

North Yorkshire Council

Executive

17 December 2024

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

Report of the Corporate Director - Environment

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval to consult on the proposed adoption of a new Inclusive Service Plan in relation to hackney carriage and private hire licensing.

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 In line with the commitment made by the Executive in February 2023, and in accordance with the Department for Transport's Best Practice Guidance published in November 2023, a draft Inclusive Service Plan (ISP) has been produced and is attached at Appendix A.

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 Officers originally drafted an ISP (Appendix A), which recommended introducing a new requirement for all hackney carriage vehicles to be either wheelchair accessible vehicles (WAVs) or zero emission vehicles (ZEVs). It was also 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 could be renewed until 31 December 2029.
- 3.11 This 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 restrictions on the vehicle type. 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 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.

3.14 In September 2024, a Task and Finish Group (comprising six Members of the General Licensing and Registration Committee) was established to consider the original draft ISP and policy in further detail. The findings of the Task and Finish Group are attached at Appendix B and their recommendations were approved by the General Licensing and Registration Committee on 11 November 2024. The minutes of the General Licensing and Registration Committee meeting are attached at Appendix C.

3.15 In general, the Task and Finish Group and, subsequently, the General Licensing and Registration Committee supported officers' proposals but recommended two notable amendments to the Draft ISP as follows:

- The original proposed vehicle specification (identifying only WAVs and ZEVs within the scope of suitable hackney carriage vehicles) was considered too narrow, which raised concerns from Members that it may have an impact on the trade both in terms of cost and in terms of proprietors' willingness to continue providing a hackney carriage service. Accordingly, hybrid electric vehicles (HEVs) were included within the scope of suitable vehicles.
- The original proposal to prohibit hackney carriage vehicle licence renewals beyond December 2029 in instances where the vehicle did not comply with the new vehicle specification was considered disproportionate. 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 implementation schedule was revised to ensure that all existing vehicles would retain 'grandfather rights' until they are no longer fit for purpose. The revised vehicle specification now applies only to new applications.

3.16 A draft ISP incorporating these recommendations from the General Licensing and Registration Committee (highlighted in green) is attached at Appendix D.

3.17 It is proposed to consult with the public and the licensed trade for a period of 12 weeks before returning this matter to the Executive to make a decision in light of any responses received.

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 satisfy the Council's public sector equality duty

and its 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. The relevant officers have been consulted and support the proposals in this regard.

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.

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 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 E.

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.
- 10.2 A Climate Change Impact Assessment is attached at Appendix F.

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 must have regard to the Department for Transport's Best Practice Guidance.

14.0 RECOMMENDATION

14.1 To consider the draft Inclusive Service Plan attached at Appendix A and the alternative version recommended by the General Licensing and Registration Committee at Appendix D.

14.2 To approve the content of the draft Inclusive Service Plan attached at Appendix D as a draft for consultation, subject to the removal of the hybrid electric vehicle (HEV) option in relation to the hackney carriage vehicle specification.

14.3 To approve the commencement of a public consultation to seek views on the draft Inclusive Service Plan and any viable alternatives, including the hybrid electric vehicle (HEV) option.

APPENDICES:

Appendix A – Draft Inclusive Service Plan

Appendix B – Task and Finish Group Findings

Appendix C – Minutes of General Licensing and Registration Committee

Appendix D – Draft Inclusive Service Plan with committee recommendations applied

Appendix E – Equality Impact Assessment

Appendix F – Climate 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)

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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.



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>	9
<u>Disability in the UK and in North Yorkshire</u>	9
<u>Wheelchair users in the UK and in North Yorkshire</u>	9
<u>North Yorkshire Council</u>	10
<u>Objectives</u>	11
<u>Consultation</u>	11
<u>Hackney carriage and private hire drivers</u>	12
<u>Driver duties</u>	12
<u>Driver training</u>	12
<u>Private hire operators</u>	14
<u>Private hire operator duties</u>	14
<u>Complaints to private hire operators</u>	14
<u>Bookings and dispatch staff</u>	14
<u>Hackney carriage and private hire vehicles</u>	15
<u>Vehicle specification</u>	15
<u>Complaints</u>	15
<u>Wheelchair accessible vehicles</u>	15
<u>Overcoming the barriers to providing wheelchair accessible services</u>	17
<u>List of designated wheelchair accessible vehicles</u>	18
<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>	25
<u>Extracts from interviews with wheelchair users</u>	25
<u>Extracts from interviews with Disability Action Groups</u>	26

Introduction

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.

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.

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.

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.

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

According to the Office of National Statistics' Census 2021 results, 17.7% of the population of England were disabled.

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

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

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%

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

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.

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.

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.

The Council must therefore balance its responsibilities and deliver licensing services in a fair, safe and legal way.

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

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".

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 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.

Objectives

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.
- 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

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

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.

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

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

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.

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

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 \(2024\)](#)

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.

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

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.

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

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

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

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.

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.

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

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

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.

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.

The vehicle specification is subject to review as a proposed outcome of this Inclusive Service Plan.

Complaints

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.

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.

Further information about how to complain is published on the Council's website.

Wheelchair accessible vehicles

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.

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

According to the DfT Statistics report, metropolitan areas tended to have higher proportions of wheelchair accessible vehicles.

North Yorkshire is classified by DEFRA as 'largely rural', meaning that between 50% and 79% of the population resides in rural areas.

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.

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.

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.

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.

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.

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).

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).

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.

Only 4.8% of licensing authorities in England and Wales require all or a part of their private hire fleet to be wheelchair accessible.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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

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.

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 \(Nov 2023\)](#)

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.

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

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.

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.

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.

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

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.

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

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.

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

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.

The Council has committed to using its available powers to ensure that drivers or operators who discriminate against disabled passengers are held accountable.

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.

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

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.

The Council acknowledges its responsibility to make reasonable adjustments to remove barriers preventing disabled people from accessing hackney carriage and private hire vehicle services.

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

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).

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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

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.

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.

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

The Council is committed to monitoring the delivery of this Inclusive Service Plan and evaluating its impact.

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.

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.

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).

North Yorkshire Council

General Licensing and Registration Committee

Minutes of the meeting held on Monday, 11 November 2024 commencing at 2.00 pm.

Councillor Tim Grogan in the Chair plus Councillors Kevin Foster, Joy Andrews, Alyson Baker, Derek Bastiman, Philip Broadbank, Barbara Brodigan, John Cattanach, Felicity Cunliffe-Lister, Stephanie Duckett, Richard Foster, Robert Heseltine, Mike Jordan, Andrew Lee, Andy Paraskos, Jack Proud, Subash Sharma, Andy Solloway (remote), Malcolm Taylor, Angus Thompson and Andrew Timothy (as a substitute for Councillor Roberta Swiers)

Officers present: Gareth Bentley, Fiona Casson, Simon Fisher and St John Harris

Apologies: Councillors John Mann and Roberta Swiers

Copies of all documents considered are in the Minute Book

14 Apologies for absence

Apologies noted (see above)

15 Minutes of the meeting held on 3 September 2024

The minutes of the meeting held on 3 September 2024 were confirmed and signed as an accurate record.

16 Declarations of interests

It was noted that all members of the committee had been lobbied by certain individuals in respect of the Inclusive Service Plan but retained an open mind before the proposals in the report.

17 Public participation

The following two public statements had been submitted to the committee and were presented at the next agenda item.

Jackie Snape (Chief Executive of Disability Action Yorkshire)

Current Situation:

In the UK, 1.85% of the population depends on a wheelchair for daily mobility—a statistic that translates to around 11,200 wheelchair users in North Yorkshire, given its population of 604,900. Currently, of the 777 licensed hackney carriage vehicles, only 69 are wheelchair-accessible vehicles (WAVs), while just 40 of the 836 private hire vehicles (PHVs) are WAVs. This equates to only one wheelchair-accessible hackney carriage for every 162 people in need and an astonishing 280 people per WAV PHV. These numbers highlight a significant gap in accessible transport for wheelchair users across the region.

While we appreciate that this proposal focuses solely on hackney carriage wheelchair-accessible vehicles (WAVs), it is important to highlight the major concern that even when

disabled individuals manage to secure a wheelchair-accessible private hire vehicle (PHV)—which is increasingly challenging—they remain vulnerable to discrimination and exploitation. Without fare regulation by NYC, these passengers face unpredictable and often inflated charges.

Barriers from the Taxi Trade:

We have been informed, directly by the taxi trade, that several licensed WAVs remain inactive due to drivers' concerns, including:

- Lower earnings compared to non-WAV drivers
- Reluctance to assist wheelchair users due to the risk of getting wet, injury, or inconvenience

In Harrogate, for instance, after 5 pm only a single WAV is available, and it is reserved for NHS purposes.

In the event of a mandate requiring a specified number of WAVs in a hackney fleet, drivers have threatened to switch to private hire to avoid compliance.

Experiences of Disabled People:

Disabled residents report consistent, distressing challenges in accessing WAV taxis:

Medical Appointments: Last week, a resident who booked a WAV taxi a week in advance was repeatedly told none were available.

Exorbitant Costs: Another resident had to pay **£87 for a 2-mile journey** to their GP, needing to book a WAV from Leeds due to local unavailability.

Social Isolation: A young disabled woman shared that she no longer goes out at night, unable to secure accessible transportation and feeling unsafe to go into town in the dark. She states 'even if I can get into town I know there is no way I can get back in a taxi, I am being penalised for being disabled'

Equal Access is a Basic Right:

Disabled people have the same rights as anyone else to participate in daily life—work, social activities, appointments, and education. They deserve reliable, safe, and affordable access to transport without incurring additional costs or barriers.

A Call to Action:

While many local authorities have moved toward 100% wheelchair-accessible taxi fleets or set a reasonable quota, North Yorkshire Council seems to have disregarded the needs of its disabled residents, prioritising the convenience of the taxi trade instead.

We urge you to reconsider North Yorkshire's approach to WAV accessibility, recognising the fundamental rights of disabled people to move freely within their communities. A balanced solution would respect and support both disabled residents and the taxi trade, fostering a community where accessible transportation is a shared priority.

Ian Lawson (Chair of Accessible Transport Group)

I believe that the recommendations from the Task & Finish group do not align with the vision within the NYC Council Plan for a good quality of life for all. The Plan emphasises your PSED to eliminate discrimination and advance equality of opportunity. Wheelchair using residents of North Yorkshire do not believe that the proposals from this committee will satisfy that duty.

The Government has issued Best Practice Guidance to promote the provision of safe, accessible, available and affordable taxi and PHV services since 2006, yet here we are in 2024 when the council's own Review of the Licensing Policy confirms the need for 200 more wheelchair accessible taxis. Despite the fact that wheelchair users have been lobbying the 7 Borough & District councils for many, many years for more wheelchair taxis, we believe that the licensing committee still does not understand how much the lack of wheelchair taxis impacts negatively on the lives of wheelchair users. The lack of frequent and accessible bus services across North Yorkshire adds to the isolation of wheelchair

users.

The Guidance warns against policy changes that result in unfair competition and have unintended consequences. We believe that imposing restrictions on taxis, but not on equally polluting PHVs, distorts the choice of taxi drivers towards more PHVs. Given the ending of the 10 year age limit for taxis and the option to operate a ZEV or hybrid taxi well into the 2030s why does the committee believe their proposals will result in any more wheelchair taxis in the next 10 years? We also challenge the unevidenced belief of the NYC licensing officers that taxi drivers will not apply to become PHV drivers. Online reports from the USA and Canada make it clear that PHV operators do not provide an equitable service for wheelchair users, when compared with non-WAV operators.

The Guidance also states that licensing authorities should incentivise the uptake of WAVs where mandating them would be inappropriate. The council did include incentives at the start of the current 5-year Policy which have not worked so why not mandate for more wheelchair taxis now? The EIA in the Proposals does not provide evidence why a mandate now in NYC will not work. For comparison, Exeter Council will only consider an application for a ULEV or hybrid taxi once half the taxi fleet is wheelchair accessible. After that, licences will only be issued on a one-to-one basis.

We believe that the Proposals have been influenced disproportionately in favour of taxi & PHV operators, as opposed to the benefit of wheelchair users. No targets or KPIs are included in the Proposals so how will the Committee judge the success of their proposals going forward?

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

Considered

The report of the Corporate Director – Environment in respect of a new Inclusive Service Plan in relation to hackney carriage and private hire licensing.

Introducing the report, the Head of Licensing advised that in response to the committee's comments the draft Inclusive Service Plan had been expanded to include further information about wheelchair accessible hackney carriage and private hire vehicles, and wheelchair users and their views and experiences of using taxis. The findings and recommendations of the Task and Finish Group established by the committee at its last meeting were appended to this and the next report and were referred to in both covering reports, since if accepted by the committee, they would impact on the wording of both the draft Inclusive Plan and the new draft Hackney Carriage and Private Hire Licensing Policy.

Members of the committee then discussed the report and asked questions. Key points made were as follows:

- Euro 6 emission standards were introduced some ten years ago for new vehicles, so by the licensing authority adhering to the 10 year age limit on both hackney carriage and private hire vehicles Euro 6 had effectively been adopted by default for most of these vehicles
- The council's own vehicle fleet were also required to adhere to Euro 6
- In response to the representations made by Mr Lawson and Ms Snape, Councillor Kevin Foster commented that the view of the Task and Finish Group was their recommendations were a step in the right direction to form the basis of a public consultation on a draft Inclusive Service Plan. He was disappointed by the low percentage of taxis which were wheelchair accessible and the high charges; however he did not believe that mandating wheelchair accessible vehicles was the way forward at this stage, but instead the draft ISP sought to incentivise the trade

to do so whilst mitigating the cost of their introduction

It was proposed that instead of the Task and Finish Group's recommendations being presented as a series of further amendments to the draft Inclusive Service Plan appended to the report, that the recommendations be adopted by the committee and the draft Inclusive Service Plan amended accordingly into a single version for consideration by the Executive.

Resolved that the committee:

Recommend to the Executive that the Inclusive Service Plan contained in Appendix A, subject to the amendments proposed by the Task and Finish Group, is the subject of public consultation

19 Review of the Hackney Carriage and Private Hire Licensing Policy

Considered

The report of the Corporate Director – Environment in respect of a proposal to revise the Council's Hackney Carriage and Private Hire Licensing Policy.

Since the Inclusive Service Plan formed a large part of the revised Hackney Carriage and Private Hire Licensing Policy and the Task and Finish Group's recommendations also encompassed other aspects of the revised policy, it was proposed that instead of the Task and Finish Group's recommendations being presented as a series of further amendments to the draft Hackney Carriage and Private Hire Licensing Policy appended to the report, that the recommendations be adopted by the committee and the draft Hackney Carriage and Private Hire Licensing Policy amended accordingly into a single version for consideration by the Executive.

Resolved that the committee:

Recommend to the Executive that the Hackney Carriage and Private Hire Licensing Policy contained in Appendix B, subject to the amendments proposed by the Task and Finish Group, is the subject of public consultation

20 Any other items

There were no urgent items of business.

The meeting concluded at 2.50 pm.



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>	33
<u>Disability in the UK and in North Yorkshire</u>	33
<u>Wheelchair users in the UK and in North Yorkshire</u>	33
<u>North Yorkshire Council</u>	34
<u>Objectives</u>	35
<u>Consultation</u>	35
<u>Hackney carriage and private hire drivers</u>	36
<u>Driver duties</u>	36
<u>Driver training</u>	36
<u>Private hire operators</u>	38
<u>Private hire operator duties</u>	38
<u>Complaints to private hire operators</u>	38
<u>Bookings and dispatch staff</u>	38
<u>Hackney carriage and private hire vehicles</u>	39
<u>Vehicle specification</u>	39
<u>Complaints</u>	39
<u>Wheelchair accessible vehicles</u>	39
<u>Overcoming the barriers to providing wheelchair accessible services</u>	41
<u>List of designated wheelchair accessible vehicles</u>	42
<u>Non-compliance</u>	44
<u>Next steps</u>	45
<u>Proposed measures to satisfy the ISP objectives</u>	45
<u>Evaluation and review</u>	47
<u>Appendix 1 – Feedback from accessible transport users</u>	49
<u>Extracts from interviews with wheelchair users</u>	49
<u>Extracts from interviews with Disability Action Groups</u>	50

Introduction

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.

According to the Department for Transport's Taxi and Private Hire Vehicle Statistics, England (2024)¹⁹, 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.

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.

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.

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

According to the Office of National Statistics' Census 2021 results, 17.7% of the population of England were disabled.

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 2021²⁰

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 increases²¹.

Wheelchair users in the UK and in North Yorkshire

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 England²².

¹⁹ [Department for Transport's Taxi and Private Hire Vehicle Statistics, England \(2024\)](#)

²⁰ [Disability - England and Wales: Census 2021](#)

²¹ [Department for Transport's Taxi and Private Hire Vehicle Statistics, England \(2023\)](#)

²² 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%

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

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.

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.

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.

The Council must therefore balance its responsibilities and deliver licensing services in a fair, safe and legal way.

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

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".

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 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.

Objectives

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.
- 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

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

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.

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

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 so²³. 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 passenger²⁴. 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 assistance²⁵.

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 so²⁶. 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 grounds²⁷.

Driver training

According to the Department for Transport's Taxi and Private Hire Vehicle Statistics, England (2024)²⁸, 67% of all licensing authorities require taxi drivers to undergo disability awareness training.

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

²³ Section 164A of the Equality Act 2010

²⁴ Section 164A of the Equality Act 2010

²⁵ Section 165A of the Equality Act 2010

²⁶ Section 168 of the Equality Act 2010

²⁷ Section 165 of the Equality Act 2010

²⁸ [Department for Transport's Taxi and Private Hire Vehicle Statistics, England \(2024\)](#)

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.

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

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.

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

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 services²⁹.

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 disabled³⁰.

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 dog³¹.

A private hire operator cannot make any additional charge for the carrying out of any duty imposed on the driver of the private hire vehicle³².

Complaints to private hire operators

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

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.

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.

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.

²⁹ Section 20 of the Equality Act 2010

³⁰ Section 167A of the Equality Act 2010

³¹ Section 170 of the Equality Act 2010

³² Section 167A of the Equality Act 2010

Hackney carriage and private hire vehicles

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

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.

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.

The vehicle specification is subject to review as a proposed outcome of this Inclusive Service Plan.

Complaints

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.

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.

Further information about how to complain is published on the Council's website.

Wheelchair accessible vehicles

According to the Department for Transport's Taxi and Private Hire Vehicle Statistics, England (2024)³³, 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.

³³ [Department for Transport's Taxi and Private Hire Vehicle Statistics, England \(2024\)](#)

According to the DfT Statistics report, metropolitan areas tended to have higher proportions of wheelchair accessible vehicles.

North Yorkshire is classified by DEFRA as 'largely rural', meaning that between 50% and 79% of the population resides in rural areas.

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.

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.

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.

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.

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.

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).

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).

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.

Only 4.8% of licensing authorities in England and Wales require all or a part of their private hire fleet to be wheelchair accessible.

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.

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.

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.

According to the Department for Transport's Taxi and Private Hire Vehicle Licensing Best Practice Guidance³⁴, 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.

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.

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 passengers³⁵.

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.

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.

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.

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

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.

³⁴ [Department for Transport's taxi and private hire vehicle licensing best practice guidance \(Nov 2023\)](#)

³⁵ [Department for Transport's taxi and private hire vehicle licensing best practice guidance \(Nov 2023\)](#)

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.

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

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.

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.

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.

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

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.

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

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.

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

In accordance with the Department for Transport's statutory guidance on access to taxis and private hire vehicles for disabled users³⁶, the government expects licensing authorities to take tough action where drivers or operators breach their duties under the Equality Act 2010.

The Council has committed to using its available powers to ensure that drivers or operators who discriminate against disabled passengers are held accountable.

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.

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.

³⁶ [DfT statutory guidance on access to taxis and private hire vehicles for disabled users](#)

Next steps

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.

The Council acknowledges its responsibility to make reasonable adjustments to remove barriers preventing disabled people from accessing hackney carriage and private hire vehicle services.

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

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) **or a hybrid electric vehicle (HEV).**

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.

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~~ **until they are no longer fit for purpose, but new hackney carriage vehicle licences will only be granted in respect of WAVs, ZEVs and HEVs.**

The Council recognises that ZEVs **and HEVs** 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 **and HEVs** 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.

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.

It is therefore not considered necessary to also apply the WAV/ZEV/**HEV** 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.

Hackney carriage vehicle proprietors unwilling or unable to acquire a suitable WAV, ZEV **or HEV** may consider adapting their service to a private hire operation with no such restriction on the vehicle type. 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.

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.

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.

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.

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.

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.

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.

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 the list of designated WAVs should be accompanied by any further information that may be of benefit to residents and visitors.

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.

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.

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.

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.

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.

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.

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.

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

The Council is committed to monitoring the delivery of this Inclusive Service Plan and evaluating its impact.

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.

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.

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”.



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 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.

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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.

Tick option chosen

(Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	
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
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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: Gareth Bentley

Job title: Head of Licensing

Directorate: Environment

Signature: Gareth Bentley

Completion date: 23/10/2024

Authorised by relevant Assistant Director (signature): Callum McKeon

Date: 04/12/2024

Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Version 2: amended 11 August 2021

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Consultation on the adoption of new Inclusive Service Plan and review of existing Hackney Carriage and Private Hire Licensing Policy
Brief description of proposal	Adopt / review policy with a focus on how the Council will promote inclusivity and climate change impact in its Hackney Carriage and Private Hire licensing service.
Directorate	Environment
Service area	Licensing
Lead officer	Gareth Bentley
Names and roles of other people involved in carrying out the impact assessment	Simon Fisher
Date impact assessment started	June 2024

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

Options are detailed in the report. The following options are being considered:

Stay the same, introduce Euro 6 standards for petrol / diesel vehicles, introduce a limited requirement to provide fully electric vehicles and to include hybrid vehicles as an additional choice.

At this stage, the proposal is to consult on available options. A further report will analyse the consultation responses and recommend final policy detail.

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

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

There will be no impact on Council budgets. Any costs associated with the review will be recovered through licence fees.

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>		
<p>Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	Emissions from travel	√			<p>It is proposed to reduce emissions from licensed vehicles with phased implementation beginning in summer 2025.</p>		See the report for detail.	
	Emissions from construction		√					
	Emissions from running of buildings		√					
	Emissions from data storage		√					
	Other		√					
<p>Minimise waste: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>		√						
<p>Reduce water consumption</p>		√						

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Minimise pollution (including air, land, water, light and noise)</p>	√			<p>See above.</p>		
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>	√			<p>The proposals will reduce greenhouse gas emissions from vehicles.</p>		
<p>Enhance conservation and wildlife</p>		√				
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		√				
<p>Other (please state below)</p>		√				

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

There are no specific recognised standards in this area.

Summary Summarise the findings of your impact assessment, including impacts, the 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.

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

Sign off section

This climate change impact assessment was completed by:

Name	Gareth Bentley
Job title	Head of Licensing
Service area	Licensing
Directorate	Environment
Signature	
Completion date	9 December 2024

Authorised by relevant Assistant Director (signature): Callum McKeon

Date: 09 December 2024