

LICENSING REGULATORY COMMITTEE

Incentives in Relation to Wheelchair Accessible Vehicles. 17 July 2014

Report of Licensing Manager

PURPOSE OF REPORT

This report has been prepared following a Member's request for officers to look at the implications of the enhanced part of the DSA test being funded by the Council, through the licensing budget, in relation to drivers of the mandatory wheelchair accessible vehicles.

This report is public.

RECOMMENDATIONS

That the Council should not bear the cost of the enhanced part of the DSA test in relation to drivers of mandatory wheelchair accessible vehicles.

1.0 Report

- 1.1 Members may recall that at a meeting of the Licensing Regulatory Committee held on the 27 March 2014 they resolved to attach a new condition to all applications for the grant of a hackney carriage and private hire drivers' licence requiring applicants to pass the Driving Standards Agency Private Hire and Hackney Carriage Standard Assessment.
- 1.2 It was also resolved that it be mandatory for the driver of a registered wheelchair accessible vehicle to pass the enhanced wheelchair part of the assessment before the 30 September 2014.
- 1.3 Members further resolved that if anyone voluntarily upgraded from a non-registered wheelchair accessible vehicle to a registered wheelchair accessible vehicle it be mandatory for any driver to pass the wheelchair accessible part of the DSA test and that officers report back to the Committee in relation to offering financial incentives through reduced fees in relation to these vehicles. Copies of the report considered and the resolution made in March are attached at Appendix 1 to this report. As subsequently reported at the June meeting, Officers are currently considering as a separate issue how to encourage existing proprietors to commit themselves to providing additional mandatory wheelchair accessible vehicles. Any such incentives were the only incentives referred to in the March resolution.
- 1.4 However, the March resolution at Appendix 1 appears to have caused some confusion, and officers have now been asked to report to this Committee in relation to financial incentives to be offered to drivers of the current mandatory wheelchair

accessible vehicles in the form of reduced fees or reimbursement of the enhanced part of the DSA assessment.

- 1.5 The current mandatory or registered wheelchair accessible vehicles were all allocated plates as a result of unmet demand surveys identifying an unmet demand for wheelchair accessible vehicles. The new plates were issued with the proviso that the vehicle and any replacement vehicle be wheelchair accessible and that anyone driving the vehicle or replacement vehicle should have had training in handling wheelchairs. The plates were “free”, in that the proprietors did not pay any premium as they would have done if they had purchased an ordinary licensed vehicle from another proprietor. Applications for these plates were over-subscribed, and drawn by lot. However, in applying for these plates, the proprietors were aware that, for all time, the vehicle would be required to be wheelchair accessible, and any driver would be required to have had training. Proprietors applied for the plates on that basis, and it therefore seems inappropriate for the Council now to bear the cost of the drivers of these vehicles fulfilling the Committee’s requirement for them to take the enhanced part of the DSA test.
- 1.6 As Members are aware, the licensing of hackney carriages and private hire vehicles aims to recover so far as possible the full cost of administering the scheme and some enforcement costs, as permitted by the legislation. If a reduction in licence fee were to be offered to the drivers of the mandatory wheelchair accessible vehicles to reimburse them for the DSA fee, then the shortfall would have to be recovered by increasing other fees. This would be unfair to other licence holders. The only other alternative would be for the Council itself to stand the shortfall, but there is no budgetary provision for this.
- 1.7 There are fifteen mandatory wheelchair accessible vehicles. Each vehicle will have a number of drivers throughout the working week. If each vehicle had, say, four drivers, this would mean that sixty drivers would be seeking reimbursement for the enhanced test. However, this will not be a finite figure. Drivers tend to work on a self-employed basis and move from vehicle to vehicle on a regular basis. It is impossible accurately to predict driver turnover. Further there would be nothing to prevent a driver from claiming the reimbursement and then leaving to drive another vehicle, and being replaced by a new driver who would require the training.
- 1.8 For the reasons set out above, officers’ firm recommendation is that the Council should not bear the cost of the training for drivers of the mandatory wheelchair accessible vehicles.

2.0 Conclusion

- 2.1 Officers would reiterate that the licensing regime should be self-financing as far as possible and there simply is not a budget within licensing to fund these tests. Further, the plates were issued on the clear understanding that there would be a training requirement for all future drivers of these vehicles, and officers would not therefore support any reimbursement of these costs.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None applicable to this report.

FINANCIAL IMPLICATIONS

Any reduction in fees / reimbursement would have a financial impact and would need to be considered as part of the fee setting / budget process.

LEGAL IMPLICATIONS

Legal Services have been consulted and have no further comment.

BACKGROUND PAPERS

None

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