



Please Ask For: Licensing
Telephone No: 01757 292031
Email Address: licensing@selby.gov.uk
Our Ref: WAV & Discreet Licensing
Consultation 2018

21st September 2018

Dear Licence Holder,

Please find enclosed a trade consultation on the definition of a wheelchair accessible vehicle and discreet plates for Private Hire vehicles.

The consultation will run for 2 weeks from Monday 24th September until October 8th 2018.

Please send your response to:

Selby District Council
Selby Licensing Department (trade consultation)
Civic Centre
Doncaster Road
Selby
YO8 9FT

Or please scan the entire form and return to the email address above.

Kind Regards,

Sharon Cousins
Licensing Manager.

Taxi Licensing – Have your say!



Trade Consultation on proposed changes to standards applying to wheelchair accessible vehicles (WAVs) and Executive Vehicle (discreet) licensing

Introduction

There are two main areas that are the focus of this consultation:

Wheelchair Accessible Vehicles (WAVs)

The Equality Act 2010 relating to licensed vehicles came into force in April 2017. This allows Licensing Authorities, to create a list of Wheelchair Accessible Vehicles (WAVs). The creation of this list makes it an offence for drivers of WAVs to refuse to carry/help a passenger using a wheelchair, unless the driver is medically exempt. In the first instance the authority would need to introduce a minimum standard for a vehicle to be classed as a WAV.

Discreet Plates

The current arrangements for granting discreet plates to a private hire vehicle have the potential to cause a public safety concern - i.e. vehicles which have been granted an exemption from displaying licence plates on the outside of the vehicle may be used in place of regular licenced private hire vehicles. This may lead to users becoming accustomed to getting into non-marked vehicles which may be exploited by unlicensed drivers. It is therefore proposed to tighten up the pre-licensing checks and the conditions applying to such vehicles.

We therefore wish to consult on the following:

Wheelchair Accessible Vehicles (WAVs)

- How to establish what a wheelchair accessible vehicle is.

Discreet Plates

- Requirements to apply for discreet licensing
- Proposed conditions to discreet licences

Each issue is explained in more detail below, together with details of what we are proposing to do.

We now want to know what you think and want to encourage as many people as possible to respond to this consultation. Your views will be considered and proposals taken to the Licensing committee. Further consultation may still be required prior to a full policy review.

Proposed standard of a wheelchair accessible vehicle

Background

The definition of a wheelchair accessible vehicle in our current policy states that each vehicle must have approved anchorages, Restraints for the wheelchair and occupant that must be independent of each other. Anchorages for the safe stowage of the wheelchair when not in use, folded or otherwise, if carried in the passenger compartment. They must be designed so as not to cause injury to other passengers. A ramp or ramps for the loading of a wheelchair and occupant must be available at all times for existing wheelchair vehicles. The entry must be either via the nearside passenger door or via the rear. An adequate locking device must be fitted to ensure that the ramps do not slip or tilt when in use. Provision must be made for the ramps to be stored safely when not in use.

Currently this is determined upon visual inspection during the vehicles compliance test.

What we are proposing

To define what a wheelchair accessible vehicle is and to ensure that it has been built or adapted to Whole European Type Approval.

To clarify this, the council would require you to provide us with a copy of the vehicles V5, or certificate of conversion, as both of these documents evidence that the conversion has been carried out to the approved standard.

What do you think?

To what extent, if at all, do you agree or disagree with this proposal?

- Strongly agree
- Tend to agree
- Tend to disagree
- Strongly disagree

If you disagree with the proposal, could say why and could you suggest an alternative?

Discreet Plate Licensing

Background

The current percentage of discreet plated vehicles in the Selby District as of January 2018 was approximately 20% of the fleet.

Currently, an exemption to not display the vehicle licence plate can be acquired from the Council by submitting a written request and three references along with payment for a discreet badge that goes inside the vehicle. The Licensing Committee decide if the exemption is given.

If the exemption is given, there are no further conditions to the private hire vehicle licence, and the exemption continues until there is a change of vehicle.

What we are proposing

Amending the application process to include:

The Application Process

- i. That a formal application form be used for applications for a discreet vehicle licence, which should be accompanied by 3 references from potential customers who would use the executive service (Appendix 1).
- ii. That the Licensing Committee should consider executive hire vehicle suitability on a case by case basis, aided by the submission of photographs of the vehicle with the application for a discreet licence.
- iii. That the applications for discreet licenses continue to be considered by the Licensing Committee until such time as Members are satisfied that consideration can be delegated to officers.

Conditions upon the Grant of Discreet Vehicle Licences

That it be made a condition upon the grant of a discreet vehicle licence that:-

- iv. The vehicle must only be used for executive hire – this included no school contracts, or other contracts that involved the transport of children, young people, or vulnerable adults.
- v. The private hire licence plate must be carried in the vehicle at all times, although they need not be visible to the passenger.
- vi. The driver of the vehicle must wear visible photo identification at all times.
- vii. The executive hire vehicle is kept to a high standard both internally and externally at all times.
- viii. The exemption certificate (granting the discreet vehicle licence) is displayed on the left of the dashboard/ bottom left of the windscreen.

- ix. A record is kept of all executive hire contracts undertaken by the vehicle and is to be made available for inspection by the Council's Licensing and Enforcement officers upon request.
- x. A dress code is adhered to by drivers, to include a collar and tie.
- xi. The Discreet plate is renewed annually.

What do you think?

To what extent, if at all, do you agree or disagree with this proposal?

- Strongly agree
- Tend to agree
- Tend to disagree
- Strongly disagree

If you disagree with the proposal, could say why and could you suggest an alternative?

Finally, can you tell us something about yourself?

To help us analyse the results of this consultation we would very much appreciate you providing the following details. Please note these details will not be passed on to any third party and will ONLY be used for analysis purposes. Individuals will NOT be identifiable.

(Please tick your selection)

Are you:

Male	
Female	

Are you:

A Hackney Carriage Driver	
A Private Hire Driver	
A Private Hire Operator	
Other Interested Party	

What is your age?

24 or under	25-34	35-44	45-54
65-64	65-74	75-84	85 and over

What is your religion?

None	Muslim
Christian (Inc. Church of England, Roman Catholic, Methodist etc.	Any other religion (please state)

Are your day to day activities limited because of health problems or disability which has lasted, or is expected to last more than 12 months? Please include problems with old age.

Yes, limited a lot	, Yes limited a little	No
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What is your ethnic group? Please tick the boxes that best describe your ethnic background.

A. White

English/Welsh/Scottish/Northern Irish British	Irish	Polish
Gypsy Roma	Traveller of Irish Heritage	Any other white background (please tick and write in section E below)

B. Asian/Asian British

Pakistani	Bangladeshi	Kashmiri
Chinese	Indian	Any other Asian background (please tick and write in section E below)

C. Mixed/Multiple Ethnic Groups

White and Asian	White and Black African
White and Black Caribbean	Any other mixed/multiple ethnic background (please tick and write in section E below)

D. Black/African/Caribbean/Black British

African	Caribbean	Any other background (please tick and write in section E below)
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E. Any other Ethnic Group

Any other ethnic group (please tick and write below)
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Thank you for taking the time to read this and complete this questionnaire.

Consultation Privacy Notice

This Privacy Notice is designed to help you understand how and why Selby District Council processes your personal data in relation to Consultations. This notice should be read in conjunction with the Council's Corporate Privacy Notice.

Who are you?

Selby District Council is a "Data Controller" as defined by Article 4(7) of the General Data Protection Regulation (GDPR).

The Council has appointed Veritau Ltd to be their Data Protection Officer. Their contact details are:

Data Protection Officer
Veritau Ltd
County Hall
Racecourse Lane
Northallerton
DL7 8AL
DPA@selby.gov.uk 01609 532526

Why do you need my information

On occasion, we carry out consultations on behalf of Selby District Council or on behalf of third parties, to help inform service delivery. We use the information provided by you in surveys and through consultation to gather your views and feedback on Council strategy and services and to plan our services and shape policies. These surveys are optional and any personal data provided by you to help inform our analysis is on a voluntary basis.

Any personal data supplied will only be used for the purpose(s) outlined in the relevant consultation or survey.

The information that we collect about you is:

- who you are responding as – this is to ensure we have received a wide range of views from across the district, for example, if you are responding as a local resident, elected Member, representative of a voluntary or community group etc
- postcode (and very occasionally fuller address details)
- age

We may occasionally ask for the following information:

- details about your lifestyle and social circumstances
- employment and education details

When respondents complete an online survey, we collect the IP address that you accessed any of our online services from but do not use this to identify individuals.

We may also collect sensitive information about you called special category data. Special category data is defined as:

- disability
- ethnicity
- sexual orientation
- religious or other beliefs of a similar nature

We collect this information to comply with the Equality Act 2010 and the Public Sector Equality Duty 2011. We may also use this information to see if there are differing views between groups of people so that we can make more informed decisions.

What allows you to use my information

When we collect and use your personal information for the purposes of research, consultation and engagement, we do so as part of our public duties as a local authority in order to consult with our local population with a view to improving services. The legislation, policies and guidance that allow us to do this includes but is not limited to:

- General Data Protection Legislation Article 6 part e
- General Data Protection Legislation Article 6 Part J
- Equality Act 2005 and 2010
- Public Sector Equality Duty 2011
- Local Government Act 1999 S.3, as amended by s.137 of the Local Government and Public Involvement in Health Act 2007 and detailed in the DCLG Best Value Statutory Guidance 2011 (these state that Local Authorities have a best value duty to consult)

The Council also complies with the Human Rights Act 1998, so that the rights of individuals are respected, whilst also providing appropriate services. For specific types of statutory consultation, there will also be a variety of other legal bases.

Who will my information be shared with

The Council will not sell any details you provide with third parties. However, your data may be shared with:

- other service areas within Selby District Council where this information will help with developing and improving services
- organisations who are contracted to carry out a service on behalf of Selby District Council.

Summary reports or grouped data, in which individuals cannot be personally identified, are published in reports or used to inform service reviews.

Do I have to provide this information and what will happen if I don't

Taking part in any research, consultation and engagement is completely voluntary, and this is made clear to consultees.

How long will you keep this data for and why

Your response will be kept for six years after the summary report is written, unless there are statutory requirements to retain them for longer.

How will my information be stored

If data is received on paper, e.g. a paper questionnaire, then these are stored securely while the data is being processed electronically, and are destroyed as confidential data, unless there are statutory requirements to retain them longer.

Any responses that are downloaded are stored securely on Council servers.

For more information about how the Council uses your data, including your privacy rights and the complaints process, please see our Corporate Privacy Notice