

COUNCIL – 17 OCTOBER 2019

PETITION – ACCESSIBLE TAXI VEHICLES

Woking Borough Council has received a petition seeking to retain a mixed fleet of taxi vehicles, allowing drivers to operate in both saloon and DDA compliant vehicles.

In accordance with Woking Borough Council's arrangements for petitions, the matter has been referred for consideration by the Council.

Recommendations

The Council is requested to consider the petition and determine accordingly.

Background Papers: Online Petition.

Reporting Person: Ray Morgan, Chief Executive
Email: ray.morgan@woking.gov.uk, Extn: 3333

Contact Person: Frank Jeffrey, Democratic Services Manager
Email: frank.jeffrey@woking.gov.uk, Extn: 3012

Date Published: 9 October 2019

Petition – Accessible Taxi Vehicles

1.0 Introduction

- 1.1 A petition has been received which seeks to retain a mixed fleet and allow drivers to operate in both saloon and DDA compliant vehicles. The petition has been received through the Council's online e-petition scheme and contains 460 confirmed signatories and 94 unconfirmed signatories. Further signatures in the form of a paper petition were received at the Council offices on the afternoon of the day the agenda for Council was published (9 October 2019).
- 1.2 The number of signatures exceeds the threshold required for a petition to be referred to a meeting of Full Council and accordingly the Petitioner or their nominee has been invited to present the petition at Council.
- 1.3 The petition has been submitted in the following terms:

“Petition to retain a mixed fleet and allow drivers to operate in both saloon and DDA compliant vehicles.

We the undersigned petition Woking Borough Council to retain a mixed fleet and allow drivers to operate in both saloon and DDA compliant vehicles.

Woking Borough Council has a policy which would do away with a mixed fleet of both wheelchair-accessible vehicles and saloon cars.

The proposed Wheelchair-accessible taxis are not necessarily disability-friendly. People with arthritis, multiple sclerosis, fractured limbs and elderly people etc. cannot get in or sit down in the taxi, or, can do so only with extreme discomfort. We need a taxi fleet which caters to everyone's needs and is truly inclusive.

Environmentally as well, this is a poor policy. This policy runs contrary to the council's recent declaration of a climate emergency, as wheelchair-accessible vehicles are much more polluting. From a safety point of view the proposed vehicles are less safe in instances.

The high cost of purchasing, running costs and maintaining these vehicles would impact drivers' livelihoods and will have a negative effect on the Hackney trade overall.”

- 1.4 The on-line petition went live on 24 September 2019 and closed on 3 October 2019.

2.0 Petitions Scheme

- 2.1 As the number of signatories exceeds 400, the petition falls to be debated at full Council. In accordance with the Council's scheme for dealing with petitions, the petitioner has been invited to attend the meeting and present the petition. The presentation of a petition is limited to not more than three minutes, and should be confined to reading out, or summarising, the purpose of the petition, indicating the number and description of signatories, and making supporting remarks relevant to the petition.
- 2.2 Following the presentation, Members will have the opportunity to ask questions of the petitioner. Thereafter, the Council will discuss the petition and determine what action, if any, is to be taken.

3.0 Officer Comments

- 3.1 Woking Borough Council adopted a Policy on 29 November 2007 requiring all Hackney Carriages to be wheelchair accessible by the March 2020.

Petition – Accessible Taxi Vehicles

- 3.2 It was resolved that all new taxi licences issued after April 2008 must be suitable for wheelchair accessible vehicles, but that those drivers whose existing vehicles were not wheelchair accessible, would be permitted to continue using their saloon cars (and replacing them like for like) up until 31 March 2020. Between 2008 and 2012 the exact details of the wheelchair requirements were amended. As a result of this the current policy on wheelchair accessible vehicles was finalised and agreed in 2012. The drivers have been aware since November 2007 that they have until 31 March 2020 in which to bring their vehicles in line with the policy. In adopting the policy in 2007, the Council noted the potential financial impact on drivers of the introduction of the Policy and therefore allowed for a transition period of 13 years.
- 3.3 One of the main reasons for the introduction of the policy was to ensure compliance with section 32 of the Disability Discrimination Act 1995 which states that all Hackney Carriages must be wheelchair accessible. It should be noted that although this section was contained within the legislation it has not been enacted. Instead, the Government advised Local Authorities to be proactive on the matter. Section 160 of the Equality Act 2010 now replicates section 32 of the Disability Discrimination Act 1995. To date, this section remains inactive. However, it should be noted that in April 2017, section 167 of the Equality Act 2010 (pertaining to a list of wheelchair accessible vehicles) went live (having sat in limbo for years, much like this section), thus giving the Local Authorities evidence that the relevant sections of the act relating to taxis and wheelchairs have not totally fallen by the wayside, and they are still in the peripheral vision of the Government to be switched on at some point in the future. During the consultation process various disability groups were consulted in respect of the proposed policy.
- 3.4 The primary aim of the policy is to make the vehicles accessible to wheelchair users. If there is an issue with access/egress with vehicles due to the step height, this can be resolved with the introduction of a step height requirement within the vehicles specification which would make the vehicles more accessible to all and still cater for wheelchair users. This can be achieved without the introduction of a mixed fleet and loss of wheelchair accessible vehicles. It is not considered that wheelchair accessible taxis are unsafe or pose a danger to the travelling public.
- 3.5 The introduction of a mixed fleet is not a simple resolution to the issues raised by the drivers. Should the Council seek to introduce a mixed fleet then policy would need to be adopted to regulate the same. A ratio of saloon to hackney vehicles would need to be agreed together with criteria for allocating saloon vehicles to drivers. It is also necessary to ensure that a black market for the saloon vehicles is not created. It should also be noted that should the s160 of the Equality Act 2010 be activated, a mixed fleet policy would be in breach of the Act and all Hackney Vehicles that are not wheelchair accessible would need to be replaced.
- 3.6 The drivers have been working towards compliance to the policy for many years and numerous drivers have purchased vehicles in compliance with the current policy. To seek to change the policy now would be an unnecessary step backwards.
- 3.7 The Council is looking forward towards the proposed introduction of electric or hybrid wheelchair accessible taxis. The Council sought to work with a specialist company to establish whether or not the introduction of electric or hybrid wheelchair accessible taxis would be a viable possibility for all parties. In order to undertake the assessment the Council needed the assistance of the Hackney Drivers. The trial would involve a box being fitted into the Hackney Vehicles to collect data which would be accessible by both the driver and the Council. This trial was offered at no cost to the driver. The data provided would advise the driver whether or not it would be financially beneficial to them (based on their work habits) to invest in an electric vehicle. It would also assist the Council in identifying where, for example, to place electric charging points etc. Unfortunately, despite on the Council's best efforts, only two drivers volunteered to be part of the trial, as such the Council was unable to proceed. Following the declaration of the climate emergency, the importance of considering

Petition – Accessible Taxi Vehicles

such a policy has become a priority. It is anticipated that a draft policy will be brought to the Licensing Committee for consideration early in the next municipal year.

REPORT ENDS