

Title: Proposed Amendment to Hackney Carriage Vehicle Standard – Equality Impact Assessment

Introduction

The Licensing Committee report outlines a request made to the Licensing Authority from the Hackney Carriage Trade Representatives of the Exeter St Davids Taxi Association and the Exeter Taxi Association via the Taxi Forum, to consider changes to the current policy relating to Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles Drivers and Operators (the 'Taxi Policy'). Specifically the report outlines possible changes to the Hackney carriage vehicle specifications contained in Appendix A of the Taxi Policy.

The Hackney Carriage Representatives have requested that the policy be amended to allow existing rear loading wheelchair accessible Hackney carriage vehicles to be replaced with Euro 6 emission standard rear loading vehicles.

The Licensing Authority introduced the current Taxi Policy following the meeting of 22 September 2015, and last amended the Taxi Policy in July 2017 (to allow for the use of digital advertising screens in the rear of vehicles). Since that time the Licensing Authority have been lobbied by the Hackney Carriage Trade (specifically the Exeter St Davids Taxi Association and the Exeter Taxi Association), to consider amending the specification for replacement wheelchair accessible vehicles outlined in Appendix A of the Taxi Policy. The current policy only permits existing wheelchair accessible vehicles to be replaced with Euro 6 emission standard side loading vehicles, and all of the current Euro 5 emission standard vehicles, will need to be replaced by 1st January 2020 with Euro 6 side-loading models.

The Hackney carriage trade organisations have submitted that rear loading models have a number of advantages over side loading vehicles including that:

- the ramp access to rear loading vehicles tends to be a shallower gradient and hence loading is easier;
- rear loading vehicles can sometimes accommodate larger wheelchair sizes than side-loading vehicles;
- passenger comfort is increased as the wheelchair user faces forwards whilst travelling in a rear loading vehicle, as opposed to generally facing backwards in a side-loading vehicle;
- due to the greater ramp gradient on some side loading models the head height clearance at the top of the ramp is reduced, requiring wheelchair users to be able to duck in order to enter the vehicle;
- on narrow streets there is sometimes insufficient space to allow for the ramp on side loading vehicles, whereas with rear loading vehicles the ramp can be accessed from the roadway;
- rear loading vehicles tend to be less expensive to purchase than side loading models;

Side loading vehicles were chosen over rear loading vehicles when the policy was originally formulated on the basis of the March 2015 consultation report, which identified that side loading vehicles were preferable on the following grounds:

- loading can be undertaken directly from the pavement rather than from the road, which was deemed safer for both the passenger and the driver;
- loading from the side door was felt to be more dignified for wheelchair users as this is the same door used by able bodied passengers;
- Side loading vehicles were considered safer than rear loading vehicles as they generally provide an alternative means of escape in the event of an accident (in particular if a rear loading vehicle is shunted from the rear, the only means of access/ egress for the wheelchair user is then compromised). Rear loading vehicles also generally accommodate the wheelchair user in the rear compartment of the vehicle and as such closer to the rear crumple zone in the event of an accident. Organisations such as the Spinal Injuries Association have expressed a preference for side-loading vehicles on this basis;

As a result of these submissions Living Options Devon were commissioned to hold a focus group with wheelchair users on 18 May 2018 to evaluate the advantages and disadvantages of each type of wheelchair accessible taxi from a wheelchair user's perspective. The focus group event incorporated a demonstration of different styles of wheelchair accessible vehicle, and the report which followed from the focus group is attached to the committee report at Appendix 2.

Appendix 1 of the Licensing Committee Report outlines a proposed amendment to the Hackney carriage vehicle specifications which would permit the owners of existing rear loading wheelchair accessible Hackney carriages to replace these vehicles with rear loading vehicle of the Euro 6 emission standard.

Hackney carriages have a specific role to play in an integrated transport system in that they can be hailed without a prior booking by any member of the public including wheelchair users. The Taxi Policy recognises this, and as such includes a requirement that a minimum of 50% of all Hackney carriages in Exeter should be wheelchair accessible. The above suggested amendment to the Policy does not seek to change the minimum percentage of wheelchair accessible vehicles in the fleet.

Lead officer: Simon Lane, Environmental Health and Licensing Manager

Stakeholders: Residents, Elected Members, Visitors to the City

For each of the areas below, an assessment has been made on whether the policy has a **positive, negative or neutral impact**, and brief details of why this decision was made and notes of any mitigation are included. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact –some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

	Neutral	Positive	Negative
Target group / area Race and ethnicity (including Gypsies and Travellers; migrant workers asylum seekers etc.)	There is no evidence to suggest that the proposed policy amendment would have a potential impact on this characteristic.		
Disability (as defined by the Equality Act - a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities)	<p>The overall percentage of wheelchair accessible vehicles in the Hackney carriage fleet would remain unchanged at a minimum of 50% overall.</p> <p>Views have been sought from wheelchair users via a focus group organised by Living Options (user led disabled person’s rights charity). The group found positive and negative elements for both side and rear loading wheelchair accessible vehicles.</p>	<p>The proposed policy amendment would ensure that a minimum of 25% of the Hackney carriage fleet would remain rear access wheelchair accessible vehicles. Rear loading vehicles have a number of advantages over side-loading models as set out above.</p> <p>Subsequent feedback from the Living Options focus group clarified that overall the group slightly favoured the rear loading wheelchair accessible vehicles.</p>	
Gender	There is no evidence to suggest that the proposed policy amendment would have a potential impact on this characteristic.		

	Neutral	Positive	Negative
Gender reassignment	There is no evidence to suggest that the action plan would have a potential impact on this characteristic.		
Religion and belief	There is no evidence to suggest that the action plan would have a potential impact on this characteristic.		
Sexual orientation (including heterosexual, lesbian, gay, bisexual)	There is no evidence to suggest that the action plan would have a potential impact on this characteristic.		
Age (children and young people aged 0 – 24, adults aged 25 – 50, younger older people aged 51 – 75/80; older people 81+. The age categories are for illustration only as overriding consideration should be given to needs).	There is no evidence to suggest that the action plan would have a potential impact on this characteristic.		
Areas of deprivation	There is no evidence to suggest that the action plan would have a potential impact on this characteristic.		
Human Rights	There is no evidence to suggest that the action plan would have a potential impact on this characteristic.		
Health and Wellbeing (consider both the wider		A positive impact has been identified for Hackney carriage	MEDIUM RISK: Side loading wheelchair access vehicles

	Neutral	Positive	Negative
<p>determinants of health such as education, housing, employment, environment, crime and transport, as well as the possible impacts on lifestyles and the effect there may be on health and care services)</p>		<p>drivers as rear loading wheelchair accessible vehicles tend to have a shallower ramp gradient, making loading less effort in terms of manual handling.</p> <p>A further positive impact has been identified for wheelchair users, specifically those individuals who use larger wheelchairs (such as power chairs), or are of taller than average height. Side loading wheelchair accessible vehicle can in some cases struggle to accommodate these individuals due to a lack of head height at the top of the ramp, or due to lack of space inside the vehicle. This is less often the case with respect to rear loading wheelchair vehicles, due to the shallower ramp gradient. Being able to access transport services is essential for day to day living, and as such retaining rear access vehicles on fleet is seen as a positive measure for those outlined above.</p>	<p>are often sufficiently large to allow a wheelchair user to travel with other passengers in the rear of the vehicle, whereas rear loading vehicles typically only have room for the wheelchair user in the back of the vehicle. Side loading vehicles therefore allow wheelchair users the ability to travel with friends/ associates in the same way as any other passenger. A change of policy to allow a percentage of wheelchair accessible vehicles to be rear loading therefore negatively impacts this.</p> <p>It is felt that the above risk is mitigated by the advantages outlined for rear access vehicles in accommodating larger wheelchairs.</p>