

		AGENDA ITEM NO.																																					
Report Cover Sheet																																							
Name of Meeting:		Regulatory Committee																																					
Date of Meeting:		30 th July 2007																																					
Report Title:		Converting entire hackney carriage fleet to wheelchair accessible vehicles																																					
Summary of report:		To ensure hackney carriage vehicles conform to the requirements of Part 3 of the Disability Discrimination Act 1995 and the Disability Discrimination Act 2005.																																					
For Further Information Please Contact (report author):		David Davies, Licensing Services Manager, Members' Services. Tel: 01926 456107. david.davies@warwickdc.gov.uk																																					
Would the recommended decision be contrary to the Policy Framework:		No																																					
Would the recommended decision be contrary to the Budgetary framework:		No																																					
Wards of the District directly affected by this decision:		No																																					
Key Decision?		No																																					
Included within the Forward Plan?		No																																					
Is the report Private & Confidential		No																																					
Background Papers:		None																																					
Consultation Undertaken Below is a table of the Council's regular consultees. However not all have to be consulted on every matter and if there was no obligation to consult with a specific consultee they will be marked as n/a.																																							
<table border="1"> <thead> <tr> <th>Consultees</th> <th>Yes/ No</th> <th>Who</th> </tr> </thead> <tbody> <tr> <td>Other Committees</td> <td>n/a</td> <td></td> </tr> <tr> <td>Ward Councillors</td> <td>n/a</td> <td></td> </tr> <tr> <td>Portfolio Holders</td> <td>Yes</td> <td>Councillor Kinson</td> </tr> <tr> <td>Other Councillors</td> <td>n/a</td> <td></td> </tr> <tr> <td>Warwick District Council recognised Trades Unions</td> <td>n/a</td> <td></td> </tr> <tr> <td>Other Warwick District Council Service Areas</td> <td>n/a</td> <td></td> </tr> <tr> <td>Project partners</td> <td>n/a</td> <td></td> </tr> <tr> <td>Parish/Town Council</td> <td>n/a</td> <td></td> </tr> <tr> <td>Highways Authority</td> <td>n/a</td> <td></td> </tr> <tr> <td>Residents</td> <td>n/a</td> <td></td> </tr> <tr> <td>Citizens Panel</td> <td>n/a</td> <td></td> </tr> </tbody> </table>				Consultees	Yes/ No	Who	Other Committees	n/a		Ward Councillors	n/a		Portfolio Holders	Yes	Councillor Kinson	Other Councillors	n/a		Warwick District Council recognised Trades Unions	n/a		Other Warwick District Council Service Areas	n/a		Project partners	n/a		Parish/Town Council	n/a		Highways Authority	n/a		Residents	n/a		Citizens Panel	n/a	
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Other consultees	No	
Officer Approval		
With regard to officer approval all reports must be approved by the report author's relevant director, Finance Services and Legal Services.		
Officer Approval	Date	Name
Relevant Director(s)	20/6/07	Chris Elliot
Chief Executive		n/a
CMT		n/a
Section 151 Officer		n/a
Legal	20/6/07	Simon Best
Finance	20/6/07	Marcus Miskinis
Final Decision?		No
Suggested next steps (if not final decision please set out below)		

1. RECOMMENDATION

- 1.1 Members are asked to consider a suggestion that the remaining hackney carriage vehicles licensed by Warwick District Council that are not wheelchair compliant should, on their replacement or renewal or when required to be by nature of their age, be replaced by wheelchair compliant vehicles.

2. REASONS FOR THE RECOMMENDATION

- 2.1 In June 2003, the Committee passed a resolution that required all new hackney carriage licence issued be solely to wheelchair compliant vehicles.
- 2.2 The vehicles that were already licensed were not required to change their vehicle for compliant ones.
- 2.3 The Disability Discrimination Act makes it unlawful for organisations which provide services to the public to discriminate against disabled people in the way they provide or do not provide those services. This is much more than simply refusing or neglecting to provide a service, organisations must make 'reasonable adjustments' to remove or overcome elements in their services which present barriers to disabled people. The Act has been introduced in stages to allow businesses time to review the way in which they deliver their services and plan the changes they need to make to remove discriminatory aspects.
- 2.4 All transport providers have duties under Part 3 of the DDA 1995 in relation to transport infrastructure.
- 2.5 As of December 2006 transport operators have duties in relation to the provision and use of the vehicles they provide. Generally these do not require alterations to vehicles, but they do require operators to make reasonable adjustments in the way they deliver their services to remove barriers to disabled passengers.
- 2.6 In order to both show compliance with the DDA and as good practise, it is proposed that when each of the currently licensed, none wheelchair compliant hackney carriages are replaced due to age, accident or any other reason, it must be for a vehicle that matches the following criteria:
- It must be a wheelchair compliant vehicle from the Council's recommended vehicle list
 - It must be no older than the vehicle it is replacing
 - It must be no older than five years from first registration

The latter two conditions are ones which currently apply to all vehicles when they are changed.

- 2.7 It is proposed to introduce the suggestion in 2.6 from January 1st 2008.

3. ALTERNATIVE OPTIONS CONSIDERED

- 3.1 No alternatives are considered viable.

4. BUDGETARY FRAMEWORK

- 4.1 This report has no budgetary considerations for the Council.

5. POLICY FRAMEWORK

- 5.1 The suggestions, if adopted by the Council will ensure that all licensed hackney carriage vehicles operating within the district will fully comply with the requirements of the Disability Discrimination Act. It also demonstrates the Council's forward thinking in their responsibility under the DDA Act and its requirements