

**BRIDGEND COUNTY BOROUGH COUNCIL**  
**REPORT TO CABINET COMMITTEE - EQUALITIES**

**22 MARCH 2018**

**REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES**

**ISSUES FACING DISABLED PEOPLE IN BRIDGEND COUNTY BOROUGH - TAXIS**

**1. Purpose of Report.**

To feedback on developments relating to taxis in the County Borough.

**2. Connection to Corporate Improvement Objectives/Other Corporate Priorities**

The Strategic Equality Plan is a statutory plan and a cross-cutting issue that impacts on the whole of the County Borough. It is linked to the Welsh language standards and the Council's Transformation Programme and Customer Charter, and supports the community cohesion agenda.

**3. Background.**

At their meeting on 13 July 2017, Licensing Officers outlined the role of the Licensing Authority and the forthcoming licensing and Welsh Government consultations on taxis.

**4. Current situation / proposal.**

4.1 The Licensing Authority has recently undertaken a consultation with the taxi trade. Following the Cabinet Equalities Committee meeting in July 2017, specific questions on wheelchair accessible taxis were added to the consultation. In response, 44% of respondents felt that hackney carriage and private hire vehicles available in Bridgend County Borough met the needs of disabled passengers and 44% of respondents said they did not. 11% were unsure.

4.2 53% of respondents expressing a view believed that the service provided by hackney carriage and private hire vehicle drivers in Bridgend County Borough were suitable for the needs of disabled passengers. 35% of respondents felt they did not. 12% were unsure.

4.3 The consultation asked what barriers were preventing the supply of wheelchair accessible vehicles and what could be done to improve provisions for disabled passengers in the County Borough. Regard should be given to the small response size of 35 responses, and the lack of qualifying comments, but there were some common themes:

Summary of themes
Older purpose built vehicles (e.g. London Cabs) are available on the market and should be considered for licensing
Balancing the higher cost of purchasing a wheelchair accessible vehicle with demand for work for this type of vehicle
Other wheelchair accessible providers are available outside the taxi sector
Wheelchair accessible vehicles should be easily identifiable to the public

- 4.4 A further report will be presented to the Licensing Committee relating to the taxi specific policies and criteria.
- 4.5 To ensure that wheelchair passengers do not face discrimination when travelling, the Licensing Committee has approved the proposal to publish and maintain a list of 'designated vehicles' in accordance with Section 165 and 167 of the Equality Act 2010. Having adopted the requirements, Section 165 of the Act places a legal requirement on drivers of all licensed hackney carriage and private vehicles, which are designated, to carry passengers in their wheelchairs, to provide reasonable assistance to those passengers, and prohibits them from charging extra for the fare.
- 4.6 Section 167 of the Act provides Local Authorities with powers to publish a list of "designated vehicles" i.e. hackney carriage and private hire vehicles that are wheelchair accessible. The Licensing Department has written to all proprietors of wheelchair accessible vehicles advising them of the intention to include their vehicle on the designated list. Vehicle proprietors have the right of appeal against the decision to include their vehicle on the list but to date the Licensing Authority has not received an indication that any proprietor has exercised their right of appeal to the Magistrates' Court.
- 4.7 In addition, the legislation makes provision for those drivers of designated vehicles who may have a medical condition, disability or physical condition that makes it unreasonably difficult to comply with the above requirements. Therefore, the Act allows the Council to grant exemptions from these duties to individual drivers.
- 4.8 The Licensing Department has also written to all hackney carriage/private hire drivers to notify them of the new requirements and to enable them to request an exemption if necessary. To date no requests for exemptions have been received.
- 4.9 The list of designated vehicles will be published on the Council website on 1 April 2018 and will be updated on a monthly basis. Once the list is published, the Licensing Department will be able to take enforcement action against a driver of a designated vehicle (unless exempt) who does not comply with the requirements of Section 165 of the Equality Act 2010.

4.10 In conclusion, once the list has been published and is operational it will be possible to assess the impact on the service provided by taxi drivers. Members have also been advised of the Welsh Government Consultation on reforming taxi legislation in Wales. An update report can be provided once Welsh Government has published more detailed proposals.

## **5. Effect upon Policy Framework & Procedure Rules.**

The report has no direct effect upon the policy framework or procedure rules but is required to effectively implement the Council's statutory duties in relation to equalities and human rights.

## **6. Equality Impact Assessment**

Whilst no Equality Impact Assessment has been carried out, this report provides the Committee with information which will positively assist in the delivery of the Authority's equality duties.

## **7. Financial Implications.**

None in this report.

## **8. Recommendation.**

That the contents of the report are noted.

**P A Jolley**  
**Corporate Director Operational and Partnership Services**

**7 March 2018**

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## **Background documents**

BCBC Consultation Responses