

North Yorkshire Council

General Licensing and Registration Committee

11 November 2024

Adoption of an Inclusive Service Plan focused on Hackney Carriage and Private Hire Licensing

Report of the Corporate Director of Environment

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to consider a proposal to adopt a new Inclusive Service Plan in relation to hackney carriage and private hire licensing and to make any recommendations to the Executive where appropriate.

2.0 BACKGROUND

- 2.1 In accordance with section 149 of the Equality Act 2010, North Yorkshire Council must have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act.
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2.2 On 21 February 2023, the Executive of North Yorkshire County Council resolved to adopt a new Hackney Carriage and Private Hire Licensing Policy and committed to developing a new Inclusive Service Plan with a view to making transport more inclusive in relation to hackney carriage and private hire vehicle provision in North Yorkshire.
- 2.3 In November 2023, the Department for Transport published its new Taxi and Private Hire Vehicle Licensing Best Practice Guidance, which recommends that licensing authorities develop and maintain an Inclusive Service Plan (ISP) to describe:
- the demand for accessible services in their area.
 - the authority's strategy for making transport more inclusive.
 - the steps that the authority will take to improve the inclusivity of the taxi and private hire vehicle services; and
 - the courses or assessments authorities require applicants to undertake.
- 2.4 On 3 September 2024, the Council's General Licensing and Registration Committee considered a draft Inclusive Service Plan (ISP) produced in accordance with the Department for Transport's Best Practice Guidance published in November 2023. Members had some concerns over the generic nature of some of the data relied upon to demonstrate the apparent unmet demand for licensed wheelchair accessible vehicles (WAVs). The Committee resolved to establish a Task and Finish Group comprising six members of the Committee to explore some of the key questions raised in respect of the draft ISP with a view to bringing their findings and recommendations back to the Committee in due course. The Committee deferred making any recommendations to the Executive pending the outcome of the review by the Task and Finish Group.

- 2.5 Ahead of the Task and Finish Group meetings, the draft ISP was revised to provide additional data and explanation to further evidence any unmet demand for licensed WAVs in North Yorkshire. The revised draft ISP is attached at Appendix A.
- 2.6 The Task and Finish Group met on 19 September 2024 and 8 October 2024 to discuss the proposals. Members of the Task and Finish Group were satisfied that the revised version of the draft ISP was suitable, provided amendments would be made to accommodate recommendations relating to the vehicle specification in the Draft Hackney Carriage and Private Hire Licensing Policy. The findings of the Group are attached at Appendix B.

3.0 INCLUSIVE SERVICE PLAN

- 3.1 The draft ISP sets out the proposed strategy for making transport more inclusive in relation to hackney carriage and private hire vehicle provision in North Yorkshire.
- 3.2 The draft ISP focuses on the needs of people whose access requirements are apparent when using public transport (such as wheelchair users and assistance dog owners) but also on the needs of people with less-visible disabilities, including autistic people or those with mental illness.
- 3.3 The draft ISP identifies and acknowledges the arrangements already in place to promote an inclusive hackney carriage and private hire regime in North Yorkshire. Those arrangements include:
- ensuring compliance with the duties of drivers and operators under the Equality Act 2010.
 - requiring all licensed drivers to undergo disability awareness training every three years.
 - requiring all drivers of licensed wheelchair accessible vehicles (WAVs) to complete a practical assessment.
 - displaying information in licensed vehicles to advise passengers how to make a complaint to the licensing authority.
 - publishing a list of WAVs on the Council's website in accordance with the Equality Act 2010; and
 - committing to exercise powers where appropriate in the event of any non-compliance.
- 3.4 The objectives of the ISP are:
- to improve the access and availability of licensed vehicles sufficiently to satisfy the demand for accessible services from wheelchair users and non-wheelchair users;
 - to promote passenger rights by providing information in formats that all passengers can access in relation to the service that can be expected when travelling in hackney carriage and private hire vehicles;
 - to deliver effective enforcement to ensure that users of licensed vehicles can be confident that any reports of non-compliance will be appropriately addressed; and
 - to enhance the understanding of all licensed drivers, proprietors and operators in relation to the needs and legal rights of disabled people.
- 3.5 In September 2023, North Yorkshire Council commissioned a research project into wheelchair accessibility to support the development of an Inclusive Service Plan. The research revealed a likely shortage of licensed wheelchair accessible vehicles based on anecdotal evidence and supported by comparisons with national data.
- 3.6 At present, the Council licenses approximately 70 wheelchair accessible hackney carriage vehicles, which represents one for every 9,000 people in its population. Although WAV provision is typically lower in rural authorities than in urban areas, the best performing rural

authorities in this regard make provision for one WAV for every 2,000 to 3,000 people. North Yorkshire Council would need to license around 200 more WAV taxis to reach a similar ratio.

- 3.7 Although imposing a mandatory wheelchair accessible requirement on all licensed vehicles would be likely to achieve the desired outcome, the Council must have regard to the Regulators' Code (Department for Business Innovation & Skills, Better Regulation Delivery Office) and avoid imposing unnecessary regulatory burdens where the desired outcomes could be achieved by less burdensome means.
- 3.8 The Council has previously attempted to encourage more wheelchair accessible vehicles to be licensed in North Yorkshire by waiving the licence fee and relaxing the age limits on WAVs. This approach is in line with the Department for Transport's Best Practice Guidance (November 2023), which recommends that licensing authorities should incentivise the uptake of wheelchair accessible vehicles where mandating them would be inappropriate. However, the number of hackney carriage WAVs in North Yorkshire remains very low and there is no reasonable expectation that this will change without further intervention.
- 3.9 The Council must have regard to DEFRA's Air Quality Strategy when exercising functions of a public nature that could affect the quality of air. It is recognised that WAVs are still predominantly petrol and diesel powered and will have an impact on emissions. There is a need to enhance the number of WAVs available in North Yorkshire whilst mitigating any potential adverse effects on climate change and air quality.
- 3.10 The draft ISP therefore recommends introducing a new requirement for all hackney carriage vehicles to be either wheelchair accessible vehicles (WAVs) or zero emission vehicles (ZEVs). Members should note that the Task and Finish Group has recommended that hybrid vehicles also be included within the scope of suitable hackney carriage vehicles.
- 3.11 The draft ISP does not currently recommend applying the WAV/ZEV requirement to private hire vehicles. Unlike hackney carriage vehicles, private hire vehicles are restricted to fulfilling pre-booked journeys only, which must be obtained through a licensed private hire operator, and therefore any accessibility needs can be discussed at the time of booking. The draft ISP recommends introducing new obligations on all private hire operators to identify a passenger's accessibility needs prior to taking a booking, to ensure that an appropriate vehicle is provided wherever possible.
- 3.12 Hackney carriage vehicle proprietors unwilling or unable to acquire a suitable WAV would therefore have the option of acquiring a ZEV or, alternatively, to adapt their service to a private hire operation with no such WAV or ZEV restriction. It is anticipated that this approach will support the delivery of a mixed WAV and non-WAV fleet across hackney carriage and private hire services in accordance with Best Practice Guidance.
- 3.13 It is proposed to apply the new hackney carriage vehicle specification requirements on implementation of the revised policy but, in order to give existing licence holders sufficient time to make arrangements for replacement vehicles, existing licences may be renewed until 31 December 2029. Members should note that the Task and Finish Group has recommended that the proposed vehicle specification should only apply to new licences and that existing licensed vehicles retain 'grandfather rights' to allow for continuation until such time as their vehicles are no longer fit for purpose.
- 3.14 Further recommendations are made in the draft ISP including:
- to explore any opportunities to attract external funding to subsidise the provision of WAV services;

- to consult with disabled passengers regularly on their experience of using hackney carriage and private hire vehicle services and to consult representatives of the hackney carriage and private hire trade in this regard;
- to require Licensing staff to complete regular disability awareness training to ensure that decisions are informed by the lived experiences of disabled people;
- to retain the requirement to undertake mandatory disability awareness training for all hackney carriage and private hire drivers every three years;
- to retain the mandatory practical assessment requirement for all hackney carriage and private hire drivers using WAVs;
- to retain the policy requirement for all non-WAV hackney carriage vehicles to have means for carrying a “reference wheelchair”;
- to review the information contained in the Council’s published list of designated WAVs (as required by section 167 of the Equality Act 2010) in accordance with the statutory guidance;
- to provide further information relating to passenger rights and how to make complaints via social media, on the Council’s website, in licensed vehicles and at hackney carriage ranks wherever possible;
- to address complaints in a robust and efficient manner to ensure that disabled people can have confidence that they will be able to travel by hackney carriage or private hire vehicle free from the fear of discrimination and that appropriate action will be taken against licensed drivers and operators in the event of any non-compliance;
- to work with transport station operators and other location managers where large numbers of passengers use hackney carriage and private hire vehicle services to ensure disabled passengers can always access and exit vehicles safely and easily;
- to maintain engagement with disability action groups by attending regular meetings, giving appropriate attention to any feedback;
- to facilitate dialogue between the licensed trade and end-users with a view to matching the supply of wheelchair accessible vehicles with the demand;
- to provide information to the licensed trade about the business benefits of a wheelchair accessible service;
- to convey consistent messages to the licensed trade via a regular newsletter with a dedicated space for equality provisions with input from Disability Action Groups and other interested parties; and
- to allocate adequate Licensing resources to ensure that the ISP objectives can be met.

3.15 Subject to approval from the Executive, the public and the licensed trade will be consulted for a period of 12 weeks and any responses will be considered prior to a decision being made.

4.0 CONTRIBUTION TO COUNCIL PRIORITIES

4.1 The Council is committed to equality, diversity and inclusion. The draft ISP seeks to improve the access, availability and quality of hackney carriage and private hire services in North Yorkshire.

5.0 ALTERNATIVE OPTIONS CONSIDERED

5.1 The Council must have regard to the Department for Transport’s Best Practice Guidance and therefore there is an expectation that an ISP is adopted. The recommendations in the ISP, however, are at the Council’s discretion and therefore alternative options may be considered.

5.2 Alternative options have already been explored to encourage more wheelchair accessible vehicles to be licensed in North Yorkshire by waiving the licence fee and relaxing the age

limits on WAVs. However, the number of hackney carriage WAVs in North Yorkshire remains very low and there is no reasonable expectation that this will change without further intervention.

- 5.3 Alternative options have subsequently been considered to address the shortage of wheelchair accessible vehicles (including imposing a mandatory wheelchair accessible requirement on all licensed vehicles). The current proposal, however, is considered a more reasonable and proportionate measure to stimulate an increase in licensed WAVs, to satisfy the Council's public sector equality duty and to take into account the Council's air quality obligations without imposing unnecessary regulatory burdens on businesses.

6.0 IMPACT ON OTHER SERVICES/ORGANISATIONS

- 6.1 The Council's Integrated Passenger Transport Service (IPT) is responsible for arranging and managing school transport for children across North Yorkshire. The availability of additional wheelchair accessible hackney carriage vehicles would be likely to facilitate these arrangements.
- 6.2 The Council's Environmental Health Service is responsible for monitoring and safeguarding air quality. Officers have been consulted in this regard and support the proposals relating to ZEVs and Euro 6 Standards.

7.0 FINANCIAL IMPLICATIONS

- 7.1 The vast majority of the licensing authority's service costs (including the proposed consultation and any subsequent meetings) are recovered by way of licence fees and the service will continue to operate on the same cost-recovery basis in future.
- 7.2 The Council must ensure that each requirement is properly justified by the risk it seeks to address, balancing the cost of the requirement against the benefit to the public. The additional cost burden on proprietors has been acknowledged in formulating the proposed policy revisions.
- 7.3 The proposed hackney carriage vehicle specification offers more options to proprietors than in many other licensing authorities across England and Wales (where, for example, wheelchair accessibility is a mandatory requirement for all licensed vehicles) and a reasonable implementation schedule has been proposed to minimise disruption.

8.0 LEGAL IMPLICATIONS

- 8.1 Any legal implications have been considered and addressed within the draft ISP.
- 8.2 Licensing authorities are expected to consult with any interested parties before making strategic decisions. The consultation must be undertaken at a time when proposals are still at a formative stage; it must include sufficient reasons for particular proposals; and the responses must be conscientiously taken into account when the ultimate decision is taken.

9.0 EQUALITIES IMPLICATIONS

- 9.1 Disability is a protected characteristic within the meaning of the Equality Act 2010. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not, the Council must endeavour to remove or minimise disadvantages suffered by persons who share a relevant protected characteristic and take steps to meet their needs.

9.2 A balance must be sought to allow the licensed trade to make a reasonable living from their business whilst also removing or minimising disadvantages suffered by persons who have relevant protected characteristics. The draft ISP is considered a reasonable and proportionate approach to ensure that wheelchair users can access taxi services in North Yorkshire.

9.3 An Equality Impact Assessment is attached at Appendix C.

10.0 CLIMATE CHANGE IMPLICATIONS

10.1 The draft ISP takes account of government guidance in respect of emission standards and the need to transition to zero emission vehicles.

11.0 POLICY IMPLICATIONS

11.1 Any policy implications have been considered and addressed within the draft ISP.

12.0 COMMUNITY SAFETY IMPLICATIONS

12.1 Hackney carriage and private hire services play an important role in transporting members of the public safely. Any community safety implications have been considered and addressed within the draft ISP.

13.0 REASONS FOR RECOMMENDATIONS

13.1 The Council has committed to developing and maintaining an Inclusive Service Plan and the Council must have regard to the Department for Transport's Best Practice Guidance.

14.0 RECOMMENDATIONS

14.1 To consider and note the findings of the Task and Finish Group.

14.2 To recommend to Executive that the Inclusive Service Plan contained in Appendix A is subject to consultation.

14.3 After consultation, the responses made, and the findings of the Task and Finish Group be considered by the General Licensing and Registration Committee and further recommendations be made to the Executive before the final draft of the Inclusive Service Plan is adopted.

APPENDICES:

Appendix A – Draft Inclusive Service Plan

Appendix B – Task and Finish Group Findings

Appendix C – Equality Impact Assessment

BACKGROUND DOCUMENTS:

Taxi and Private Hire Vehicle Licensing Best Practice Guidance (Department for Transport)

Air Quality Strategy (DEFRA)

Regulators' Code (Department for Business Innovation & Skills, Better Regulation Delivery Office)

Karl Battersby

Corporate Director – Environment

County Hall

Northallerton

15 October 2024

Report Author:-Simon Fisher, Licensing Service Development Lead & Gareth Bentley, Head of Licensing

Presenter of Report: Simon Fisher, Licensing Service Development Lead; and
Gareth Bentley, Head of Licensing



Inclusive Service Plan

Hackney Carriage and Private Hire Licensing

With effect from [insert date]



Version Control

- 1.0 Approved by the Executive of North Yorkshire County Council on [insert date] with effect from [insert date]

Contents

<u>Introduction</u>	10
<u>Disability in the UK and in North Yorkshire</u>	10
<u>Wheelchair users in the UK and in North Yorkshire</u>	10
<u>North Yorkshire Council</u>	11
<u>Objectives</u>	11
<u>Consultation</u>	12
<u>Hackney carriage and private hire drivers</u>	13
<u>Driver duties</u>	13
<u>Driver training</u>	13
<u>Private hire operators</u>	15
<u>Private hire operator duties</u>	15
<u>Complaints to private hire operators</u>	15
<u>Bookings and dispatch staff</u>	15
<u>Hackney carriage and private hire vehicles</u>	16
<u>Vehicle specification</u>	16
<u>Complaints</u>	16
<u>Wheelchair accessible vehicles</u>	16
<u>Overcoming the barriers to providing wheelchair accessible services</u>	18
<u>List of designated wheelchair accessible vehicles</u>	19
<u>Non-compliance</u>	20
<u>Next steps</u>	21
<u>Proposed measures to satisfy the ISP objectives</u>	21
<u>Evaluation and review</u>	23
<u>Appendix 1 – Feedback from accessible transport users</u>	24
<u>Extracts from interviews with wheelchair users – September 2023 to November 2023</u>	24
<u>Extracts from interviews with Disability Action Groups – September 2023 to November 2023</u>	25

Introduction

1. This Inclusive Service Plan sets out the Council's strategy for making transport more inclusive in relation to hackney carriage and private hire vehicle provision in North Yorkshire.
2. According to the Department for Transport's Taxi and Private Hire Vehicle Statistics, England (2024)¹, average taxi or PHV usage accounts for 3% of all trips for those with mobility difficulties, compared to just 1% for those without mobility difficulties.
3. Licensed vehicles are among the most popular modes of transport for disabled people as they provide a door-to-door service with scope for individual assistance with the particular needs of a disabled passenger.
4. Many disabled people are particularly reliant on hackney carriage and private hire services and therefore the Council is committed to ensuring the availability of an accessible, affordable service.
5. In formulating the Plan, we have considered the needs of people whose access requirements are apparent when using public transport, such as wheelchair users and assistance dog owners. We have also considered the needs of people with less-visible disabilities, including autistic people or those with mental illness.

Disability in the UK and in North Yorkshire

6. According to the Office of National Statistics' Census 2021 results, 17.7% of the population of England were disabled.
7. The proportion of disabled people varied across North Yorkshire as follows:
 - Craven 15.2%
 - Hambleton 15.4%
 - Harrogate 14.9%
 - Richmondshire 15.5%
 - Ryedale 15.6%
 - Selby 16.1%
 - Scarborough 20%Source: Office for National Statistics – Census 2021²
8. According to more recent estimates, around 20% of the UK population is disabled and the proportion is expected to rise as the average age of the population increases³.

Wheelchair users in the UK and in North Yorkshire

9. There is a lack of robust evidence to indicate how many wheelchair users there are in North Yorkshire, or indeed across the country. However, in 2018-2019, a report commissioned by Motability and The Wheelchair Alliance estimated that there were up to 1.37 million users of wheelchairs and powered mobility scooters in England⁴.

¹ [Department for Transport's Taxi and Private Hire Vehicle Statistics, England \(2024\)](#)

² [Disability - England and Wales: Census 2021](#)

³ [Department for Transport's Taxi and Private Hire Vehicle Statistics, England \(2023\)](#)

⁴ This estimate was based on 5.7 million people with a mobility disability in England (Family Resources Survey). Of all those having difficulty going out on foot unaided, 3% use a powered wheelchair, 12% use a manual wheelchair and 9% use a powered mobility scooter (National Travel Survey data on use of mobility aids by NatCen Social Research, 2020). However, it should be noted that these three groups of users are not

10. 1.37 million users of wheelchairs and powered mobility scooters represents approximately 2.4% of the population in England. Applying these same proportions to the population of North Yorkshire would indicate that there are approximately 15,000 users of wheelchairs and powered mobility scooters in the area.

North Yorkshire Council

11. As the licensing authority with responsibility for hackney carriage and private hire licensing functions, North Yorkshire Council has a duty to ensure that the public is adequately protected from any risks associated with hackney carriage and private hire services.
12. In accordance with section 149 of the Equality Act 2010, North Yorkshire Council must also have due regard to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
13. Licensing authorities are required under section 22(2) of the Legislative and Regulatory Reform Act 2006 to have regard to the Regulators' Code. In accordance with the Regulators' Code, the Council must seek to reduce regulatory burdens and support compliant business growth by ensuring that each requirement is properly justified by the risk it seeks to address, balancing the cost of the requirement against the benefit to the public.
14. The Council must therefore balance its responsibilities and deliver licensing services in a fair, safe and legal way.
15. In accordance with the Council Plan (2023-2027), to demonstrate commitment to equality, diversity and inclusion as an organisation, show leadership across the county and work in partnership to improve equality, diversity and inclusion, the Council will:
 - demonstrate political and officer leadership;
 - work in partnership to achieve shared priorities;
 - use equality impact assessment as part of the decision-making process; and
 - monitor, review and scrutinise performance against our objectives
16. One of the key commitments in North Yorkshire Council's Local Transport Plan is to "consider our duties under transport and equalities legislation to decide whether the commercial network caters sufficiently for the needs of the community having regard to the transport needs of members of the public who are elderly or disabled. We will consider whether there is a need to procure additional services and what funding is available to deliver these".

Objectives

17. In implementing this Inclusive Service Plan, the licensing authority's objectives are:
 - To improve the access and availability of licensed vehicles sufficiently to satisfy the demand for accessible services from wheelchair users and non-wheelchair users.

mutually exclusive, because NTS respondents could select more than one answer to the question on the type of mobility aid used. It is not known to what extent these three groups overlap each other and therefore only estimated figures are available.

- To promote passenger rights by providing information in formats that all passengers can access in relation to the service that can be expected when travelling in hackney carriage and private hire vehicles.
- To deliver effective enforcement to ensure that users of licensed vehicles can be confident that any reports of non-compliance will be appropriately addressed.
- To enhance the understanding of all licensed drivers, proprietors and operators in relation to the needs and legal rights of disabled people.

Consultation

18. In preparing this Inclusive Service Plan, the Council has consulted with the following stakeholders:

- Licence holders
- Passenger Transport
- North Yorkshire Police
- Disability action groups
- Other Council departments
- Service users

Hackney carriage and private hire drivers

19. The licensing authority must be satisfied that every licensed driver of a hackney carriage or private hire vehicle is a fit and proper person to hold a licence.
20. In accordance with the Council's Hackney Carriage and Private Hire Licensing Policy, where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

Driver duties

21. The Equality Act 2010 places the following duties on licensed drivers to protect the rights of disabled people to access hackney carriage and private hire services:
 - The driver of a non-wheelchair accessible hackney carriage or private hire vehicle must accept the carriage of any disabled person and must not charge extra for doing so⁵. This applies to any disabled passenger, including wheelchair users (with the assumption that the wheelchair user transfers to a passenger seat to travel).
 - The driver of any hackney carriage or private hire vehicle must provide reasonable assistance to any disabled passenger⁶. This requirement does not apply to any driver who has been granted an exemption from the mobility assistance duties on medical grounds.
 - The driver of any pre-booked hackney carriage or private hire vehicle must assist any disabled person to identify and find the vehicle and to refrain from charging them extra for doing so, provided the driver is made aware that the passenger requires such assistance⁷.
 - The driver of any hackney carriage or private hire vehicle must accept the carriage of an assistance dog and must not charge extra for doing so⁸. This requirement does not apply to any driver who has been granted an exemption on medical grounds.
 - The driver of a designated wheelchair accessible hackney carriage or private hire vehicle must, when requested to do so, carry a wheelchair user whilst seated in their wheelchair without charging extra. If the passenger chooses to sit in a passenger seat, the driver must carry the passenger and the wheelchair in safety and in reasonable comfort. The driver must also provide reasonable assistance to any wheelchair user unless they have been granted an exemption from the mobility assistance duties on medical grounds⁹.

Driver training

22. According to the Department for Transport's Taxi and Private Hire Vehicle Statistics, England (2024)¹⁰, 67% of all licensing authorities require taxi drivers to undergo disability awareness training.
23. The Council acknowledges the need to ensure that licensed drivers have a reasonable understanding of the barriers that disabled people may face when using licensed vehicles, and that they know how to assist people with a range of visible and less visible impairments. Accordingly, every applicant for a hackney carriage and private hire driver licence must undergo suitable disability awareness training prior to being granted a licence by North Yorkshire Council. Appropriate training must be repeated by all licensed drivers every three years.

⁵ Section 164A of the Equality Act 2010

⁶ Section 164A of the Equality Act 2010

⁷ Section 165A of the Equality Act 2010

⁸ Section 168 of the Equality Act 2010

⁹ Section 165 of the Equality Act 2010

¹⁰ [Department for Transport's Taxi and Private Hire Vehicle Statistics, England \(2024\)](#)

24. In accordance with the Council's Hackney Carriage and Private Hire Licensing Policy, licensed drivers are not authorised to drive a wheelchair accessible vehicle unless the driver understands how to operate the vehicle and any equipment fitted to make the vehicle accessible by disabled persons. Furthermore, the driver must pass an appropriate practical assessment before driving a wheelchair accessible vehicle.

Private hire operators

25. The licensing authority must be satisfied that every licensed private hire operator is a fit and proper person to hold a licence. In instances where the private hire operator is a company or partnership, the licensing authority applies the 'fit and proper' test to each of the directors or partners in that company or partnership.
26. In accordance with the Council's Hackney Carriage and Private Hire Licensing Policy, where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

Private hire operator duties

27. The Equality Act 2010 places the following duties on licensed private hire operators to protect the rights of disabled people to access private hire services:
 - Service providers must make reasonable adjustments to enable disabled passengers to access their services¹¹.
 - A private hire operator cannot refuse or fail to provide a booking for a disabled person if the reason for the refusal or failure is that the person is disabled¹².
 - A private hire operator cannot refuse or fail to provide a booking if the reason for the refusal or failure is that the passenger will be accompanied by an assistance dog¹³.
 - A private hire operator cannot make any additional charge for the carrying out of any duty imposed on the driver of the private hire vehicle¹⁴.

Complaints to private hire operators

28. In accordance with the conditions attached to a private hire operator's licence, the operator must notify the licensing authority in writing of any complaints concerning a driver's conduct or about a vehicle's suitability. This includes complaints of any failure to comply with the above duties.

Bookings and dispatch staff

29. Individuals responsible for taking bookings and dispatching vehicles on behalf of a private hire operator do not require a licence. However, in accordance with the Council's Hackney Carriage and Private Hire Licensing Policy, all private hire operators are required to formulate a policy on assessing the suitability of any person taking bookings and dispatching vehicles on their behalf prior to undertaking any such role.
30. The licensing authority has produced a template policy for these purposes, which includes guidelines for assessing staff. The template policy recommends that private hire operators do not employ any individual with a conviction relating to discrimination in any form until at least seven years have elapsed since the completion of any sentence imposed.
31. If a private hire operator fails to adopt an appropriate policy for the assessment of staff, it may raise serious doubts about their own suitability to hold a licence.

¹¹ Section 20 of the Equality Act 2010

¹² Section 167A of the Equality Act 2010

¹³ Section 170 of the Equality Act 2010

¹⁴ Section 167A of the Equality Act 2010

Hackney carriage and private hire vehicles

32. A hackney carriage vehicle can be hailed by passengers on the roadside, it can stand on a rank to await the approach of passengers and it can be pre-booked by telephone. In contrast, private hire vehicles are licensed to perform pre-booked work only, which must be obtained through a private hire operator.

Vehicle specification

33. In accordance with the Council's Hackney Carriage and Private Hire Licensing Policy, all licensed hackney carriage vehicles must have means for carrying a "reference wheelchair" and luggage sufficient for the number of passengers for which the vehicle is licensed to carry. This requirement ensures that drivers of hackney carriage vehicles licensed by North Yorkshire Council cannot, in most cases, refuse fares on the grounds that it would not have been possible for the wheelchair or mobility aids to be carried safely in the vehicle. The "reference wheelchair" is defined as 700mm in width, 1200mm in length, and 1350mm in height. Private hire vehicles, on the other hand, are not available for public hire and therefore any luggage or accessibility needs can be discussed at the time of booking.
34. In accordance with the Council's current Hackney Carriage and Private Hire Licensing Policy, licensed vehicles are generally required to be no more than 10 years old at the time of a grant or renewal application. However, in order to ensure that this requirement does not have an adverse effect on the number of wheelchair accessible licensed in North Yorkshire, the age limits do not apply to designated wheelchair accessible hackney carriage vehicles.
35. The vehicle specification is subject to review as a proposed outcome of this Inclusive Service Plan.

Complaints

36. The provision of a clear, simple and well-publicised process for the public to make comments and complaints about drivers, vehicles and operators will enable officers to target compliance and enforcement activity. Complaints provide a further source of intelligence when considering applications and identifying any additional training that may be required.
37. Accordingly, all hackney carriage and private hire vehicles licensed by North Yorkshire Council are required to display at least two adhesive signs advising passengers how to complain to the licensing authority about any licensed driver, vehicle or operator in a position that can be easily read by passengers from the front and rear of the vehicle.
38. Further information about how to complain is published on the Council's website.

Wheelchair accessible vehicles

39. According to the Department for Transport's Taxi and Private Hire Vehicle Statistics, England (2024)¹⁵, 37.6% of all licensed hackney carriage vehicles outside London are wheelchair accessible. The proportion of wheelchair accessible private hire vehicles remains very low, at about 3.2% outside London.
40. According to the DfT Statistics report, metropolitan areas tended to have higher proportions of wheelchair accessible vehicles.

¹⁵ [Department for Transport's Taxi and Private Hire Vehicle Statistics, England \(2024\)](#)

41. North Yorkshire is classified by DEFRA as 'largely rural', meaning that between 50% and 79% of the population resides in rural areas.
42. 13.5% of hackney carriage vehicles are wheelchair accessible across all 'largely rural' areas in England and Wales but only 9% of hackney carriage vehicles in North Yorkshire are wheelchair accessible.
43. 7.2% of private hire vehicles are wheelchair accessible across all 'largely rural' areas in England and Wales whereas 4.7% of private hire vehicles in North Yorkshire are wheelchair accessible.
44. The Council recognises that a reduction in the number of non-WAVs would raise the proportion of WAVs despite not having any positive impact on availability. On that basis, measuring the number of WAVs as a percentage of the total fleet is not considered the most effective method of assessing availability. The ratio of WAVs:population is believed to be a more meaningful metric.
45. There is one wheelchair accessible hackney carriage vehicle for every 1,877 people of the population in England. Across all rural or largely rural areas, however, there is only one wheelchair accessible hackney carriage vehicle for every 8,150 people.
46. At the time of drafting this Plan, North Yorkshire Council licensed 67 wheelchair accessible hackney carriage vehicles, which represents one WAV for every 9,185 people.
47. For context, some licensing authorities have excellent provision of wheelchair accessible hackney carriage vehicles (14 urban local authority areas have at least one WAV for every 1,000 people).
48. The best ratios in rural areas are approximately one wheelchair accessible hackney carriage vehicle for every 2,000 to 3,000 people but this has only been achieved where licensing authorities have imposed a requirement for all or part of the hackney carriage fleet to be wheelchair accessible. In order to achieve a similar ratio for its population of 615,400, North Yorkshire would need between 200 and 300 WAVs (roughly three to four times the current number).
49. 64.5% of all licensing authorities in England and Wales require all or part of their hackney carriage fleet to be wheelchair accessible while 57.5% of largely rural authorities require all or part of their hackney carriage fleet to be wheelchair accessible.
50. Only 4.8% of licensing authorities in England and Wales require all or a part of their private hire fleet to be wheelchair accessible.
51. There are 17 largely rural authorities (including North Yorkshire Council) with no requirement for all or part of their hackney carriage fleet to be wheelchair accessible. Only one of these areas provides a slightly better hackney carriage WAV:population ratio than North Yorkshire. This suggests that there can be little expectation of any significant improvement without introducing a mandatory requirement.
52. Between September 2023 and November 2023, interviews conducted on behalf of the Council revealed some of the lived experiences of wheelchair users and Disability Action Groups in relation to accessible transport (and taxis in particular) across North Yorkshire. Extracts from those interviews are attached at Appendix 1.
53. The Council acknowledges that, as is the case in many parts of the country, the demand for wheelchair accessible hackney carriage vehicles is not currently being met by the trade in North Yorkshire.

54. According to the Department for Transport's Taxi and Private Hire Vehicle Licensing Best Practice Guidance¹⁶, licensing authorities should incentivise the uptake of wheelchair accessible vehicles where mandating them would be inappropriate. The Council has previously introduced incentives by waiving the licence fee and by relaxing the age limits in respect of WAVs. However, the number of hackney carriage WAVs in North Yorkshire remains low.
55. The Council is therefore satisfied that it must take further action to significantly improve the access and availability of licensed WAVs to satisfy the demand from wheelchair users.
56. The Council acknowledges the view of the Department for Transport that the licensing authority should understand the demand for mixed fleets in its area and ensure that, when issuing licences, it has the right mix of vehicles. Furthermore, some designs of wheelchair accessible vehicles may not be suitable for some ambulant disabled passengers¹⁷.
57. Many journeys in North Yorkshire are in rural areas involving longer journeys over local roads and the Council recognises that saloon cars tend to give a smoother and more economical ride. However, WAVs are essential for wheelchair users who are unable to transfer from their wheelchair to the vehicle and for those who prefer to travel in their wheelchair.
58. The Council has a wide discretion over the types of vehicle that it may license. Without limiting the hackney carriage vehicle specification further, the demand for wheelchair accessible vehicles is unlikely to be met by the hackney carriage trade.
59. The costs associated with purchasing and maintaining a WAV are often higher than for saloon vehicles. Furthermore, the time taken to fulfil a WAV booking can often take longer than it would for a non-WAV to find a safe place to park, load and secure the wheelchair, offer reasonable assistance etc. With no scope to be able to make an additional charge for the service, the provision of a WAV is not perceived as economically viable for many licensed drivers and proprietors.
60. However, recent research has revealed that service providers may not appreciate the scale of the demand for accessible transport across North Yorkshire. On that basis, the provision of a WAV (even at greater cost) may be beneficial to service providers and service users alike.

Overcoming the barriers to providing wheelchair accessible services

61. The Council is satisfied that there is a demand for WAV services not being fulfilled, particularly in the more rural parts of North Yorkshire. The anecdotal evidence obtained from disability action groups and wheelchair users is supported by data, which indicates that the availability of WAVs in North Yorkshire is low. It is therefore crucial to understand the barriers faced by the hackney carriage and private hire trade when considering the provision of wheelchair accessible services.
62. The Council is aware of a pervading misconception among operators that there are few wheelchair users in need of accessible transport across North Yorkshire. The Council will therefore endeavour to communicate with the trade in relation to the business opportunities associated with operating WAV services.
63. It is widely understood that the purchase and running costs of a WAV are often higher than that of a non-WAV. However, recent research has revealed that some WAV operators have purchased and maintained WAVs at low cost with good fuel economy and with no problems or significant time or effort required to deliver the service, particularly as many of their

¹⁶ [Department for Transport's taxi and private hire vehicle licensing best practice guidance \(Nov 2023\)](#)

¹⁷ [Department for Transport's taxi and private hire vehicle licensing best practice guidance \(Nov 2023\)](#)

passengers use powered wheelchairs and therefore boarding and alighting is far quicker than some may expect.

64. Some operators have also indicated that they have secured a good level of WAV-related business and established a clientele that would not otherwise have been available to them.
65. With comparably fewer competitors, there are clear business benefits to offering WAV services. The costs involved in delivering such a service can be outweighed by the additional income from fares that cannot be secured by non-WAV service providers. Drivers and operators currently providing WAV services have reported that the work is both rewarding and enjoyable.
66. The Council is confident that there is a general willingness among operators to provide a service for wheelchair users if a critical level of such work can be achieved. The Council therefore acknowledges the need to match the supply with the demand and this may be achieved to some extent by facilitating dialogue between the licensed trade and the end-users.
67. It is widely understood that vehicle manufacturers have faced a number of challenges in recent years, and this has led to delays in the supply chain. While the licensing authority cannot have any influence on the availability of new and used WAVs, it may be able to provide some useful information to drivers and operators who are interested in purchasing a WAV or converting a vehicle for wheelchair accessible purposes.

List of designated wheelchair accessible vehicles

68. In accordance with section 167 of the Equality Act 2010, the licensing authority maintains and publishes a list of designated wheelchair accessible hackney carriage and private hire vehicles. For these purposes, wheelchair accessible means that it would be possible for the user of a “reference wheelchair” to enter, leave and travel in the passenger compartment in safety and reasonable comfort whilst seated in their wheelchair.
69. In accordance with statutory guidance issued under section 167(6) of the Equality Act 2010, the list of designated wheelchair accessible vehicles should provide the following information:
 - the make and model of the vehicle
 - the licence number of the vehicle
 - whether the vehicle is a taxi or private hire vehicle
 - where it is easily accessible for the licensing authority to gather and the operator has given consent, the name of the vehicle’s operator(s)
 - their contact telephone number and email and/or website address
 - information about the size and weight of wheelchairs that can be accommodated, including whether the vehicle can accommodate wheelchairs which are larger than the “reference wheelchair” standard
 - the number of passengers that can be carried whilst seated in their wheelchairs
70. The licensing authority maintains and publishes its list of designated wheelchair accessible vehicle on the Council website. In the event of any requests for the information in other formats, officers will communicate with the requestor to understand their specific needs and to identify how the information could be tailored where applicable.
71. Where any of the above information can be published but has not yet been included on the list of designated wheelchair accessible vehicles, officers will endeavour to obtain further details and amend the list accordingly.

Non-compliance

72. In accordance with the Department for Transport's statutory guidance on access to taxis and private hire vehicles for disabled users¹⁸, the government expects licensing authorities to take tough action where drivers or operators breach their duties under the Equality Act 2010.
73. The Council has committed to using its available powers to ensure that drivers or operators who discriminate against disabled passengers are held accountable.
74. According to the Council's Hackney Carriage and Private Hire Licensing Policy, the licensing authority will consider the suitability of any driver or operator who receives a conviction for breaching their duties under the Equality Act 2010.
75. The licensing authority may also consider the suspension, revocation or refusal of a licence where no prosecution proceeds, but the authority is satisfied that the driver or operator has treated a disabled passenger unreasonably. A driver or operator who wilfully fails to comply with their duties in this regard would be unlikely to remain a fit and proper person to hold a licence.

¹⁸ [DfT statutory guidance on access to taxis and private hire vehicles for disabled users](#)

Next steps

76. The Council is committed to ensuring that any companies and individuals delivering hackney carriage and private hire services not only satisfy all legal requirements but also raise standards to meet the needs of passengers more consistently.
77. The Council acknowledges its responsibility to make reasonable adjustments to remove barriers preventing disabled people from accessing hackney carriage and private hire vehicle services.
78. Ultimately, the Council acknowledges the need to enable disabled people to travel easily, confidently and at a fair and reasonable cost. The Council recognises the importance of all transport services playing their part in making this a reality.

Proposed measures to satisfy the ISP objectives

79. The Council proposes to revise its Hackney Carriage and Private Hire Licensing Policy to specify that any new hackney carriage vehicle licence must be in respect of a wheelchair accessible vehicle (WAV) or a zero-emission vehicle (ZEV).
80. The Council must have regard to DEFRA's Air Quality Strategy when exercising functions of a public nature that could affect the quality of air. The proposed hackney carriage vehicle specification is intended to enhance the number of WAVs available in North Yorkshire whilst mitigating any potential adverse effects on climate change and air quality. The proposal facilitates compliance with the Council's equality duty and its air quality obligations, giving vehicle proprietors multiple options with wider social benefits.
81. The Council proposes to allow any existing licensed hackney carriage vehicles to retain 'grandfather rights' until 31st December 2029, after which, only WAVs and ZEVs may be licensed as hackney carriages.
82. The Council recognises that ZEVs will not be appropriate for all drivers and proprietors (depending on the nature of their business) due to varying factors including range, cost, typical journey length and electric charging capabilities. Although ZEVs would represent the only alternative option to a WAV, the Council is satisfied that the proposal is reasonable and proportionate with a view to achieving legitimate aims.
83. A hackney carriage vehicle can be hailed by passengers on the roadside, it can stand on a rank to await the approach of passengers and it can be pre-booked by telephone. In contrast, private hire vehicles are licensed to perform pre-booked work only, which must be obtained through a licensed private hire operator. On that basis, any accessibility needs can be discussed at the time of booking a private hire vehicle, which will not necessarily be the case for hackney carriage vehicles.
84. It is therefore not considered necessary to also apply the WAV/ZEV requirement to private hire vehicles at present. However, it is proposed to introduce new obligations on all private hire operators to identify a passenger's accessibility needs prior to taking a booking, to ensure that an appropriate vehicle is provided.
85. Hackney carriage vehicle proprietors unwilling or unable to acquire a suitable WAV or ZEV may consider adapting their service to a private hire operation with no such WAV or ZEV restriction. It is anticipated that this approach will support the delivery of a mixed WAV and non-WAV fleet across hackney carriage and private hire services in accordance with Best Practice Guidance.

86. Any opportunities to attract external funding to subsidise the provision of WAV services will continue to be explored, although the Council recognises the need to be realistic about any expectations of large-scale public funding being made available.
87. The licensing authority will consult with disabled passengers regularly on their experience of using hackney carriage and private hire vehicle services. The licensing authority will also continue to consult representatives of the hackney carriage and private hire trade in this regard.
88. All members of the licensing team will continue to complete regular disability awareness training to ensure that decisions are informed by the lived experiences of disabled people. The Council acknowledges the value in licensing staff possessing a reasonable understanding of the barriers that disabled people may face when using licensed vehicles.
89. Disability awareness training will remain a mandatory requirement for all hackney carriage and private hire drivers and the training must be repeated every three years. The Council recognises the need to ensure that licensed drivers have a reasonable understanding of the barriers that disabled people may face when using licensed vehicles, and that they know how to provide reasonable assistance when called upon to do so.
90. A practical assessment will remain a mandatory requirement for all hackney carriage and private hire drivers using WAVs. The Council recognises the need to ensure that WAV drivers understand how to operate the vehicle and any equipment fitted to make the vehicle accessible by disabled persons.
91. The Council will retain the policy requirement for all non-WAV hackney carriage vehicles to have means for carrying a “reference wheelchair” and luggage sufficient for the number of passengers for which the vehicle is licensed to carry. The Council acknowledges that the Equality Act 2010 provides a defence for licensed drivers who refuse to carry a disabled passenger and their mobility aids in instances where it would not have been possible to do so safely. The policy requirements ensure that the carriage of any mobility aids will be possible in the vast majority of instances.
92. The licensing authority will review the information contained on its list of designated WAVs (as required by section 167 of the Equality Act 2010) in accordance with the statutory guidance. Further information will be published where it can be obtained. The licensing authority will also review the relevant web pages to establish whether or not the list of designated WAVs should be accompanied by any further information that may be of benefit to visitors.
93. The Council will review the information displayed in licensed vehicles and provide further information via social media, at hackney carriage ranks wherever possible and on the Council’s website. The Council recognises the need for stronger signposting not only for complaints and suggestions to be made in relation to hackney carriage and private hire services but also to raise awareness of passenger rights.
94. Information relating to passenger rights will therefore be made more readily accessible via social media, the Council’s website and any other appropriate means. The Council acknowledges that many disabled people may have had negative experiences in the past that might affect their confidence to use hackney carriage and private hire services. The duties placed on drivers and operators of all licensed vehicles by the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 remain relatively new and the Council recognises that some members of the public may be unaware of these new requirements.
95. The Council is committed to addressing complaints in a robust and efficient manner to ensure that disabled people can have confidence that they will be able to travel by hackney carriage

or private hire vehicle free from the fear of discrimination and that appropriate action will be taken against licensed drivers and operators in the event of any non-compliance.

96. The Council will work with station operators and other location managers where large numbers of passengers use hackney carriage and private hire vehicle services to ensure disabled passengers can always access and exit vehicles safely and easily.
97. The licensing authority will maintain engagement with disability action groups by attending regular meetings. Any feedback relating to the provision of hackney carriage and private hire services will be given appropriate attention
98. The Council will take active steps to facilitate dialogue between the licensed trade and end-users with a view to matching the supply of wheelchair accessible vehicles with the demand. The Council will also make arrangements for the business benefits of a wheelchair accessible service to be communicated to drivers and operators of hackney carriage and private hire services with specific focus on refuting the misconception that there are few wheelchair users in need of accessible transport across North Yorkshire.
99. The licensing authority will implement new arrangements to convey consistent messages to all licensed drivers, proprietors and operators via a regular newsletter. The newsletter will update drivers and proprietors on relevant licensing matters and will also include a dedicated space for equality provisions, feedback from disabled passengers and any business opportunities or promotions on new WAVs and/or vehicle conversions. Disability Action Groups and other interested parties will be invited to submit ideas for newsletter content.
100. Adequate resources from Licensing and any other services (including those with responsibility for business engagement and community engagement) will be allocated to ensure that the objectives of this Inclusive Service Plan can be met. The Council recognises that it will be necessary to deploy officers appropriately to deliver on the proposed measures.

Evaluation and review

101. The Council is committed to monitoring the delivery of this Inclusive Service Plan and evaluating its impact.
102. Within 12 months of publishing this Inclusive Service Plan, the licensing authority will evaluate the impact of any proposed action through consultation with the licensed trade, disability action groups and end-users.
103. A full review of the Inclusive Service Plan will be undertaken where appropriate (and, in any case, at least once every five years) to assess whether any amendments are required taking into account changing circumstances affecting the area, or any relevant changes in national policy.
104. Minor and inconsequential amendments may be made to the Inclusive Service Plan from time-to-time by a senior officer to reflect legislative changes or to correct any inaccuracies. In all other cases, the licensing authority will consult with stakeholders prior to implementation to ensure that the Inclusive Service Plan continues to meet its objectives.

Appendix 1 – Feedback from accessible transport users

Extracts from interviews with wheelchair users – September 2023 to November 2023

“There’s such a lack of provision. You have to hire a taxi a few days in advance, and even then, it’s difficult. It’s a constant battle. Availability has been a constant issue for the past ten years. That isn’t good enough for a county the size of North Yorkshire. I know it’s not a quick fix, but we have spent years talking about this”.

“Whitby is a popular seaside town, and to have only one accessible vehicle available is unacceptable”.

“When my son is sixteen, I know he won’t be able to live life independently and go and see friends easily, the way I did when I was his age”.

“One WAV refused to take any more than one other person in addition to the wheelchair user, even though there was space. So my sister, who was with us, had to get a separate taxi. We were also told there would be a surcharge of 50% for the inconvenience of having a wheelchair onboard. But we were so desperate as there were no alternatives. OK, there may be additional costs, but is it fair that a disabled person is footing them?”

“I tend not to venture that far out. Even if we get somewhere, the chances of getting back are slim”.

“If you were going to the pub for a night out, you wouldn’t just be able to call a taxi when you need it. Even if you get one one way, you probably won’t get back. Then what? You’re stuck”.

“I would love to be able to be a bit spontaneous, and go out with friends, but that is not an option for a wheelchair user”.

“I needed to go to the dentist but got a call half an hour beforehand to cancel, with no reason given”.

“Most companies don’t have accessible taxis. Only two companies in my area have accessible vehicles”.

“People are having to reschedule hospital appointments because they can’t get there”.

“I have heard stories in the past of people trying to book a WAV taxi in advance and having a lot of trouble. This should not be the case”.

“I can’t go to the dentist, I can’t go to the pantomime for my birthday, the buses are few and far between. I feel quite stranded really”.

“If you’re lucky enough to get a WAV taxi, they charge half as much again”.

“If they are losing money by taking a disabled customer, of course they’ll take the easy option”.

“It’s another way of telling disabled people, ‘I’m sorry, but you don’t count in our community’”.

“I feel I’m a nuisance when it comes to transport. I feel not even like a second-class citizen, but not a citizen at all. It could all get quite upsetting. It doesn’t seem anybody wants to listen”.

“I’m missing out on activities such as swim class and craft group. I do volunteer, but I hate always relying on friends for transport, but I know there is the risk of isolation if I stay at home”.

“People often forget that disabled people will go out and spend money in local businesses. We would dine out a lot more if we were able to get around”.

“It’s not about the money. Even if it costs us more, if it is reliable, we are happy to pay. Knowing you can get to and from your destination without anxiety and stress is worth a lot. There is a misconception around what disabled people want – that they want cheap or free transport – but most of us just want a reliable service”.

“It’s about trying to make people see that we are individuals, who too need to go out, even if it’s raining. Having a disability isn’t a life choice. It will happen in our lifetimes to someone we know, if not to ourselves. It’s important for people to understand the need for accessible transport”.

“Disabled people can bring a lot of money to taxi companies. People think there aren’t many disabled users because they aren’t booking taxis, but we don’t book them because there aren’t any available. There are loads of us”.

Extracts from interviews with Disability Action Groups – September 2023 to November 2023

“With key services not located in Whitby, people have to travel to different areas, which only leaves them with the choice of travelling by taxi. However, there is also a lack of WAV taxis”.

“The lack of availability of taxis that can incorporate mobility scooters increases isolation and takes away peoples’ independence. People rely on these services that public transport cannot always provide”.

“The loneliness and isolation really impact peoples’ health and wellbeing. There is anxiety over how to get there and back”.

“Only 1 wheelchair accessible taxi in the whole of Whitby and villages = additional cost”.

“Consistent issues to do with taxis have been raised. For example, there are difficulties in obtaining accessible taxis at certain times of the day, in the early morning (9am) and around 3pm-4pm. Taxi companies may already have contracts with schools, where they make consistent money to be a profitable business, so are unavailable at certain times of the day”.

“More wheelchair accessible vehicles need to be provided by taxi companies”.

“People book a local taxi, which charges for waiting time, which, if you’re going to a hospital appointment, will add up to £100. That wracks up and causes more stress and worry”.

“A wheelchair user with hidden disabilities took himself by bus to A & E in Scarborough but was unable to obtain a wheelchair taxi to get home late into the evening. He had no option but to stay in his wheelchair, in the hospital until 6am the following morning when he caught the first bus to Whitby”.

“An elderly lady in Sleights near Whitby being unable to book a wheelchair taxi in advance of dental appointments in Whitby. Across the whole of the NYC area, there will be many similar examples of patients being unable to attend essential appointments due to their inability to travel”.

“People just accept that they aren’t going to be able to get public, private or NHS transport and either don’t go to appointments or find other ways”.

“I don’t drive but I do use buses 4 or 5 times a week and trains 2 or 3 times a month. I would love to be able to rely on a local taxi operator with a WAV but the only one in town is mainly used for

school contracts. The call handlers for the business use several reasons why a local wheelchair user cannot use their WAV and, if they do quote, they quote a 50% surcharge on the meter rate”.

“Increases isolation, it takes away peoples' independence, people rely on these services and public transport cannot always provide. Ryedale is very rural. Scarborough is also quite rural. If these are not connected, then they cannot get around and do what they want to do. It's not the disability, it's the environment”.

“Some can drive and are autonomous, but others need taxis”.

“Not many companies allow for pre-booking after 5pm-5.30pm. For example, a young woman wanted to go out over Christmas, but knew it was nearly impossible to find a taxi to go home”.

“Not all older people want to stay at home but are made to. They work with several younger people who can't be spontaneous”.

“Availability and frequency - it would be ideal if every taxi to be wheelchair accessible”.

“Some taxis do have WAV's but there needs to be more, nationally, a lot of people are affected, and having so few vehicles is not fulfilling the need”.

Task and Finish Group

Draft Inclusive Service Plan (ISP)

Members of the Group considered some of the additional data and analysis of the availability and demand for wheelchair accessible taxis in North Yorkshire. Members acknowledged the need to take active steps to enhance the availability of wheelchair accessible vehicles (WAVs) in North Yorkshire. Members also noted that officers will evaluate the impact of the ISP within 12 months and therefore further recommendations may be made in due course to ensure that the ISP meets its objectives.

The Task and Finish Group agreed to make no recommendations to amend the Inclusive Service Plan, except where required to accommodate any amendments to the Draft Hackney Carriage and Private Hire Licensing Policy.

Wheelchair accessible hackney carriage vehicles

Members considered the proposal to limit the scope of suitable hackney carriage vehicles to WAVs and zero emission vehicles (ZEVs). Members were concerned that the scope was too narrow, which may have a significant impact on the trade both in terms of cost and in terms of their willingness to continue providing a hackney carriage service. The Group considered the obligations on the Council to support businesses by ensuring that each regulatory requirement is properly justified by the risk it seeks to address, balancing the cost of the requirement against the benefit to the public.

Members acknowledged the benefits of ZEVs in terms of the wider social benefits relating to air quality and climate change and, on that basis, considered it appropriate to include ZEVs within the scope of suitable vehicles alongside WAVs. However, Members were also satisfied that similar benefits could be derived from hybrid vehicles, albeit to a lesser extent.

Members acknowledged that widening the scope of suitable vehicles may impact on the number of additional WAVs that would become available. However, the Group recognised that, even with the inclusion of hybrids, it would still represent a significant limitation on vehicle suitability compared against the current arrangements. Members were therefore satisfied that such an amendment would still be likely to stimulate an increase in WAVs whilst affording more options to the hackney carriage trade, thereby mitigating the impact in terms of cost.

Members of the Group were not convinced that the proposed vehicle specification should apply to existing licensed vehicles from January 2030. Members noted that many proprietors would have purchased their vehicles with a reasonable expectation that they could be retained in accordance with the existing policy and therefore the Group considered the proposed implementation schedule to be disproportionate. Members were satisfied that the vehicle specification should be applied only to new applications and that existing licensed vehicles should retain grandfather rights until such time as they are no longer suitable (i.e. where the appearance, condition or mechanical fitness fails to reach the necessary standard).

The Task and Finish Group agreed to recommend that hybrid vehicles (as identified by the vehicle registration certificate or via a DVLA vehicle enquiry) be included within the scope of suitable hackney carriage vehicles.

The Task and Finish Group agreed to recommend that the revised hackney carriage vehicle specification should only apply to new applications submitted after implementation of the new policy.

Wheelchair accessible private hire vehicles

The Task and Finish Group acknowledged the likelihood that some proprietors may choose to operate a private hire service in future if new restrictions on vehicle suitability were only applied to hackney carriage vehicles. Members considered the possibility of applying a similar vehicle specification to private hire vehicles.

Members recognised that private hire vehicles must be booked in advance through an operator and therefore any accessibility needs can be discussed at the time of booking, which is not necessarily the case for hackney carriage vehicles. Although hackney carriage vehicles may be pre-booked, they can also be made available for immediate hire at taxi ranks, transport stations or at the roadside.

Members also recognised that a switch from a hackney carriage service to a private hire service is not entirely straightforward (due to the need for a private hire operator's licence, a private hire operator's base within North Yorkshire, comprehensive booking records and suitability checks on dispatch staff) and therefore the private hire option would not be viable for everyone. Furthermore, any hackney carriage drivers and proprietors switching to a private hire service would not be able to stand or ply for hire at any time (this includes waiting on a rank or responding to flag downs at the roadside or at train stations etc) and, for many, this would represent a fundamental business transformation.

It is therefore reasonable to conclude on the balance of probability that a significant number of hackney carriage drivers and proprietors would seek to retain their existing public hire service and continue to be available for immediate hire – Members noted that there is clearly a market for such activities, evidenced by the fact that hackney carriage services continue to thrive elsewhere (even where 100% wheelchair accessible taxi policies are in effect).

Members also noted common practices elsewhere in England Wales whereby 64.5% of all licensing authorities require all or part of their hackney carriage fleet to be wheelchair accessible while only 4.8% of licensing authorities require all or a part of their private hire fleet to be wheelchair accessible.

The Group acknowledged that the proposed approach would effectively give hackney carriage proprietors a third possible alternative to WAVs (along with ZEVs and hybrid vehicles) and, whilst this would inevitably lead to some hackney carriage vehicles being replaced by private hire vehicles, the number of wheelchair accessible taxis would still be expected to rise (along with the number of ZEVs and hybrid vehicles). Members noted that 82% of all licensed vehicles in England are private hire vehicles (and 18% hackney carriage). In contrast, 53% of all licensed vehicles in North Yorkshire are private hire vehicles (and 47% hackney carriage). On that basis, a shift to some extent from hackney carriage to private hire would not be problematic.

Members were therefore satisfied that the proposed vehicle specification for hackney carriage vehicles should not be extended to private hire vehicles. Members also acknowledged that this matter may be revisited in future if the objectives of the Inclusive Service Plan are not being met.

The Task and Finish Group agreed to make no recommendations to further limit the scope of suitable private hire vehicles.

Executive hire vehicles

Members of the Group considered the circumstances under which exemptions from displaying licence plates should be issued. At present, exemptions are applied in respect of executive vehicles, limousines and other novelty vehicles only in instances where the proprietor can demonstrate that a contract for hire is in place at least 24 hours prior to the commencement of the journey and the vehicle will not be used to undertake standard private hire work.

Members considered the possibility of allowing exemptions to be applied on an occasional basis in order to support businesses that undertake both executive hire work and standard private hire work. Members noted that these businesses are currently entitled to operate in this manner but they would not qualify for an exemption from displaying licence plates.

Members of the Group acknowledged the practical difficulties associated with temporary exemptions as many private hire operators will undertake occasional work that might be considered 'executive hire' but the requirement to display plates for all other types of journeys would be likely to lead to confusion and non-compliance.

Members also noted that the introduction of temporary exemptions would require the removal of the existing requirement for plates to be securely and permanently affixed to the vehicle and, again, this was considered a risk from both an enforcement and public safety perspective.

Members were, however, satisfied that the existing requirement for executive hire contracts to be in place at least 24 hours in advance of the journey was overly restrictive.

The Task and Finish Group agreed to recommend the removal of the requirement for executive hire contracts to be in place at least 24 hours before the commencement of a journey.

Vehicle testing frequency

Members of the Group considered the existing vehicle testing arrangements in light of the proposal to remove vehicle age limits.

Members noted that the existing policy requires vehicles to be tested once-a-year up to the age of 5 years, twice-a-year from 5 to 10 years and three-times-a-year for any vehicle over the age of 10 years. Members acknowledged that the triannual requirement was applied to ensure that vehicles licensed beyond the existing policy age limits were subject to additional control. However, the draft policy proposes to remove age limits altogether in favour of Euro emission standards and therefore the triannual testing requirements were considered overly burdensome in the context of the draft policy.

The Task and Finish Group agreed to recommend that vehicles remain subject to an annual test up to the age of 5 years and subject to biannual tests thereafter (with no additional requirement to be applied to vehicles over the age of 10 years).

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics
(Form updated October 2023)

Inclusive Service Plan (ISP) for Hackney Carriage and Private Hire Licensing

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔



Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	Environment, Licensing
Lead Officer and contact details	Simon Fisher, Service Development Lead simon.fisher@northyorks.gov.uk
Names and roles of other people involved in carrying out the EIA	Gareth Bentley, Head of Licensing gareth.bentley@northyorks.gov.uk
How will you pay due regard? e.g. working group, individual officer	Individual officers
When did the due regard process start?	January 2024

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

It is proposed to adopt a new Inclusive Service Plan (ISP) in relation to hackney carriage and private hire licensing in accordance with the Department for Transport's Best Practice Guidance.

The draft ISP sets out the proposed strategy for making transport more inclusive in relation to hackney carriage and private hire vehicle provision in North Yorkshire.

Among the recommendations in the draft ISP is to introduce a new requirement for all hackney carriage vehicles to be either wheelchair accessible vehicles (WAVs) or zero emission vehicles (ZEVs).

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

On 21 February 2023, the Executive of North Yorkshire County Council committed to developing a new ISP with a view to making transport more inclusive in relation to hackney carriage and private hire vehicle provision in North Yorkshire.

In November 2023, the Department for Transport published its new Taxi and Private Hire Vehicle Licensing Best Practice Guidance, which recommends that licensing authorities develop and maintain an ISP to describe:

- the demand for accessible services in their area;
- the authority's strategy for making transport more inclusive;
- the steps that the authority will take to improve the inclusivity of the taxi and private hire vehicle services; and
- the courses or assessments authorities require applicants to undertake.

The objectives of the draft ISP are:

- to improve the access and availability of licensed vehicles sufficiently to satisfy the demand for accessible services from wheelchair users and non-wheelchair users;
- to promote passenger rights by providing information in formats that all passengers can access in relation to the service that can be expected when travelling in hackney carriage and private hire vehicles;
- to deliver effective enforcement to ensure that users of licensed vehicles can be confident that any reports of non-compliance will be appropriately addressed; and
- to enhance the understanding of all licensed drivers, proprietors and operators in relation to the needs and legal rights of disabled people.

The Council has previously attempted to encourage more wheelchair accessible vehicles (WAVs) to be licensed in North Yorkshire by waiving the licence fee and relaxing the age limits. However, the number of hackney carriage WAVs in North Yorkshire remains very low and there is no reasonable expectation that this will change without further intervention.

Alternative options have subsequently been considered to address the shortage of wheelchair accessible vehicles (including imposing a mandatory wheelchair accessible requirement on all licensed vehicles). The current proposal, however, is considered a more reasonable and proportionate measure to satisfy the Council's public sector equality duty and its air quality obligations without imposing an unnecessary regulatory burden on businesses.

Further measures (including provision of information relating to passengers' rights and the Council's approach to dealing with complaints) are proposed to enhance the quality of the service offered by the licensed trade to all passengers with or without disabilities.

Section 3. What will change? What will be different for customers and/or staff?

If the ISP recommendations are implemented into the Hackney Carriage and Private Hire Licensing Policy following consultation, all applications for new hackney carriage vehicle licences from 1 April 2025 must be in respect of either a wheelchair accessible vehicle (WAV) or a zero-emission vehicle (ZEV). All hackney carriage vehicle licence renewal applications from 1 January 2030 must be in respect of either a wheelchair accessible vehicle (WAV) or a zero-emission vehicle (ZEV).

The proposed revision will narrow the scope of vehicles that may be licensed as hackney carriages in North Yorkshire and therefore may have cost implications on proprietors of licensed vehicles.

The proposal is intended to ensure that all customers are able to utilise hackney carriage services in future and an improved service will be offered to all passengers.

Customers will also have more access to information on passengers' rights and the Council's approach to dealing with complaints.

There will be minor changes for staff who will be advising the public and trade of the ISP and implementing any changes in their day-to-day procedures.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

Subject to Executive approval, the draft ISP will be consulted on for a period of 12 weeks to gauge the views of the public, the licensed trade and any other interested parties, including wheelchair users and their representatives. The Communications Team will be fully engaged in delivering the consultation. Any responses to the consultation will be considered by the Executive in due course prior to a decision being made.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

The proposals are cost neutral. The vast majority of the licensing authority's service costs (including the proposed consultation and any subsequent meetings) are recovered by way of licence fees and the service will continue to operate on the same cost-recovery basis in future.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age		✓		Mobility difficulties and accessibility needs are often more prominent with age. The draft ISP seeks to enhance the availability of suitable vehicles

Appendix C

				for wheelchair users. Further measures are proposed to enhance the quality of the service offered by the licensed trade to ambulant passengers with mobility difficulties and accessibility needs.
Disability		✓		The draft ISP seeks to enhance the availability of suitable vehicles for wheelchair users. Further measures are proposed to enhance the quality of the service offered by the licensed trade to wheelchair users and ambulant disabled passengers.
Sex	✓			
Race	✓			
Gender reassignment	✓			
Sexual orientation	✓			
Religion or belief	✓			
Pregnancy or maternity	✓			
Marriage or civil partnership	✓			
Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
...live in a rural area?	✓			
...have a low income?	✓			
...are carers (unpaid family or friend)?		✓		The draft ISP seeks to enhance the availability of suitable vehicles for wheelchair users, which should assist carers. Further measures are proposed to enhance the quality of the service offered by the licensed trade to wheelchair users, ambulant disabled passengers and their carers, family and friends.
..... are from the Armed Forces Community	✓			

Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)	
North Yorkshire wide	✓
Craven	
Hambleton	
Harrogate	
Richmondshire	
Ryedale	
Scarborough	
Selby	
If you have ticked one or more areas, will specific town(s)/village(s) be particularly impacted? If so, please specify below.	

Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.	
People of advanced age and with a disability will benefit more because of the improved access to wheelchair accessible vehicles.	
Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	✓
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	
The draft ISP is designed to enhance access for wheelchair users and to improve the service for all people with disabilities. The impact can only be a positive one.	

Section 11. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

The draft ISP makes arrangements for evaluation and review 12 months from implementation.

Ongoing dialogue with the trade and disabled passengers (including wheelchair users).
Monitoring the number of wheelchair accessible vehicles.

Section 12. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements
Evaluation and review 12 months from implementation.	Gareth Bentley and Simon Fisher	1 April 2026		Head of Licensing / Service Plan / quarterly KPIs
Ongoing dialogue with the trade and wheelchair users.	Gareth Bentley and Simon Fisher	Ongoing and by 1 April 2026		Head of Licensing
Monitoring the number of wheelchair and fully electric vehicles.	Gareth Bentley and Simon Fisher	Ongoing and by 1 April 2026		Head of Licensing / quarterly KPIs

Section 13. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

Research indicates that there is a shortage of licensed wheelchair accessible vehicles (WAVs) in North Yorkshire, and this is supported by comparisons with national data. The draft ISP is designed to enhance the availability of wheelchair accessible hackney carriage vehicles in the area.

The recommendation is to consult on the proposals and consider any responses in due course with a view to implementing the new ISP, with or without further amendments, from 1 April 2025.

Legal Services have been involved in the drafting of the ISP and in the preparation of the report.

Section 14. Sign off section

This full EIA was completed by:

Name:

Job title:

Directorate:

Signature:

Completion date:

Authorised by relevant Assistant Director (signature):

Date: