

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Licensing Committee      **DATE:** 23<sup>rd</sup> February 2012

**CONTACT OFFICER:** Michael Sims – Licensing Manager  
(01753 477387)

**WARD(S):** All

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

#### **REAR LOADING WHEELCHAIR ACCESSIBLE VEHICLES.**

1. **Purpose of Report**

To consider a request by members 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 following a consultation being conducted.

2. **Recommendation**

To decide whether Rear Loading Wheelchair Accessible Vehicles (RLWAV) are suitable to be licensed as Hackney Carriage Vehicles following consultation and if so, that the proposed new policy specifications and criteria contained within the report to be approved.

3. **Community Strategy Priorities**

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

4. **Other Implications**

(a) **Financial**

There will not be any financial implications if the policy is approved.

(b) **Risk Management**

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
From section 2 and as detailed within the report	A consultation has been conducted with responses received in favour of the proposals to licence rear loading wheelchair accessible vehicles.	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**

None

(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 On 5<sup>th</sup> October 2011 a report was put before the Licensing Committee at a request from Hackney Carriage representatives to review the Council policy to licence rear loading wheelchair accessible vehicles. The report detailed concerns raised in 2006 from the Spinal Injuries Trust, Primary Care Trusts and the National Taxi Association of licensing such vehicles. The report also detailed some brief statistics of the percentage of vehicles involved in accidents sustaining rear end damage. Members were also shown examples of current rear loading wheelchair accessible vehicles that are available on the market.

5.2 Members concluded that they were satisfied that having viewed the rear loading vehicles, that these vehicles were safe and that a consultation with all stakeholders to be carried out, subject to the committee formal resolution as follows:

“That a written response to the points raised within the Licensing Manager’s email dated 24<sup>th</sup> August 2011 be provided within two weeks form the date of the meeting to the Licensing Manager. Upon receipt of the response the Licensing Manager would consult with the Chair of the Licensing Committee, following which a consultation with relevant stakeholders would be carried out”.

5.3 A response to the Licensing Committees resolution was received on 3<sup>rd</sup> November 2011 from Mr Mustafa and is attached at **Appendix A**. The Licensing Manager and the Chair of the Licensing Committee felt that there was sufficient information together with the previous information already supplied for a formal consultation to be conducted.

**6. Consultation**

6.1 A full consultation commenced on 18<sup>th</sup> November 2011 with relevant stakeholders and through the SBC web site. A full list of all consultees is attached at **Appendix B**.

6.2 A summary to the responses from the consultation is detailed below:

<b>Responses</b>	<b>Comments</b>	<b>Number</b>
Total Responses		16
Written/email responses from HC Drivers	In favour	9
Email responses from none drivers	In favour	3
Email responses from none drivers	With none related comments	3
Written petition from members of the HC trade with 93 signatures	In Favour	

A copy of the front page of the written petition is attached at **Appendix C** and the full petition with signatures and all other original responses will be made available to the Licensing Committee for viewing at the Committee meeting.

- 6.3 In addition some further research has been conducted with views from the Department for Transport (DfT) and other local authorities both for and against licensing rear loading wheelchair accessible vehicles which may assist Members in reaching their decision on licensing this type of vehicle. A summary of these views are contained in **Appendix G** of the report.

## **7. Options available to the Licensing Committee**

- 7.1 With a consultation having been conducted, the following options are available to Licensing Committee:

1. Resolve not to licence rear loading wheelchair accessible vehicles.
2. Resolve to licence rear loading wheelchair accessible vehicles.

- 7.2 If the Committee resolve not to licence rear loading wheelchair accessible vehicles then the current policy for wheelchair accessible will remain as it is.

- 7.3 If the Committee resolve that rear loading wheelchair accessible vehicle should be licensed then it is requested that they should be only be licensed to the specification as detailed below which will be introduced to the current policy.

## **8. New Specification**

- 8.1 If the Committee resolve to approve licensing rear loading wheelchair accessible vehicles it is essential that only the highest standards are put in place to ensure that any vehicle to be licensed meets the European Community Whole Vehicle Type Approval (ECWVTA) and therefore suitable to carry out the work of wheelchair accessible Hackney Carriages.

- 8.2 The recommended vehicle requirements and specification are to be in line with the 'New Type Mandatory' M1 Special Purpose Vehicles are as follows:

- Every new rear entry 'forward facing' wheelchair accessible vehicle, to be licensed, must comply in all respects with all currently applicable British road vehicle regulations, and be covered by a valid European Community Whole Vehicle Type Approval (ECWVTA) to the requirements of Directive 2007/46/EC (as amended) as a "Special Purpose Vehicle" (wheelchair accessible) of category M1.
- An EC Certificate of Conformity for the COMPLETED VEHICLE, must be produced at the time of licensing the vehicle.
- Only vehicles that meet the Directive "New Type Mandatory" specification on or after 29<sup>th</sup> April 2011 will be licensed.
- A ramp or ramps for the loading of a wheelchair and occupant should have a single continuous surface when deployed, and must be available at all times for use at the rear door.

- An adequate locking device must be fitted to ensure that the ramp(s) do not slip or tilt when in use.
- Provision must be made for the ramps to be stored safely when not in use.
- A Safe Working Load of 300Kgs.be prominently marked on the ramp, and that the ramp must be accompanied by documentary evidence of a SWL test according to BS 6109-2: 1989, Clause A.3,

8.2 Documentation from the Department for Transport (DfT) on the ECWVTA at **Appendix D**, the VOSA Vehicle Category Chart at **Appendix E** and a specimen example of an EC Certificate of Conformity at **Appendix F** are attached for the information of the Committee.

## 9. **Conclusion**

To decide whether Rear Loading Wheelchair Accessible Vehicles (RLWAV) are suitable to be licensed as Hackney Carriage Vehicles following consultation and if so, that the proposed new policy specifications and criteria contained within the report to be approved.

## 10. **Appendices Attached**

- 'A' - Email response from Mr Mustafa
- 'B' - List of consultees
- 'C' - Front page of supporting petition
- 'D' - DfT document of the European Community Whole vehicle Type Approval
- 'E' - VOSA Vehicle Category Chart
- 'F' - Specimen example of an EC Certificate of Conformity
- 'G' - Summary of Views

## 11. **Background Papers**

Local Government (Miscellaneous Provisions) Act 1976  
 Equality Impact Assessment Screening  
 Licensing Committee Report and Minutes - 5<sup>th</sup> October 2011