

## Wheelchair accessible vehicles (WAVs)

1. 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.
2. According to the Department for Transport's Best Practice Guidance, "disabled people are particularly reliant on taxi and private hire vehicle services, either because they may not have access to a private car, are unable to use public transport, or because the built environment is insufficiently accessible to meet their needs. This can mean that the availability of an accessible, affordable taxi or private hire vehicle service can make the difference that allows them to live their life the way they want to, and ultimately, to fulfil their potential. The government wants disabled people to be able to travel easily, confidently and without additional cost, and it is important that all transport services play their part in making this a reality".
3. The current Hackney Carriage and Private Hire Licensing Policy imposes no requirement on licensed vehicles to be wheelchair accessible.

### Proposal

4. **To introduce a requirement for all new hackney carriage vehicle licence applications to be in respect of either a wheelchair accessible vehicle (WAV), a zero-emission vehicle (ZEV), or a hybrid electric vehicle (HEV) that meets the Euro 6 standards for emissions. In order to give existing licence holders sufficient time to make arrangements for replacement vehicles, it is proposed to apply 'grandfather rights' to any existing licensed hackney carriage vehicles until they are no longer fit for purpose.**

### Rationale

5. In accordance with section 149 of the Equality Act 2010, North Yorkshire Council must have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic (including disability) and persons who do not share it.
6. According to Department for Transport data, 39% of all licensed hackney carriage vehicles outside London are wheelchair accessible. 13.5% of hackney carriage vehicles are wheelchair accessible across all 'largely rural' areas in England and Wales.
7. North Yorkshire Council currently licenses 60 wheelchair accessible hackney carriage vehicles (8.7% of the total hackney carriage fleet), which represents one WAV for every 10,250 people in its population. Nationally, the best WAV:population ratios in rural areas are approximately one WAV for every 2,000 to 3,000 people.
8. 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 very low.
9. A number of options have been considered to address the shortage of wheelchair accessible vehicles (including imposing a mandatory wheelchair accessible requirement on all licensed vehicles). However, the Council must balance its proposals against any additional duties and obligations. This includes avoiding imposing unnecessary regulatory burdens where the outcome could be achieved by less burdensome means in accordance with the Regulators' Code. It also includes consideration of any air quality implications.

10. 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 revision to the 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 proposals facilitate compliance with the Council's public sector equality duty and its air quality obligations, giving vehicle proprietors multiple options with wider social benefits.
11. Wheelchair users will often pre-book licensed vehicles and therefore an adequate supply of wheelchair accessible private hire vehicles is also necessary. At present, 8.5% of the private hire vehicles in North Yorkshire are wheelchair accessible under existing arrangements – slightly above the average of 7.2% across all 'largely rural' areas in England and Wales.
12. Further measures will be taken to encourage more wheelchair accessible private hire vehicles to be licensed on a voluntary basis but, as any accessibility needs can be discussed at the time of booking a private hire vehicle, it is 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 wherever possible.
13. A hackney carriage vehicle can be hailed by passengers on the roadside, and it can stand on a rank to await the approach of passengers in addition to being pre-booked by telephone. On that basis, there is a greater need to ensure adequate provision of wheelchair accessible hackney carriage vehicles as accessibility needs cannot necessarily be discussed in advance.
14. Hackney carriage vehicle proprietors unwilling or unable to acquire a suitable vehicle may consider adapting their service to a private hire operation with no such WAV, ZEV or HEV 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.

#### Projected outcomes

15. Analysis can project the expected outcomes of the proposed Hackney Carriage Vehicle Specification, focusing on current fleet compliance, projected replacement patterns, and anticipated effects on vehicle types, accessibility, and emissions.

#### **Current Fleet Profile**

16. North Yorkshire Council currently licenses 687 hackney carriage vehicles (HCVs). Their fuel types and wheelchair-accessible vehicle (WAV) status are:

<b>Fuel Type</b>	<b>WAV Count</b>	<b>Total</b>
Diesel	58	448
Petrol	1	43
Hybrid Electric (HEV)	1	177
Zero Emission (ZEV)	0	19

## Vehicles Compliant with Proposed Specification

17. 255 vehicles of the existing fleet are wheelchair accessible vehicles (WAVs), hybrid electric vehicles (HEVs) or zero emission vehicles (ZEVs) and are therefore already compliant with the proposed criteria. Of those 255 vehicles, compliance is achieved by:
  - 23.5% by virtue of their WAV categorisation
  - 69% by virtue of their HEV categorisation
  - 7.5% by virtue of their ZEV categorisation
18. 432 currently licensed hackney carriage vehicles do not comply with the proposed vehicle specification.

## Projected Fleet Impacts of Vehicle Replacement

### Scenario A – Direct Proportional Replacement of All 432 Non-Compliant Vehicles

19. If all non-compliant vehicles were replaced in line with existing proportions of compliant types, it would have the following impact:
  - 101 additional WAVs
  - 298 additional HEVs
  - 33 additional ZEVs

This scenario assumes:

  - No behavioural change among proprietors
  - No switching from HCV to PHV
  - Market availability and affordability remain constant
20. This is considered theoretical and optimistic, given business patterns and expected operator responses.

### Scenario B – Adjusted Replacement (50% Replacement Assumption)

21. It is anticipated that a substantial number of the existing hackney carriage vehicle proprietors will opt to license vehicles as private hire vehicles when their current vehicle is no longer fit for purpose. The likelihood of all 432 vehicles being replaced as hackney carriages is therefore low.
22. However, a switch to private hire would have wider implications, including the need for every journey to be pre-booked (which must be via a licensed private hire operator). It would therefore only be considered in instances where such an approach suits the proprietor's business needs.
23. Assuming a 50% transition to PHV licences (216 vehicles), only 216 vehicles would ultimately be replaced in compliance with the proposed hackney carriage vehicle specification.
24. If 216 hackney carriage vehicles are replaced in line with existing proportions of compliant types, it would have the following impact:
  - 51 additional WAVs
  - 149 additional HEVs
  - 16 additional ZEVs
25. This scenario is considered a more realistic outcome than Scenario A.

## Summary

26. WAV and ZEV uptake remains limited by price. ZEV uptake is also limited by battery range and charging infrastructure, but national trends indicate growth. The market is therefore expected to favour HEV uptake due to lower upfront and running costs.
27. While the likely impact is difficult to quantify, the proposed specification is considered highly likely to deliver improved accessibility. Even with conservative assumptions, the fleet is projected to gain additional WAVs over time, expanding accessible transport options. Similarly, the fleet is projected to gain additional ZEVs over time, thereby reducing emissions from licensed vehicles.
28. Full compliance will take several years, as vehicle replacement depends on vehicle life cycles, financial readiness, and market availability.

<b>Impact area</b>	<b>Expected Outcome</b>
Accessibility	Improved, but dependent on WAV growth.
Emissions	Steady long-term reductions - quicker if ZEV uptake increases.
Fleet composition	Gradual shift toward HEV and modestly increased WAV and ZEV presence.
Economic	Financial pressure on proprietors. Risk of fleet reductions.
Licensing patterns	Noticeable migration from HCV to PHV expected.
Implementation timeline	Medium to long term (multi-year transition but with immediate commencement).

### Vehicle age limits

29. The current Hackney Carriage and Private Hire Licensing Policy requires all licensed vehicles (except WAVs) to be under the age of 10 years at the time of a new or renewal application.
30. According to the Department for Transport's Best Practice Guidance, licensing authorities should not impose age limits on licensed vehicles. Instead, they should consider more targeted requirements to meet their policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low.

### Proposal

31. **To remove the age limit in respect of licensed vehicles and to replace it with a requirement to meet the Euro 6 emission standards. It is proposed to apply the minimum Euro emission standards to all new licences (with the exception of wheelchair accessible vehicles) on implementation of the revised policy. Any vehicles licensed prior to implementation will effectively retain grandfather rights.**

### Rationale

32. According to the Department for Transport's Best Practice Guidance, the setting of an arbitrary age limit may be inappropriate, counterproductive and result in higher costs to the trade and ultimately passengers.
33. Vehicles manufactured from 2015 must meet the Euro 6 standard and therefore any vehicles that would have complied with existing requirements will remain suitable after implementation.
34. As authorities begin to implement alternatives to vehicle age limits, the risk of becoming the authority of choice for proprietors unable to obtain licences from their home authority will be reduced.

### Vehicle testing frequency

35. The current policy requires all licensed vehicles to be tested prior to each new or renewal application. A second test is required midway through the licence period in respect of any vehicle over the age of 5 years and, in the case of any vehicle over the age of 10 years that has been licensed following consideration of the exceptional circumstances, three tests are required each year.

### Proposal

36. To consistently apply the frequency of vehicle testing as follows:
  - A test will be required on initial application for all vehicles over the age of 3 months;
  - A test will be required on renewal (i.e. every 12 months) for all vehicles under the age of 5 years;
  - Biannual tests (i.e. every six months) will be required for all vehicles aged between 5 and 10 years;
  - Triannual tests (i.e. every four months) will be required for all vehicles over the age of 10 years.

Rationale

37. It is not considered necessary for new vehicles (i.e. vehicles under the age of three months) to be subject to a mechanical inspection.
38. An annual test is considered appropriate for all vehicles under the age of five years and a biannual test is considered appropriate for all vehicles aged between five and 10 years. No changes are therefore proposed in this regard.
39. The requirement to undergo three tests per year currently applies only to vehicles over the age of 10 years that have been granted a licence on the basis of exceptional circumstances. No equivalent measure was applied to WAVs over the age of 10 years because WAVs are currently exempt from the age limit requirements and are therefore not necessarily subject to consideration of exceptional circumstances.
40. According to the Department for Transport's Best Practice Guidance, more frequent tests may be appropriate for older vehicles which may be more prone to mechanical defects. If the proposals relating to vehicle age limits are adopted, it is likely that more vehicles over the age of 10 years will be licensed in North Yorkshire, particularly as manufacturing standards have been raised and vehicles may remain suitable for longer.

**Restricted private hire driver licences**

41. Currently, all licensed drivers are subject to the same application criteria in terms of criminal record checks, medical assessments, appropriate training and Council knowledge tests.
42. Officers have been made aware that the Council's knowledge test represents a significant barrier to some applicants who have no need to possess licensing knowledge of matters relating to taxi ranks, meters, fares etc because they intend to work only in relation to school or social care contracts.

Proposal

43. To offer applicants the opportunity to apply for a restricted private hire driver licence for the sole purpose of fulfilling school or social care contracts agreed between private hire operators and North Yorkshire Council.

Rationale

44. Applicants for a restricted private hire driver licence would be invited to undergo a simplified knowledge test designed specifically to demonstrate their knowledge of related matters only. Compliance in this regard would replace the requirement to pass the existing hackney carriage and private hire driver knowledge test.
45. All other application criteria relating to criminal record checks, medical assessments and other training will continue to be required.
46. A condition will be imposed on all restricted private hire driver licences to ensure that the holder of such a licence is only permitted to drive licensed private hire vehicles for the purposes of fulfilling a school or social care contract.

**Driver medical assessments**

47. Under the current policy, all applicants for a hackney carriage and private hire driver licence must submit a medical and vision assessment along with their initial application and every three years thereafter until they reach the age of 65 years, at which point annual assessments are required.
48. According to the Department for Transport's Best Practice Guidance, licensing authorities should apply the DVLA Group 2 standards in terms of criteria and frequency.

**Proposal**

49. To retain the requirement to submit a medical and vision assessment on application but only to require further assessments for drivers over the age of 45 years (every five years). Drivers over the age of 65 years would continue to be subject to annual assessments.

**Rationale**

50. This proposal is in line with the Department for Transport's Best Practice Guidance. Further medical assessments may be requested in the event of a specific concern.

**Hackney Carriage & Private Hire Vehicles**

51. Vehicle specification – to quantify the minimum boot capacity to remove ambiguity over what is 'sufficient' (no longer applicable to private hire as any requirements can be discussed at the time of booking and therefore the Council does not need to be overly prescriptive about luggage space). Prohibit the use of roof racks and other storage devices (to ensure nothing interferes with the HC roof sign). Require that vehicle modifications (post-grant) are subject to the Individual Vehicle Approval (IVA) scheme.
52. Vehicle inspections - to remove the requirement for a vehicle inspection when the vehicle is less than three months old (from date of registration). To require vehicle inspections to be conducted no more than one month prior to the application date.
53. Proprietors - required to submit a certificate of good conduct for all directors and partners (who have lived abroad for more than six months in the last ten years) of company applicants and to require that basic DBS checks are no more than three months old at the time of application.
54. Changing a hackney carriage vehicle – a new paragraph has been inserted to clarify that licences cannot be transferred from one vehicle to another, but fee reductions may be available on request (currently £20 per full month remaining but this amount is subject to change over time and has therefore not been specified in the policy).

### **Hackney Carriage & Private Hire Drivers**

55. Type and duration – amended to confirm that the Council will consider single HC or PH driver licences where requested. Clarification given on the circumstances under which a licence will be issued for less than three years.
56. Language proficiency - new paragraphs to acknowledge the importance of language proficiency and to confirm that the application requirements sufficiently (and legitimately) provide an adequate test of the applicant's English language skills.

### **Private Hire Operators**

57. Duration – amendment to clarify the circumstances under which a licence will be issued for less than five years.
58. Applicants – amendments to require proof of right to work in the UK and all company directors and partners are required to complete safeguarding training. Basic DBS certificates required to be no more than three months old at the time of application.

## Itemised list of all policy amendments

<b>Equality and diversity</b>	
Para 28	Formulation of a new Inclusive Service Plan.
<b>Air quality</b>	
Paras 39-40	Reference to Council obligations to have regard to government strategies.
Para 42	Confirms that appropriate measures are included to reduce emissions.
<b>Hackney carriage vehicle specification</b>	
Para 51	Requires all HCVs to be zero emission vehicles (ZEVs), Euro 6 compliant hybrid electric vehicles (HEVs), or wheelchair accessible vehicles (WAVs). Removes 10-year age limit. Quantifies minimum boot capacity to remove ambiguity over what is 'sufficient'. Aligns WAV specification with IPT requirements
Para 52	Extends 'grandfather rights' to all vehicles licensed prior to implementation of the revised policy.
<b>Process for new hackney carriage vehicle licence applications</b>	
Para 57	Requires vehicle inspections to be conducted no more than one month prior to the application date. Removes the requirement for a vehicle inspection when the vehicle is less than three months old (from the date of first registration). Requires basic DBS checks to be no more than three months old at the time of application. Requires a certificate of good conduct to be submitted by all directors and partners in the case of company applicants.
<b>Process for hackney carriage vehicle licence renewal applications</b>	
Para 67	Requires vehicle inspections to be conducted no more than one month prior to the application date. Requires basic DBS checks to be no more than three months old at the time of application. Requires a certificate of good conduct to be submitted by all directors and partners in the case of company applicants.
<b>Transfer of hackney carriage vehicle licence</b>	
Para 73	Requires basic DBS checks to be no more than three months old at the time of application. Requires a certificate of good conduct to be submitted by all directors and partners in the case of company applicants.
<b>Changing a hackney carriage vehicle</b>	
Paras 75-76	Clarifies that licences cannot be transferred from one vehicle to another but fee reductions may be available on request (currently £20 per full month remaining but this amount is subject to change over time and has therefore not been specified in the policy).
<b>Hackney carriage vehicle testing arrangements</b>	
Para 86	Replaces "Council's appointed garages" with "a DVSA-accredited MOT testing station in the North Yorkshire Council area".
<b>Hackney carriage proprietor criminal record checks</b>	
Para 102	Clarifies that appeals against new licences are to the Crown whereas appeals against renewals are to the Magistrates.

Para 103	Clarifies that criminal record documentation will be returned to the applicant where possible.
<b>Trailers and roof racks on hackney carriage vehicles</b>	
Para 135	Prohibits the use of roof racks and other storage devices (to ensure nothing interferes with the HC roof sign).
<b>Hackney carriage vehicle accessibility</b>	
Para 160	Ensures that vehicle modifications (post-grant) are subject to the Individual Vehicle Approval (IVA) scheme
Para 167	Clarifies that Euro 6 standards will not be imposed on WAVs (in keeping with the current exemption relating to age limits)
<b>Private hire vehicle specification</b>	
Para 179	Requires all PHVs (except WAVs) to meet Euro 6 Standards for emissions. Removes 10-year age limit. Removes prescriptive requirements on luggage space. Aligns WAV specification with IPT requirements
Para 180	Extends 'grandfather rights' to vehicles licensed by NYC prior to implementation of the revised policy.
<b>Process for new private hire vehicle licence applications</b>	
Para 184	Requires vehicle inspections to be conducted no more than one month prior to the application date. Removes the requirement for a vehicle inspection when the vehicle is less than three months old (from the date of first registration). Requires basic DBS checks to be no more than three months old at the time of application. Requires a certificate of good conduct to be submitted by all directors and partners in the case of company applicants.
<b>Process for private hire vehicle licence renewal applications</b>	
Para 194	Requires vehicle inspections to be conducted no more than one month prior to the application date. Requires basic DBS checks to be no more than three months old at the time of application. Requires a certificate of good conduct to be submitted by all directors and partners in the case of company applicants.
<b>Transfer of private hire vehicle licence</b>	
Para 200	Requires basic DBS checks to be no more than three months old at the time of application. Requires a certificate of good conduct to be submitted by all directors and partners in the case of company applicants.
<b>Changing a private hire vehicle</b>	
Paras 202-203	Clarifies that licences cannot be transferred from one vehicle to another but fee reductions may be available on request (currently £20 per full month remaining but this amount is subject to change over time and has therefore not been specified in the policy).
<b>Private hire vehicle testing arrangements</b>	
Para 214	Replaces "Council's appointed garages" with "a DVSA-accredited MOT testing station in the North Yorkshire Council area".

<b>Private hire vehicle accessibility</b>	
Para 279	Ensures that vehicle modifications (post-grant) are subject to the Individual Vehicle Approval (IVA) scheme.
Para 286	Removes reference to age limit exemptions
<b>Private hire vehicle licence conditions</b>	
Para 302	Removes prescriptive condition on luggage space.
<b>Hackney carriage and private hire drivers</b>	
Para 305	Confirms that the Council will consider single HC or PH driver licences where requested.
Para 306	Makes provision for restricted private hire driver licences to be issued exclusively for use on school and social care contracts.
<b>Process for new driver applications</b>	
Para 314	Makes arrangements for a simplified knowledge test in respect of restricted private hire driver licence applications.
<b>Duration of driver licences</b>	
Para 322	Clarifies the circumstances under which a licence will be issued for less than three years.
<b>DVLA licence</b>	
Para 324	Requires applicants to hold a UK driving licence
<b>Medicals</b>	
Para 330	Applies the Group 2 medical standards in terms of frequency - i.e. a medical is required on initial application and subsequent medicals required only for drivers over 45 years old (every 5 years until the age of 65 and annually thereafter). In accordance with Best Practice Guidance.
<b>Duty to carry assistance dogs</b>	
Para 352	Commitment to investigate alleged offences and to seek prosecution where evidence is obtained.
Para 353	Encourages drivers to carry trainee assistance dogs (in accordance with Best Practice Guidance).
<b>Language proficiency</b>	
Paras 369-371	Acknowledges the importance of language proficiency and confirms that the application requirements sufficiently (and legitimately) provide an adequate test of the applicant's English language skills.
<b>Licence conditions</b>	
Para 408	Condition to be imposed on restricted private hire driver licences to ensure exclusive use under the terms of school and social care contracts.
<b>Process for new private hire operator applications</b>	
Para 414	Requires proof of right to work in the UK.
Para 415	Confirms that the private hire operator's base must be in North Yorkshire.
Para 416	Requires basic DBS checks to be no more than three months old at the time of application. Extends safeguarding training requirement to all directors and partners in the case of company applicants.

<b>Process for private hire operator renewal applications</b>	
Para 422	Requires basic DBS checks to be no more than three months old at the time of application.
<b>Duration of private hire operator licences</b>	
Para 423	Clarifies the circumstances under which a licence will be issued for less than five years.
<b>Private hire operator safeguarding training</b>	
Para 428	Extends safeguarding training requirement to all directors and partners in the case of company applicants.
<b>Bookings to carry a disabled person</b>	
Para 450	Requires operators to identify any accessibility needs at the time of booking.
<b>Private hire operator licence conditions</b>	
Para 459	Removes unnecessary/obsolete requirements. Requires operators to identify any accessibility needs or luggage requirements at the time of booking.
<b>Enforcement</b>	
Para 462	Expands on the purpose of well-directed enforcement
<b>Complaints about licence holders</b>	
Para 482	Clarifies that allegations of criminal activity will be referred to the police only if it concerns offences outside the remit of the licensing authority.
<b>Applicant suitability and criminal convictions</b>	
Paras 499-528	Amended for consistency (a licence will not “normally” be granted under certain circumstances, but the Council retains discretion to take a different approach and must consider individual merits).