

VEHICLE SPECIFICATION POLICY

Executive Summary

At the Full Council meeting of 17 October 2019 it was resolved that Council defers the implementation of the Taxi Licensing Policy from the end of March 2020 to the end of December 2020 to enable a review of the existing policy to be undertaken. A review and consultation exercise has been undertaken and the Licensing Committee is requested to consider the matters outlined with the report and vote on a recommendation to Full Council.

Recommendations

The Committee is requested to:

RECOMMEND TO COUNCIL That

(i) Option 1

Woking Borough Council's Hackney Carriage Vehicle Specification for DDA/Wheelchair Accessible Vehicles continues to have effect as drafted.

The Council confirms that it is committed to take steps to ensure that all wheelchair accessible vehicles are ULEV by 2031.

(ii) Option 2

The Council adopts Woking Borough Council's Ultra Low Emissions Vehicle Specification policy.

The item(s) above will need to be dealt with by way of a Recommendation to Council.

Background Papers: Petition to Full Council October 2019

<https://moderngov.woking.gov.uk/mgConvert2PDF.aspx?ID=9169>

Woking Borough Council's Hackney Carriage Vehicle Specification for DDA/Wheelchair Accessible Vehicles

<https://www.woking.gov.uk/sites/default/files/documents/licencing/wcavs.pdf>

Vehicle Specification Policy

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1.0 Introduction

- 1.1 Woking Borough Council adopted a Policy on 29 November 2007 requiring all Hackney Carriages to be wheelchair accessible by the March 2020.
- 1.2 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.
- 1.3 Woking Borough Council 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 on 17 October 2019.
- 1.4 At the Full Council meeting of 17 October 2019 it was resolved that:

That Council defers the implementation of the Taxi Licensing Policy from the end of March 2020 to the end of December 2020 to enable a review of the existing policy to be undertaken.
- 1.5 It was agreed that the outcome of the review would be brought back to the Council. This report outlines the options available to the Licensing Committee to determine which option they should recommend to Full Council.

2.0 Consultation

- 2.1 The Council has undertaken a consultation exercise seeking views from people who live or work in Woking as part of a consultation on wheelchair accessible taxis and how the council can reduce taxi vehicle emissions.
- 2.2 The consultation was open to all residents, licensed drivers and those who work in Woking borough. The survey took five minutes to complete and aims to gather views on features that are important to people when selecting a licensed taxi. Woking accessibility groups were also consulted.
- 2.3 A copy of the consultation response can be found at Appendix 1 to this report.

3.0 Climate Emergency

- 3.2 In the UK, road transport is now the largest source of carbon dioxide (CO₂) pollution. In July 2018, the government set-out its 'Our road to Zero' strategy to meet both short and longer term reductions in CO₂ and air quality emissions including ending the sale of conventional petrol and diesel vehicles by 2040.
- 3.3 Significant further reduction in carbon emissions can be achieved by converting to ULEV. An ULEV as defined by the Vehicle Certification Agency is currently a vehicle that emits less than 75 g/km of CO₂ from the tailpipe. The definition of ULEV will be reduced to 50g/km of CO₂ from the tailpipe from 2021. These vehicles will be either 100% electric or a hybrid model which uses electric in conjunction with either a diesel

or petrol engine.

- 3.3 In light of the above strategy and the Council's declaration of a climate emergency consideration has been given to how the Council can work towards a cleaner taxi fleet.

4.0 Options before the Licensing Committee

- 4.1 The Licensing Committee has before it two options for consideration, Option 1 – A wheelchair accessible fleet and Option 2 – Market Forces. The Licensing Committee is asked to recommend one of the options outlined below in this report to Full Council.

5.0 Option 1 – A Wheelchair Accessible Fleet

- 5.1 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.
- 5.2 Taxis and private hire vehicles are one of the most popular modes of transport for disabled people after the private motor car. Disabled people use taxis more than non-disabled people despite more of them living in relative poverty. Taxis provide a door-to-door service, with scope for individual assistance with the particular needs of a disabled passenger. As such it is important that these services are fully accessible to disabled travellers. For those disabled passengers who require a wheelchair accessible vehicle, they are a crucially important part of local transport provision. They will be unable to use a conventional car, and their only way of getting about will be to buy a specially adapted car or rely on the provision of charitable community transport.
- 5.3 The Council adopted a policy in November 2007 requiring all Hackney Carriages to be wheelchair accessible by March 2020. The trade has been working toward compliance since then, to date 85 vehicles are wheelchair accessible and 46 saloon vehicles.
- 5.4 Wheelchair accessible ULEV are available on the market, prices vary however they are currently notably more expensive than diesel or petrol models alternatives. It is proposed that the Council introduces a policy that all wheelchair accessible vehicles are ULEV by 2031. This should be kept under review and amended in line with technological advances and availability of models on market with the hope that all wheelchair accessible vehicles are ULEV before that date. Should Councillor's wish to pursue Option 1, further work shall be undertaken and brought back to the Licensing Committee to fulfil the commitment to have ULEV's by 2031.
- 5.5 It is important also to understand that the aim of the Equality Act 2010 and Woking Councils aims as a whole is to ensure a fairness and access to all. It is a fact that wheelchair users are a minority within the community and so when it comes to surveys and petitions, their voice is less likely to be heard. This must be taken into consideration when reviewing the petitions and surveys.

6.0 Option 2 – Market Forces

- 6.1 The Council adopts a policy which predominately focuses on Ultra Low Emissions rather than wheelchair accessible vehicles or saloon cars. The choice would be left to the drivers as to which type of vehicle, saloon or wheelchair accessible, the drivers decide to purchase and their choice would ultimately be driven by market forces and which vehicles the travelling public choose to use.
- 6.2 The Council would require that all hackney saloon vehicles are Ultra Low Emission Vehicles by 31 March 2021. All drivers whose existing vehicles are wheelchair accessible, would be permitted to continue to use wheelchair accessible vehicles until 31 March 2026. At this date, or upon earlier replacement of the vehicle, it must be replaced with an ULEV.
- 6.3 The Council acknowledges that drivers may have recently purchased a wheelchair accessible vehicle and that there would be a cost implications to replace the vehicle with a lower emission vehicle hence the period for compliance. It should be noted that there are a range of financial incentives connected to the purchase of an ULEV including a UK government plug-in car grant, an ULEV home charge point grant and reduced rates of Vehicle Excise Duty.
- 6.4 The Council will incentivise the purchase of Wheelchair Accessible Vehicles by waiving the vehicle licence fee. It is anticipated that further incentives shall need to be explored. Should the Council decide to adopt Option 2 further incentives shall be explored once the effect on the fleet is known.
- 5.6 It should be noted that should the s160 of the Equality Act 2010 be activated, a policy which allowed non wheelchair accessible vehicles, such as Option 2, would be in breach of the Act and all Hackney Vehicles that are not wheelchair accessible would need to be replaced. Should the Council proceed with Option 2 it does so on the basis that should the s160 of the Equality Act be implemented then the Council shall revert back to a wheelchair accessible policy with immediate effect.
- 5.7 A copy of the proposed Ultra Low Emissions Vehicle Specification policy is attached at Appendix 2.

7.0 Implications

Financial

- 7.1 There shall be financial implications to the Licensing Department should Option 2 be pursued and vehicle licence fees are waived in respect of wheelchair accessible ULEV.

Human Resource/Training and Development

- 7.2 None directly attributed to this report.

Community Safety

- 7.3 None directly attributed to this report.

Risk Management

- 7.4 Should s160 of the Equality Act 2010 be activated, a policy which allowed non wheelchair accessible vehicles, such as Option 2, would be in breach of the Act and all Hackney Vehicles that are not wheelchair accessible would need to be replaced.

Sustainability

7.5 None directly attributed to this report.

Equalities

7.6 The recommendation to adopt Option 2 will have a negative impact of wheelchair users seeking to use taxi's with the Borough.

Safeguarding

7.7 None directly attributed to this report.

8.0 Conclusions

8.1 The Options available to the Licensing Committee are outlined in the report. The Licensing Committee is requested to consider the above options and make a one of the proposed recommendations to Full Council.

REPORT ENDS