

“WAV” Policy – Consultation of Implementation and Mitigation

Background to this consultation

In March 2018, the council’s Cabinet approved amendments to the council’s Licensing Policy, Guidance and Conditions for Private Hire and Taxis Operating within the Borough of Cheltenham.

The policy change introduced a requirement that all licensed Hackney Carriage vehicles must be “wheelchair accessible” (“WAV policy”) by 2021.

This consultation is seeking views on the implementation of the WAV policy and cost mitigation measures put in place.

About this consultation

Terms

“WAV” or “WAVs” mean Wheelchair accessible vehicles

“Council” means Cheltenham Borough Council

How to respond

The consultation will be open from 20 August 2018 until 23:59 on 1 October 2018.

You can submit your comments using this consultation document electronically by email to licensing@cheltenham.gov.uk or in person to the Municipal Offices at any time during normal opening hours.

Alternatively, you can submit general comments in writing to licensing@cheltenham.gov.uk or addressed to the Licensing Section, Cheltenham Borough Council, Municipal Offices, Promenade, Cheltenham, GL50 9SA.

Data protection

The council will process the information you supply when responding to this consultation in accordance with the [relevant privacy statement](https://www.cheltenham.gov.uk/your-data) (<https://www.cheltenham.gov.uk/your-data>).

Next steps

At the conclusion of this consultation, a formal report will be submitted to the council’s Cabinet for consideration.

The council is not able to respond to individual consultation responses. If you would like to track the progress and outcome of this consultation, please visit the council democracy pages where the Cabinet report, minutes and outcome will be published.

Scope

The council is aware of the implications of its adoption of a WAV policy on effected licence holders. In light of this, the council is seeking views on the implementation arrangements and steps it can take to mitigate the impact of the policy adoption on the licensed trade.

This consultation sets out proposed implementation and mitigation steps.

For the avoidance of doubt, the scope therefore of this consultation relates to the *implementation* of the adopted WAV policy. The substantive WAV policy has been adopted and therefore not within scope of this consultation.

1. Implementation

1.1 Proposed WAV specification

The council has prepared a draft set of specifications to guide hackney carriage proprietors when replacing their existing non-WAV licensed hackney carriage vehicles with WAVs. The proposed specification outlines the requirements that council will apply when determining the suitability of WAV to be licensed.

The council has taken the view that consideration should reflect whole vehicle types, rather than specific models at this stage. Once a final set of specifications has been adopted, the council will proceed with an approved list.

Proposed specification

Vehicle Licences

Hackney Carriage Vehicles

Licensing a New Hackney Carriage Vehicle

The following requirements are applicable to all applications for new hackney carriage vehicle licences. The vehicle must:

- a) Be disabled accessible as per London Public Carriage Office Specification, Eurocab M1 Specification or such other nationally accepted specification as is agreed by the Council;
- b) Be silver in colour (as identified on the vehicle's registration document);
- c) Be less than 5 years from date of manufacture;
- d) Comply with vehicle specifications (see Appendix B);
- e) Be fitted with an approved roof sign bearing the word "TAXI";
- f) Be compliant with the council's emission standards;
- g) Be fitted with a meter of an approved type with the fares charged as determined by the Council.

Replacing a Licensed Hackney Carriage Vehicle

On the 6th of March 2018, the council's Cabinet approved changes to the hackney carriage vehicle licensing policy. Under the policy change, all licensed hackney carriage vehicles must be wheelchair accessible by 2021 ("the WAV policy").

The standards below apply to existing hackney carriage vehicle proprietor licence holders who have to replace their licensed hackney carriage vehicles in order to comply with the WAV policy.

Specification for Replacement Wheelchair Accessible Vehicles

Vehicle requirements, safety and comfort

- a) All vehicles will be licensed on their individual merit and designed or adapted to the London Public Carriage Office Specification, Eurocab M1 Specification or such other nationally accepted specification as is agreed by the council.
- b) The vehicle must be capable of accommodating at least one "reference wheelchair"¹ in either a forward or rear facing position whilst they remain seated in the wheelchair allowing adequate space to ensure the safety and comfort of the wheelchair user, and without interfering with the safety and comfort of any other passengers.
- c) Be silver in colour (as identified on the vehicle's registration document).
- d) Be right-hand drive.
- e) Be less than 5 years from date of manufacture (as identified in the vehicle's registration document).
- f) Be fitted with an approved roof sign bearing the word "TAXI" (integrated or freestanding).
- g) Be manufactured to EU Emissions Standard 5 or a higher standard.
- h) Be fitted with a meter of an approved type with the fares charged as determined by the council.
- i) Be capable of carrying not less than 4² and not more than 8 passengers with the provision of a seatbelt and head restraint for each passenger.
- j) Windows must be provided at the rear and sides along with means of opening and closing not less than one window on either side.

Comment [LK1]: Will incorporate ULEV, electric and/or hybrid??

Access

- k) In the case of all vehicles which are built or adapted for disabled passengers, the design of the vehicle should ensure that any wheelchair is loaded from the side or the rear of the vehicle.
- l) Should have a minimum 4 doors, which are capable of being opened from the inside. The rear passenger compartment must have an openable door on either side of the vehicle.
- m) The vertical distance between the highest part of the floor and the roof in the wheelchair passenger area must be no less than 1.3 metres.
- n) Rear doors to have mechanism to positively hold them open.

¹ As defined in Schedule 1 of the Public Service Vehicle Accessibility Regulations 2000

² The exception to the minimum of 4 passengers will be when the vehicle is carrying a wheelchair

Anchorage & Restraints

- o) Approved anchorages must be provided for the wheelchair. These anchorages must be either chassis or floor linked and capable of withstanding approved dynamic or static tests.
- p) The anchorage must be of the manufacturer's design and construction and secured in such a position as not to obstruct any emergency exit.
- q) Wheelchair internal anchorage must be installed and fitted by a competent person able to verify in a professional capacity that it has been fitted in accordance with all relevant legislative safety standards and requirements.
- r) Restraints for the wheelchair and occupant must be independent of each other.
- s) All passenger seats to have three point lap fully operational diagonal seatbelts, one for each passenger carried, fully compliant with British Standards except where the law specifically exempts.
- t) Access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus.

Ramps

- u) A single ramp must be of a suitable design to ensure that it does not slip or tilt when in use and provide a suitable gradient when in use.
- v) Ramps and lifts must be securely stored in the vehicle before it may move.

The council is interested to understand if any aspect of the proposed WAV specification is 1) impractical, 2) missing any aspect or 3) requires any further clarification.

The council would also welcome any general comments on the proposed WAV specification above.

Renewing a Hackney Carriage vehicle licence

Non-wheelchair accessible licensed hackney carriage vehicles will continue to be (re)licensed until 2021. After this date, all licensed hackney carriage vehicles must be wheelchair accessible in accordance with the specification above.

The council will (re)license a hackney carriage vehicle in accordance with the time periods below:

- a) Purpose built wheelchair accessible vehicles³: 14 years (from date of registration)
- b) Vehicles converted or adapted to carry wheelchairs: 10 years (from date of registration)

The council is of the view that purpose built wheelchair accessible vehicles should be capable for being licensed for longer than vehicles converted to carry wheelchairs. The council will be interested in comments and evidence from respondents who do not consider different maximum age limit on purpose built and non-purpose built to be appropriate.

The council would also welcome any general comments on the proposed maximum age limits on WAVs.

1.2 Proposed transitional arrangements for existing WAVs

Existing hackney carriage WAVs (i.e. before March 2018) manufactured between 2005 to 2012 will continue to be licensed for 14 years respectively.

Existing hackney carriage vehicles manufactured from 2013 onwards will continue to be licensed in accordance with the time periods below:

- a) Purpose built WAVs: 14 years (from date of manufacture)
- b) Vehicles converted or adapted to carry wheelchairs: 10 years (from date of manufacture)

The council is mindful of the need to be clear on the transitional arrangements for existing WAV hackney carriage vehicles.

The current policy allows for a maximum of 14 years for licensed hackney carriage vehicles. The council is proposing to apply the same rule for manufactured between 2005 to 2012 in order to continue to phase out older licensed vehicles.

It is proposed that vehicles manufactured after 2013 will then be brought in line for the proposed arrangements for replacement WAVs.

The council is interested to understand if any aspect of the proposed transitional arrangements is 1) impractical, 2) missing any aspect or 3) requires any further clarification.

The council would also welcome any general comments on the proposed transitional arrangements.