

Southend-on-Sea Borough Council

**Report of Deputy Chief Executive for Place
To
Licensing Committee
On 17 October 2019**

**Agenda
Item No.**

Report prepared by: Elizabeth Georgeou Group Manager

Medical Exemptions and Access for wheelchair users of Taxis and Private Hire Vehicles

Chair of Licensing Committee: Councillor Helen McDonald

A Part 1 Public Agenda item.

1. Purpose of Report

To request that the Committee agree to the adoption of the Medical Exemption Criteria for Hackney Carriage and Private Hire Drivers and Operators (Appendix 1). The Exemption Criteria details the process for applying for medical exemptions available to taxi and private hire drivers and, with respect to passengers with disabilities under the Equalities Act 2010 'the Act'.

2. Recommendation

The Committee adopts the Medical Exemption Criteria for Hackney Carriage and Private Hire Drivers and Operators.

The Council publishes a list of vehicles which have been 'designated' as wheelchair accessible and that the list is published on the Council's website.

3. Background

The Department for Transport issued Statutory Guidance on Access for wheelchair users to Taxis and Private Hire Vehicles in 2017 under Section 167(6) of 'the Act'. The guidance was issued to assist the local authority in implementing the legal provisions of Section 167 of 'The Act', enabling the Local Authority to make a list of wheelchair accessible vehicles ("designated vehicles").

As part of the process, detailed in the Statutory Guidance, on 26 June 2019 the Licensing Committee authorised the consultation on the draft policy on the Medical Exemption Criteria for the carrying both wheelchairs and assistance dogs. (Appendix 2) The outcome of the consultation is detailed in Section 4.6 (Appendix 3).

The Statutory Guidance also requires that all drivers and / or owners of vehicles that the Council has 'designated' as wheelchair accessible be contacted to advise that they will be listed on the Council's website.

4. Corporate Implications

4.1 Contribution to the Southend 2050 Road Map

Contributes to the Connected and Smart, Safe and Well and Active and Involved 2050 outcomes. The publication of the list of 'designated vehicles' for passengers wanting to either travel in their wheelchair, or to travel with their wheelchair

increases the transparency of the transport options in the Borough for those requiring wheelchair accessible vehicles. The adoption of a medical exemption policy is part of the process of ensuring that taxi and private hire vehicles are accessible to all members of the community and people are not excluded from particular modes of transport. The transparency in process aims to enable access to activities and services.

The medical exemptions available for drivers, and how this is conveyed to passengers, improves transparency and provides information to passengers.

4.2 Financial Implications

The annual licence fees form part of the overall budget for the Council; however fee levels do not form part of this report. Fees are set at a level which covers the cost of administering the system without making a profit.

4.3 Legal Implications

Section 167 of The Equality Act 2010 allows the Council to publish a list of “designated vehicles” for wheelchair accessible vehicles. The Department for Transport Statutory Guidance on Access for wheelchair users to Taxis and Private Hire Vehicles in 2017 details how the Council should implement the requirements.

It is not a legal requirement to list all wheelchair accessible vehicles on the Council’s website, but this is recommended in the statutory guidance.

4.4 People Implications

None

4.5 Property Implications

None

4.6 Consultation

The consultation ran from 6th August to 30th September 2019 through the Council’s website. All licenced drivers and Operators were invited to participate in the consultation. Community groups, disability groups and other interested parties were invited to participate in the consultation. Only 14 people accessed the consultation, the responses are attached (Appendix 3), and includes the Council’s proposed actions arising from these responses.

4.7 Equalities and Diversity Implications

Completed and indicates the publication of wheelchair accessible vehicles and a transparent medical exemption policy are likely to have a positive impact on older people and those with a disability. .

4.8 Risk Assessment

That the Council does not provide the transparency of the availability of facilities for transporting those requiring assisted transport.

4.9 Value for Money

Not applicable

4.10 Community Safety Implications

The adoption of medical exemptions and the publication of wheelchair accessible vehicles provides transparency for users and for those providing taxi and private hire services.

4.11 Environmental Impact

None

5. Background Papers

1. The Department for Transport Statutory Guidance on Access for wheelchair users to Taxis and Private Hire Vehicles in 2017

6. Appendices

Appendix 1: Medical Exemption Criteria for Hackney Carriage and Private Hire

Appendix 2: Licensing Committee 26 June 2019

Appendix 3: Consultation Responses and Proposed Actions