The Licensing Manager acknowledged the email request and asked Mr Mustafa to provide further information and written evidence to support his request as this would assist Members in their decision making process and help with any questions that they may have. A copy of the original request by Mr Mustafa and the acknowledgement by the Licensing Manager is attached at **Appendix B**.

- 5.9 At the time of the writing this report, the additional information as requested by the Licensing Manager to support Mr Mustafa's request has not yet been supplied.
- 5.10 An example of a Rear Loading Wheelchair Accessible Vehicle is attached at **Appendix C.**

### **13 Conclusion**

To decide whether Rear Loading Wheelchair Accessible Vehicles (RLWAV) are suitable to be licensed as Hackney Carriage vehicles by Slough Borough Council and if so to authorise a full consultation with stake holders to be conducted

### **14. Appendices Attached**

- 'A' - Copy of current condition relating to Wheelchair Accessible Vehicles
- 'B' - Copy of email request by Mr Mustafa and request for further supporting information by the Licensing Manager.
- 'C' - Copy of an examples of Rear Loading Wheelchair Accessible vehicles.

### **9. Background Papers**

Local Government (Miscellaneous Provisions) Act 1976

Equality Impact Assessment Screening

Committee Report from 2005