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| REPORT TO: | Licensing Committee |
| DATE: | 5 th December 2018 |
| LEAD OFFICER: | Head of Planning and Public Protection |
| CONTACT OFFICER: | Public Protection Business Manager licensing@denbighshire.gov.uk 01824 706066 |
| SUBJECT: | Update on the Introduction of a list of designated wheelchair accessible vehicles |

1. PURPOSE OF THE REPORT

- 1.1 To inform Members of the progress on introducing a list of wheelchair accessible vehicles.

2. EXECUTIVE SUMMARY

- 2.1 Legislation allows local authorities to retain a list of all vehicles licensed as a hackney carriage or private hire vehicle which meet the requirements of a wheelchair accessible vehicle and, where a list exists, the legislation places further obligations on drivers and /or proprietors of those vehicles.

3. POWER TO MAKE THE DECISION

- 3.1 Equality Act 2010, Section 167.

4.0 BACKGROUND INFORMATION

- 4.1 The Equality Act 2010 brings together a number of different pieces of legislation concerning discrimination. Sections 160 to 173 deal specifically with Private Hire vehicles and Hackney Carriage vehicles.
- 4.2 Section 167 allows the licensing authority to maintain lists of wheelchair accessible vehicles.
- 4.3 Members will recall that at their March meeting earlier this year they resolved to approve the introduction of such a list and instructed officers to begin the development and report back to the Licensing Committee.
- 4.4 Current records indicate that there are 352 licensed vehicles and 24 of those being classed as wheelchair accessible.

- 4.5 Members will also recall that at their March meeting they delegated the implementation date to officers in consultation with Chair of the Licensing Committee. Officers are proposing an implementation date of 31st January 2019. Prior to this date all proprietors of a wheelchair accessible vehicle will be advised of the implementation of the list and the process for any applications for exemption from the obligation to provide mobility assistance, as outlined in Appendix A.
- 4.6 Members are reminded that once the list is active the legislation will impose certain duties on drivers of designated vehicles such as;
- Carry a passenger while in the wheelchair
 - Not to make an additional charge for doing so
 - If the passenger decides to sit in a passenger seat, to carry the wheelchair
 - To take steps to ensure passengers are carried in safety and comfort
 - To give the passenger such mobility assistance as is reasonably required.
- 4.6 Mobility assistance is assistance;
- To enable the passenger to get in and out of the vehicle
 - If the passenger wishes to remain in the wheelchair, to enable the passenger to get in and out of the vehicle while in the wheelchair
 - To load the passengers luggage into or out of the vehicle
 - If the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle
- 4.7 Any vehicles placed on the list will not be required to carry all wheelchairs but instead must be capable of carrying some.
- 4.8 The list of wheelchair accessible vehicles will be made publically available through the council's website.

5.0 RECOMMENDATION

- 5.1 Members note the contents of the report and agree to the implementation date of 31st January 2019 for the publication of the list of designated wheelchair accessible vehicles.