

# Background Information 3

## Briefing Note – Access for Disabled People in Taxis

Following meetings held on 9th April and 6th May 2003 between taxi association representatives and Council Officers, the current position is as follows.

- The Council have provided trade representatives with all available safety data for swivel seats and this appears to be accepted by them.
- The trade representatives with whom we met maintain that swivel seats are uncomfortable and restrict headroom for the passenger. Whilst this may be true in some cases particularly where passengers are tall, the seat does afford better accessibility to disabled or less ambulate persons and should not be dismissed purely on the grounds of discomfort.
- Officers have given their reasons for their belief that swivel cushions are not a feasible alternative to swivel seats. Both types of cushion adaptation, fastened or loose, have the necessity for the driver to materially interfere with the passengers body at some time and swivel cushions are not recommended for journeys which are other than of a very short duration.
- Swivel seats are used by a number of other LA's as a means of achieving a full or partial fleet of taxis which are accessible for the disabled and the trade have been given information and contact details. (Note: The application of such a requirement is not feasible in WBC for the reasons explained later).
- Disabled groups have commented upon the Council's current policy for providing disabled access to taxis. They have also tested swivel seats fitted to WB taxis. It is their belief that although swivel seats are not the preferred method of providing disabled access facilities to taxis for wheel chair bound persons, a swivel seat can improve access to a vehicle seat albeit not being a solution for everyone.
- The disability groups have asked the Council that if they do not go down the route of swivel seats could we make a condition of licence that disability awareness training is mandatory and a minimum of wheelchair accessible vehicles are provided. A proportionate number of vehicles according to available figures of disabled persons in West Berkshire would be in the region of 12%. Trade response to this suggestion is that drivers will not agree to such training for fear of being held liable should they injured person they were assisting as "a trained a competent person".
- The Council have discussed with the trade an option for owners who fit disabled facilities to have licence fees waived or reduced. The shortfall would be made up by increasing all other vehicle fees proportionately. This option will not work for the following reasons:
  1. To have a percentage of the fleet designated as SAV licensed would require the reintroduction of a finite number of taxis within the district. This would be welcomed by some traders as it would see a closed shop being re-established, but it would be contrary to Council policy which is that the market should determine the number, it would also be fiercely opposed by many licensees who have just "escaped" from the previous closed shop arrangements.
  2. If we specify a minimum number of SAV licences, without setting a ceiling on the total number of all licences issued, those with an SAV licence would simply hand it in and then re-apply for a non SAV licence and as long as they complied with our general conditions we could not refuse to issue one. We would very quickly see a rapid reduction in the number of SAVs operating in the district.

3. If we provide free or reduced cost SAV licences, non SAV licensees will have to pay increased costs to off set WBC's drop in income or the Council would have to agree to forego the loss.
- There is shortly to be a modification to the ELAP swivel seat which will allow the seat to swivel electronically. This seat will remove the necessity for any physical assistance by the driver and is considered as an option as well as the fully wheelchair accessible vehicle. That is not to say that vehicles fitted with a non electric swivel seat should not be acceptable.

The current position is:

- Swivel seats are still being fitted by independent operators in West Berkshire without argument. A number of proprietors have indicated that all they request is clarification as to the future so that they can fit seats if necessary and get on with earning a living.
- There are currently 10 vehicles which are fully disabled accessible ( will accommodate a person in a wheelchair ) and 16 which have fitted or have ordered swivel seats. Some operators are very positive about the SAV proposals and the demand they are serving (see article in NWN Business Section 8/5/03 faxed to you)
- There are still 34 vehicles which have not complied with the condition.
- Two proprietors have informed the Council that they have appealed the disabled facility condition to the Magistrates Court however the Court cannot confirm this as fact.
- We have met with the trade three times, we have addressed their concerns about safety and accept that swivel seats are not comfortable or suitable for all people, but no vehicle or seat design suits all people whether able bodied or disabled. All but [REDACTED] have now accepted that the council's position is reasonable and that we have responded to their concerns in a prompt and reasonable manner.

Officer Recommendations:

1. That there be no change to the current policy and that all licensees who are required to meet SAV standards be advised that they must now do so.
2. In recognition of the doubt and delay caused by this review those licensees who have yet to comply be given until 31/08/03 to do so.
3. WBC and the trade work together to promote SAVs and raise awareness amongst disabled people and their carers and supporters.