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LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

Wednesday, 13 November 2019

Present: Councillor A Hodson (Chair)

Councillors M Collins D Mitchell
C Cooke T Norbury
A Corkhill L Rowlands
T Cottier J Stapleton
WJ Davies KJ Williams
G Davies G Wood
I Lewis

Deputy: Councillor J Bird (In place of P Stuart)

13 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked to declare any disclosable pecuniary and non pecuniary interests in connection with any application on the agenda and state the nature of the interest.

Councillor T Norbury declared a personal interest in respect of items 4 and 5 – Review of Hackney Carriage Fares and Rear Loading Wheelchair Accessible Vehicles by virtue of him being a Member of Unite the Union.

Councillor J Bird declared a personal interest in respect of items 4 and 5 – Review of Hackney Carriage Fares and Rear Loading Wheelchair Accessible Vehicles by virtue of being a Member of Unite the Union.

Councillor T Cottier declared a personal interest in respect of items 4 and 5 – Review of Hackney Carriage Fares and Rear Loading Wheelchair Accessible Vehicles by virtue of being a Member of Unite the Union.

14 MINUTES

Resolved – That the accuracy of the minutes of the meeting held on 18 September 2019 be approved.

15 MINUTES OF THE LICENSING PANEL

Resolved – That the accuracy of the minutes of the meetings of the Licensing Panels held on 11 April, 26 April, 6 June, 21 June, 27 June, 19 July, 23 August, 13 September and 18 October 2019 be approved.

REVIEW OF HACKNEY CARRIAGE FARES

Councillors T Norbury, J Bird and T Cottier declared a personal interest in this matter by virtue of them being Members of Unite the Union (minute 13 refers).

The Director of Governance and Assurance reported upon a proposal to increase the Hackney Carriage Tariffs.

The Licensing Manager reported that further to consideration of a proposal submitted by a Unite the Union representative to increase the Hackney Carriage Tariffs on 18 September 2019, the Committee had requested further clarity in respect of the proposal they were being asked to consider.

Members were advised that on 24 September 2007 Members of the Licensing, Health and Safety and General Purposes Committee had approved annual tariff reviews based upon the Public Carriage Office (PCO) (now Transport for London (TfL)) recommendation. The Committee had subsequently requested officers advise further on the matter raised and the details of this were provided within the report.

The Licensing Manager reported that the last increase of Hackney Carriage Fares in Wirral had been in November 2018 and the effect of this was to increase the initial hiring charge on tariff 1, reduce the initial hiring distance on tariffs 2, 3 and 4 and to reduce the running mile yardage on all tariffs. This had resulted in increases between 7.1% and 37.5% on distances between 1 mile and 10 miles.

Members were informed that the current proposal submitted by Unite the Union was outlined in Appendix 1 to the report and tables showing the current Hackney Carriage Tariffs and a comparison of current tariffs in Wirral with neighbouring local authorities were outlined within Appendices 2 and 3 to the report. Also attached for Members' consideration was a petition signed by 51 Hackney Carriage Drivers requesting no increase in the Hackney Carriage Tariffs.

Members were advised that should the amendment to the current tariffs be approved, the proposal must be advertised for a period of fourteen days. If no objections to the proposal were received, the revised tariffs would be reported to Cabinet for approval. If objections were received they would be reported back to this Committee for consideration.

Mr D Cummins, Unite the Union addressed the Committee and requested that Members agree to the proposal set out by Unite the Union in Appendix 1 to the report. He confirmed that not all of the trade would be in agreement but believed that a small increase should be implemented every year.

Councillor G Davies left the meeting.

Officers responded to queries by Members in respect of future reviews and it was clarified that different proposals had been put forward therefore any future review of the Hackney Carriage Tariffs would be considered on its own merits.

On a motion by Councillor T Norbury and seconded by Councillor L Rowlands it was –

Resolved – That:

- (1) The proposed increase set out in Appendix 1 of the report be recommended to Cabinet subject to any objections being received as part of the consultation process. Should there be any objections to the proposed increase the matter would be reported back to this Committee.**

On a motion by Councillor M Collins and seconded by Councillor D Mitchell it was –

Resolved – That:

- (2) Any future review of the Hackney Carriage Tariffs be undertaken on its merits taking into consideration any representations made in respect of the review.**

17 REAR LOADING WHEELCHAIR ACCESSIBLE VEHICLES

Councillors T Norbury, J Bird and T Cottier declared a personal interest in this matter by virtue of them being Members of Unite the Union (minute 13 refers).

The Director of Governance and Assurance submitted a report requesting the Committee to consider whether to adopt a policy relating to the type of Wheelchair Accessible Vehicles to be licensed as Hackney Carriage or Private Hire Vehicles.

The Licensing Manager reported that it was currently a requirement that all vehicles to be licensed as Hackney Carriage Vehicles must be purpose built and built to accommodate passengers in wheelchairs and that there was currently no specification regarding whether the wheelchair must be loaded from the side or rear of the vehicle. All vehicles currently licensed as Hackney Carriage Vehicles load the wheelchair from the side of the vehicle.

Members were also informed that there was currently no requirement for Private Hire Vehicles to be built to accommodate wheelchairs and although there are vehicles licensed as Private Hire Vehicles that are able to accommodate wheelchairs and which load from the rear, these vehicles are restricted to only undertake school contract work.

The Licensing Manager reported upon consultation that had been undertaken in respect of the use of rear loading wheelchair accessible vehicles that use both ramps and tailgates. A consultation exercise had been undertaken between 5 August and 13 September 2019. Members were advised that the consultation had included an online questionnaire and all drivers had been notified of the consultation in writing and how to access the online questionnaire. A number of organisations had also been contacted directly by email and asked to respond to the consultation. The Committee had been provided with the full responses to the consultation as well as a summary of the views expressed by those who responded to the consultation which

highlighted advantages and disadvantages to the use of rear loading wheelchair accessible vehicles.

Further to questions from Members, the Licensing Manager confirmed that training could be provided to drivers on the loading of wheelchairs into rear loading wheelchair accessible vehicles.

Members were advised that it had been evident from the consultation that there was no consensus of opinion regarding the use of rear loading wheelchair accessible vehicles therefore Members of the Committee would need to balance the different views, from both the positive and negative feedback received when considering the options which were:

Hackney Carriage vehicles

Either:

- i) Any vehicle to be licensed as a Hackney Carriage Vehicle must be a side loading wheelchair accessible vehicle; or
- ii) Any vehicle to be licensed as a Hackney Carriage Vehicle may be a side loading wheelchair accessible vehicle or a rear loading wheelchair accessible vehicle.

Private Hire Vehicles

Either:

- i) Any vehicle to be licensed as a Private Hire Vehicle that is wheelchair accessible must be a side loading wheelchair accessible vehicle; or
- ii) Any vehicle to be licensed as a Private Hire Vehicle that is wheelchair accessible may be a side loading wheelchair accessible vehicle or a rear loading wheelchair accessible vehicle; or
- iii) Any vehicle to be licensed as a Private Hire Vehicle that is wheelchair accessible and is a rear loading wheelchair accessible vehicle may only be used to undertake school contract work.

Members discussed both the advantages and disadvantages of the use of rear loading accessible vehicles as licensed Private Hire and Hackney Carriage vehicles and following a motion by Councillor T Norbury and seconded by Councillor M Collins it was -

Resolved (10:1 with 3 abstentions)

(1) That -

- (a) Any vehicle to be licensed as a Hackney Carriage Vehicle must be a side loading wheelchair accessible vehicle; and**
- (b) Any vehicle to be licensed as a Private Hire Vehicle that is wheelchair accessible and is a rear loading wheelchair accessible vehicle may only be used to undertake school contract work and must load the wheelchair using a tailgate system.**

An additional motion was then moved by Councillor D Mitchell and seconded by Councillor J Bird and it was -

Resolved (unanimously) -

(2) That any vehicle currently licensed to undertake school contract work that is a rear loading wheelchair accessible vehicle fitted with a ramp can continue to be licensed until the expiry of the licence.

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