

Report from the Assistant Director – Planning and Public Protection

Vehicle Licence Conditions – Wheelchair Accessible Vehicles

Summary

1. This report seeks Members' approval to amend a vehicle licence condition, for both hackney carriage and private hire, relating to light transmittance of the tailgate (boot) window, following a request from a vehicle licence proprietor. This request relate to wheelchair accessible vehicles (WAV) only.

Recommendations

2. That Members approve Option 1 of this report.

Reason: more vehicles will be available as wheelchair accessible vehicles without requiring modifications to tailgate (boot) windows.

Background

3. The Council has approved conditions relating to vehicle specification (Taxi Licensing Policy Appendix 1), one of these conditions relates to the light transmittance of windows in all licensed hackney carriage and private hire vehicles. The condition being No 19:
 - i) All licensed vehicles shall be fitted with windscreen glass that has a light transmittance of 75% and windows to either side of the drivers head shall have a light transmittance of not less than 70%.
 - ii) All other windows within licensed vehicles shall have a light transmittance of not less than 50%.
 - iii) For estate-type vehicles the windows overlooking the luggage space can be of any manufacturer's tint providing it is not opaque.
 - iv) Any self applied material shall satisfy the requirements of i) ii) and iii) above if it has been approved by the Council.
4. Regulation 32 of the Road Vehicles (Construction and Use) Regulations 1986 requires the windscreen to have a minimum light transmission

value of 75% and the windows to either side of the driver's head of not less than 70%.

5. As part of the review of the Taxi Licensing Policy, which was approved by this Committee on 23 April 2016, the light transmittance in relation to all other windows (ii) was reduced from 70% to 50% following representations received from the licensed trade.
6. A private hire operator and vehicle licence proprietor wants to add additional WAVs to their fleet. At purchase the light transmittance of the rear window within some vehicles do not meet the requirements of vehicle licence condition 19. The rear passenger door windows and quarter lights can be changed (at an additional cost), the tailgate (boot) window can also be changed, however with changing the glass the window can no longer have a wiper or demister fitted. Both of which can be classed as safety features in vehicles, especially when operating in wet weather and during the colder months.
7. The proposed amendment to the condition 19 is as follows:
 - i) All licensed vehicles shall be fitted with windscreen glass that has a light transmittance of 75% and windows to either side of the drivers head shall have a light transmittance of not less than 70%.
 - ii) All other windows within licensed vehicles shall have a light transmittance of not less than 50%.
 - iii) For estate-type vehicles the windows overlooking the luggage space can be of any manufacturer's tint providing it is not opaque.
 - iv) For wheelchair accessible vehicles the tailgate window can be of any manufacturer's tint providing it is not opaque.
 - v) Any self applied material shall satisfy the requirements of i) ii) iii) and iv) above if it has been approved by the Council.

Consultation

8. A formal consultation has not taken place. Officers have sought the views of the Private Hire Associations, as well as other operators of executive vehicles. No responses have been received.

Options

9. Option 1 - take into consideration the request made by the vehicle licence proprietor, and amended the vehicle licence condition (19) as

detailed at paragraph 7 above, as this will mean more vehicles are available to become wheelchair accessible vehicles.

10. Option 2 – take into consideration the request made by the vehicle licence proprietor and make further amendments to vehicle licence condition (19) as detailed at paragraph 7 above.
11. Option 3 – refuse the request

Analysis

12. Hackney carriages and private hire vehicles provide a flexible form of public transport, proving a service where other forms of transport are not available, for example rural areas and late evenings. They also play an increasingly important role in improving accessibility to those with a range of impairment such as physical disabilities in accessing services and travelling independently. There are currently 781 licensed vehicles on the Council's fleet, 102 of which are WAVs (13%).
Breakdown as follows:

- Private hire vehicles – 598, 57 (9.5%) of which are WAVs
- Hackney carriage vehicles – 183, 45 (24.6%) of which are WAVs

13. On occasion the Council receives complaints from the public that WAVs are not always available especially in relation to pre-booking a vehicle with a private hire operator. A WAV may be available to take a passenger for the outward element of their journey, they cannot however guarantee that a WAV will be available to do the return journey, especially if the return journey is later at night.
14. The licence trade have also informed the Council that they received complaints/comments from passengers that there are not enough WAV available at all times.

Council Priorities

15. The taxi licensing functions undertaken by the council are statutory, supporting the new and existing trade, as well as local resident and visitors through these functions supports the Council's Plan of a good quality of life for everyone.

Implications

16. The direct implications arising from this report are:

- (a) **Financial** – There are no financial implications.
- (b) **Human Resources (HR)** - There are no HR implications.
- (c) **Equalities** – There are no equalities implications. If this request is approved the number of WAVs on the licensed fleet will increase, this will hopefully give wheelchair users great access to licensed WAVs.
- (d) **Legal** – There are no legal implications.
- (e) **Crime and Disorder** – There are no crime and disorder implications.
- (f) **Information Technology (IT)** - There are no IT implications.
- (g) **Property** - There are no property implications.
- (h) **Other** - There are no other implications.

Risk Management

17. There are no known risks associated with this report.

Contact Details

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Report
Approved



Date 14/11/19

Specialist Implications Officer(s)

Wards Affected:

All

For further information please contact the author of the report

Background papers

Taxi Licensing Policy

https://www.york.gov.uk/downloads/file/9715/taxi_licensing_policy