

**WEST DUNBARTONSHIRE COUNCIL**

**Report by the Head of Legal, Administrative and Regulatory Services**

**Licensing Committee – 3 June 2008**

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**Subject: Wheelchair Accessible Taxis – Dumbarton and Vale of Leven Taxi Licensing Zone**

**1. Purpose**

- 1.1** To report on the possibility of waiving/refunding the initial fee payable in respect of wheelchair accessible taxis in the Dumbarton and Vale of Leven Taxi Licensing Zone, in an effort to increase the availability of such vehicles.

**2. Background**

- 2.1** The issue of taxi accessibility within the Dumbarton and Vale of Leven Taxi Licensing Zone has been the subject of numerous reports to Committee and Council over a protracted period of time.
- 2.2** At the meeting of the Committee on 1 April 2008, a further report was submitted giving an update on progress with respect to the decision of Council on 28 March 2007 in relation to the issue of taxi accessibility within the Dumbarton and Vale of Leven Taxi Licensing Zone whereby the trade would be required to provide 23 accessible taxis within one year. A synopsis of the background to the issue and the various decisions that had been taken thereon was appended to that report for information.
- 2.3** The Committee noted that a total of 14 wheelchair accessible taxis were in operation in the area as at 25 March 2008 and that Members were being asked to consider whether or not the previous policy decision to move towards 100% wheelchair accessible vehicles should be reinstated. After hearing representatives of the Taxi Trade who were in attendance and Councillor Ronnie McColl, it was agreed that consideration be continued to the next meeting of the Committee and that officers be requested to prepare a report on the possibility of waiving/refunding the initial fee payable in respect of wheelchair accessible taxis in the Dumbarton and Vale of Leven Taxi Licensing Zone, in an effort to increase the availability of such vehicles.

**3. Current Position**

- 3.1** The current fee for changing the vehicle which is operated under a taxi licence is £83. The fee covers the administration involved and the cost of providing new front and rear identification plates. In addition, when a vehicle is being substituted, the replacement is required to undergo an inspection and meter check, the fees for which are £45 and £16 respectively. The total fees payable to the Council in respect of licensing a replacement taxi therefore amount to £144. It is unlikely that any decision to waive such fees where operators were providing wheelchair accessible taxis would be a sufficient incentive to the trade.

- 3.2** If the Committee took the view that a greater incentive would be required to encourage taxi operators to provide wheelchair accessible vehicles, then the possibility of waiving the next licence renewal fee (currently £418 for a three year licence) could be considered. Again, however, it is doubtful that this would be considered to be an attractive incentive.
- 3.3** Regardless of the level of any incentive which may be offered by the Licensing Authority to encourage taxi operators in the Dumbarton and Vale of Leven Taxi Licensing Zone to provide wheelchair accessible vehicles, taxi operators in the Clydebank Taxi Licensing Zone, who have been required to operate wheelchair accessible vehicles as a condition of their licence since 1996, would almost certainly be aggrieved and likely to challenge any such decision.
- 3.4** In view of the foregoing it is suggested that the possibility of offering a financial incentive to taxi operators in the Dumbarton and Vale of Leven Taxi Licensing Zone to encourage the provision of wheelchair accessible vehicles is not a viable option.
- 3.5** Should the Committee agree with the above suggestion then consideration would require to be given to whether or not the previous policy decision to move towards 100% wheelchair accessible vehicles should be reinstated.
- 3.6** As members of the Committee may be aware, the previous decision to move towards 100% wheelchair accessible vehicles was criticised by representatives of elderly citizens who maintained that such vehicles were difficult to access for many people who may be suffering from age-related disabilities, such as arthritis, visual impairment, etc.
- 3.7** A recent report by the European Conference of Ministers of Transport Taxi Group advocates a mixed fleet of accessible taxis and in a letter from the Transport Directorate of the Scottish Government it is indicated that this will be one of the options on which views will be sought in a forthcoming consultation on the way forward in terms of implementing the taxi provisions of the Disability Discrimination Act 1995, due to take place during summer 2008.

#### **4. Conclusions**

- 4.1** There are two main ways of encouraging the introduction of accessible taxis; by regulation/setting standards and by financial incentives.
- 4.2** Should the Committee take the view that the decision to move towards 100% wheelchair accessible vehicles should be reinstated, it would again be open to criticism from representatives of elderly citizens and be contrary to the view which is becoming more widely accepted that there should be a mixed fleet of accessible taxis serving a broader range of disabled people's needs. For these reasons it is not recommended that the Committee reverts to the previous policy decision to move towards 100% wheelchair accessible vehicles.

- 4.3** In previous reports to the Committee on this matter, the view has been expressed that any decision that would entail the taxi trade providing a set number of wheelchair accessible taxis on a self-regulating basis would be unlikely to be adhered to and lead to difficulties with enforcement. From experience it would appear that this view is accurate and that there would be little point in pursuing such an option.
- 4.4** On the grounds referred to in paragraphs 3.1 to 3.4 of the report, it is suggested that the possibility of offering a direct financial incentive to encourage taxi operators in the Dumbarton and Vale of Leven Taxi Licensing Zone to provide wheelchair accessible vehicles should be rejected.
- 4.5** The Committee could consider removing the existing Taxi Zone and moving on to a Council Wide Taxi Zone. This would then allow the disabled accessible vehicles which operate within Clydebank to operate within the Dumbarton and Vale of Leven Zone. It is however accepted that the two Taxi Zones have operated for many years and with different vehicles/fare charts. A move to a single West Dunbartonshire Taxi Zone is perhaps something which could be considered in the longer term, since this would address the dearth of wheelchair accessible vehicles within the Dumbarton and Vale of Leven Taxi Zone.
- 4.6** The Committee may wish to consider another way of encouraging the introduction of accessible taxis in the shorter term. At present, many taxi operators contract with the Council to provide services to departments such as Educational Services and Social Work and Health. It is suggested that taxi operators (or at least a percentage of taxi operators) who contract with the Council could be required to provide accessible vehicles. These vehicles would be available for public hire outwith their service requirements to Education/Social Work. This matter would require to be explored in greater depth, with further discussions taking place with the relevant Council Departments.

## **5. Personnel Issues**

- 5.1** There are no personnel issues.

## **6. Financial Implications**

- 6.1** There are no financial implications.

## **7. Risk Assessment**

- 7.1** There is no increased risk to the Council associated with the contents of this report.

## **8. Recommendation**

- 8.1** It is recommended that the contents of the report be noted and that officers be instructed to discuss the possibility outlined in paragraph 4.5 above with officers from Educational Services and Social Work and Health, with a further report being brought back to Committee.

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Head of Legal, Administrative and Regulatory Services

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**Appendices:** None.

### **Background Papers:**

1. Report submitted to meeting of Licensing Committee held on 1 April 2008.
2. Minutes of meeting of Licensing Committee held on 1 April 2008.
3. Letter dated 25 April 2008 from the Transport Directorate of the Scottish Government.

**Wards Affected:** N/A.

**Person to Contact:** David Rooney, Senior Administrative Officer, Council Offices, Garshake Road, Dumbarton. Tel. (Direct line) 01389 737224.