

## Taxi Handbook Reviews

1 message

diane guest <dianeguest1@hotmail.co.uk>  
To: "Taxi.Licensing@adur-worthing.gov.uk" <Taxi.Licensing@adur-worthing.gov.uk>

27 November 2018 at 23:02

Taxi Licensing Team  
Public Health & Regulation  
Adur & Worthing Councils  
Portland House  
Worthing  
BN11 1HS

27 November 2018

To the Adur District Council & Worthing Borough Council Licensing Committees

Dear Councillors

**Re: Taxi Handbook Reviews**

I am an ex Worthing Borough Councillor and have sat as a member and as vice-chair of the Worthing Licensing & Control Committee. I am currently the DPS of the 'Broadwater' public house in Worthing and prior to that the DPS of the 'Waterside' public house in Shoreham. I have over 20 years' experience in the leisure and catering industry. I am an active member and ex-chair of the Worthing Pub Watch Group.

I am also the current chair of the Worthing Late Night Partnership Group which monitors activities within the Worthing night time economy with a view to promoting Public Safety and reducing Crime & Disorder by liaising with all the stake holders. Members include Sussex Police, Worthing Town Centre Initiative, invited licenced premises managers (Pubs, Clubs & Restaurants), Council Licensing Officers, other relevant Council Officers, Street Pastors, Security Staff, Taxi Marshals, Pubwatch, and Taxi providers.

The provision of suitable and safe transport is vital to the economies of both Adur and Worthing and our licensed Taxis are a major part of that provision. As a publican and chair of the Late Night Partnership Group I have a particular interest in taxi provision and I am acutely aware of the issues and politics within the industry.

I have been written to asking for my views on Adur and Worthing's Taxi Handbooks. I understand that Public Safety and Crime & Disorder are the overriding concerns for members of the Licensing Committees when considering their handbooks but that the rules they put in place have implications and need to be proportionate and appropriate.

I would like to make the following representations.

### **CCTV in Licensed Vehicles**

The provision of CCTV in licensed vehicles is a major asset in improving public safety and protecting drivers. It acts as a major deterrent to inappropriate and criminal activity but also greatly assists the Police when investigating criminal activity. The cost of a CCTV system has fallen dramatically over the last few years and a good system can now be provided and fitted for less than £500. Taking the average life of a licensed vehicle as 3 – 4 years this works out at less than 50 pence a day or considerably less than the average tip from the first fare of the day!

Taxis have been involved in many of the awful cases of grooming and child sex rings that have recently been prosecuted such as those in Rotherham, Rochdale and Telford. Licensed vehicles being identified as often being used to transport victims. Whether drivers were complicit or not the provision of CCTV could have prevented these vehicles being used or even helped bring these crimes to light sooner and assisted the prosecutions.

Taxi licensing is about protecting the public. Considering the benefits and the negligible costs involved the argument for a requirement for CCTV in all Adur & Worthing licensed vehicles appears to me to be overwhelming.

Brighton, Portsmouth, Southampton and Worthing have compulsory CCTV. I'm informed that other councils including Crawley and Hastings are looking to put the compulsory provision in place. With Adur drivers cross boarder working regularly in both Brighton and Worthing I cannot see why Adur drivers should be exempt and urge Adur members to rectify this. I'm aware that some sections of the Worthing trade would like to see the conditions requiring compulsory CCTV dropped. For the above reasons I urge the Worthing Committee to resist this pressure.

#### **Tinted Windows**

I'm aware that some sections of the Adur and Worthing taxi trade would like the conditions prohibiting heavily tinted windows and privacy glass in licensed vehicles relaxed to increase their choice of vehicles and/or avoid the expense of replacing glass to comply. I would like to emphasis to members that anything that inhibits Police Officers, Taxi Licensing Officers and the public having a clear uninterrupted view into a licensed vehicle has public safety and crime & disorder implications. I cannot see any public safety benefit in relaxing the current position.

#### **Wheelchair Accessible Vehicles**

The comments I hear from my customers at 'the Broadwater' and from those at 'the Waterside', when I was there, is that at times it is very hard to book a Wheelchair Accessible Taxi and there is a severe shortage of them in both Adur's and Worthing's Hackney Carriage and Private Hire fleets. This reflects the comments I received from my constituents when I sat on Worthing Council.

I am aware that both Councils allow the licensing of rear loading and side loading private hire vehicles. But only allow the provision of side loading Hackney Carriages because of historic safety concerns regarding rear loading vehicles and their suitability for use on the ranks. Side loading wheelchair accessible vehicles are more expensive than rear loading vehicles. Modern rear loading vehicles have improved dramatically over recent years. I urge both Councils to allow the licensing of rear loading vehicles for use as hackney carriages in line with Brighton & Hove and many other Councils.

Both Adur and Worthing Councils have for many years only issued new Hackney Carriage plates to wheelchair accessible vehicles in an attempt to increase numbers whilst not over burdening current drivers. Whilst this policy was put in place with the best intentions and designed to increase numbers gradually it has failed and simply put an artificial value on existing saloon car plates. With new drivers preferring to pay retiring drivers for existing saloon plates than apply for a new wheelchair plate.

Neither Council has conditions requiring their provision by private hire proprietors/operators.

If the Councils want to increase the proportion of wheelchair accessible vehicles I urge them to consider the conditions that Brighton & Hove City Council has placed in its handbook which has been successful in dramatically increasing Wheelchair Accessible Hackney Carriage and Private Hire provision. Their handbook conditions state:

##### **Hackney Carriage Vehicles**

##### **97. Change of Vehicle Owner**

If a proprietor transfers his interest in a vehicle to somebody else he must within 14 days give notice of the transfer in writing to the authorised officer, giving the name and address of the transferee. In no circumstances may the vehicle be used as a licensed vehicle by the new owner until a new licence has been issued to that person and all documentation completed and any necessary fees paid.

Any vehicle transferred to another person, including transfer by the proprietor to her/himself and another person, for registration under the Town Police Clauses Act 1847 s42 will be required to become wheelchair accessible at renewal or replacement following transfer.

Where the interest of an existing proprietor's hackney carriage vehicle licence registration is amended to a beneficiary following the death of a proprietor or at the discretion of the Director of Public Health, where the change of registration is required for reasons such as the incapacity of a proprietor or following a legal separation from a partner, and is not for financial gain, the vehicle is exempt from becoming wheelchair accessible at renewal unless previously required by licence conditions.

##### **Private Hire Vehicles**

##### **135. Suitability**

All new or replacement multi-seater vehicles (vehicles capable of carrying 5 to 8 passengers) must be wheelchair accessible.

**Driver Training**

I applaud both Licensing Authorities for leading the way in requiring that all their licensed drivers are required to receive Child Sexual Exploitation Training and urge both authorities to consider making the provision of Disability Awareness Training compulsory for all drivers not just new applicants.

Generally both Adur and Worthing benefit from having excellent professional taxi services and I would like to see that maintained by both Councils. The suggestions I make are all made in the interest of maintaining and increasing Public Safety.

Regards

Diane Guest

## Consultation Response - Taxi Licensing Handbooks

Handbook Adur/Responses Adur

Handbook Worthing/Responses Worthing



**Colin Higgins** [colhig@colhig.co.uk](mailto:colhig@colhig.co.uk) via gmail.com

**29 Nov 2018**

Hi

I would like to give feedback on the guidance in both Adur and Worthing's current Handbooks on the specific design of wheelchair accessible taxis and the wider assumptions on disability access, which in practise will actually exclude many wheelchair users (including myself) and people with other types of physical disability, if they are not revised. I attend the Multiple Sclerosis Centre in Southwick on a weekly basis and I found taxi access difficult when I looked into getting a train to the area and then a taxi to the centre. I now rely on a community bus from out of the area to take me to the centre.

I do commend the stated intention in both areas to increase the number of wheelchair accessible vehicles and for there to be a mixed fleet.

I am a permanent wheelchair user due to Multiple Sclerosis and use both an NHS issued assistant attended manual wheelchair and a powerchair. I am 6foot 3" tall, so although I'm sitting down, having sufficient head height and sufficient space to accommodate the length of wheelchair is a major hindrance in using many vehicles, despite their "wheelchair accessible" label. I can only use rear entry taxis with either a low floor or a raised roof height. This ensures quick and easy entry to the vehicle, sufficient space for me to sit upright, no need for turning the wheelchair in a confined space, as well as a comfortable journey facing the direction of travel, which also makes it easier to communicate with the driver.

The only side entry taxi I can get into is a London Cab design and even then having to turn the chair once inside still requires somebody else's assistance. Other side entry vehicles do not have sufficient head height for me to get through the doorway (being told to duck when I cannot move my upper body is no help!). In addition the height of the vehicle floor in side entry vehicles often creates too steep a slope on the ramp to be able to safely push or drive a wheelchair up it. It also makes it impossible for people with ambulatory disabilities, using walking sticks or other aids and with balance and strength issues to get into most side entry vehicles, due to the height of the vehicle floor. When walking with 2 sticks I could only get into saloon style vehicles. So only allowing wheelchair vehicles with side entry access for new licenses actually discriminates against some wheelchair users and many people with other physical disabilities. A sensible balance of vehicle types across the fleet needs to be maintained.

In the current handbooks I realise that there is a difference between what Hackney carriages (side entry only) and Private Hire Taxis (side or rear entry) allow for wheelchair accessible vehicles, but as it stands, it means I only have access to private hire companies or individuals and not the Hackney Carriage services, limiting my access. Of most concern is that, as explained above, the side entry design is entirely unsuitable for many wheelchair users, including myself. I would urge both councils

to please ensure that the requirements in the new Handbooks enable genuinely easy and reliable access to Taxi services for **all** wheelchair users and for those with other physical access disabilities. It may be that feedback needs to be given to the Hackney Carriage License board if their terms are fixed, explaining that their requirements whilst well meaning, are actually too restrictive to achieve the intended aim of being wheelchair accessible.

#### Adur and Worthing Handbooks

##### **Appendix A**

###### Hackney Carriage Vehicle Specification

###### 3. Wheelchair Accessible Vehicles

3.1 In the case of all Hackney vehicles that are built or adapted for disabled passengers, the design of the vehicle should ensure **that any wheelchair is loaded from the side of the vehicle.**

###### 19. Disability Access

The following conditions will apply to vehicles adapted to carry wheelchairs

19.1 Where a vehicle is designed or adapted for the carriage of passengers in a wheelchair, the following conditions shall apply:

- a) Loading of the wheelchair **must be undertaken through the side of the vehicle.**
- b) Access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus.
- c) Wheelchair internal anchorage must be of the manufacturer's design and construction and secured in such a position as not to obstruct any emergency exit.

##### **Appendix F**

###### Private Hire Vehicle Conditions of Licence

###### 18. Disability Access

The following conditions will apply to vehicles adapted or carry wheelchairs

18.1 Where a vehicle is designed or adapted for the carriage of passengers in a wheelchair, the following conditions shall apply:

18.2 Loading of the wheelchair must be undertaken **through the side or rear of the vehicle.**

Best Regards

Colin Higgins

(my feedback has been typed up for me, as although I use a head mouse and specialist software to use a PC, this is too much for me to type, however I felt strongly enough on these issues to ensure I could give full feedback).

32 Friars Oak Road, Hassocks, West Sussex, BN6 8PX.



**Comments / Representation(s)  
Worthing Borough Council  
'Taxi Handbook' Review Nov 2018**



Having now taken advice, Unite the Union Worthing (Taxi) member's representation(s) and comments on the Council's review of the Worthing 'Taxi Handbook' follow within this document. Any reference to "Taxi" or "Taxis" is a reference to include all Worthing 'Cabs', whether they are licensed as a Hackney Carriage or a Private Hire, unless expressly indicated to the contrary.

Firstly on behalf of Unite (Taxi) members locally in Worthing;

The Committee's attention is drawn to the Department for Transport (DfT)'s Taxi and Private Hire Vehicle Licensing - Best Practice Guidance, most recent edition.

Which states:

'...The aim of local authority licensing of the taxi and PHV trades is to protect the public. Local licensing authorities will also be aware that the public should have reasonable access to taxi and PHV services, because of the part they play in local transport provision. **Licensing requirements which are unduly stringent will tend unreasonably to restrict the supply of taxi and PHV services, by putting up the cost of operation** or otherwise restricting entry to the trade. Local licensing authorities should recognise that **too restrictive an approach can work against the public interest – and can, indeed, have safety implications.**

For example, it is clearly important that somebody using a taxi or PHV to go home alone late at night should be confident that the driver does not have a criminal record for assault and that the vehicle is safe. But on the other hand, if the supply of taxis or PHVs has been **unduly constrained by onerous licensing conditions, then that person's safety might be put at risk** by having to wait on late-night streets for a taxi or PHV to arrive; he or she might even be tempted to enter an unlicensed vehicle with an unlicensed driver illegally plying for hire. Local licensing authorities will, therefore, want to be sure that each of their various licensing requirements is in proportion to the risk it aims to address; or, to put it another way, whether the cost of a requirement in terms of its effect on the availability of transport to the public is at least matched by the benefit to the public, for example through increased safety.

This is not to propose that a detailed, quantitative, cost-benefit assessment should be made in each case; but it is to urge local licensing authorities to look carefully at the costs – financial or otherwise – imposed by each of their licensing policies...'

This advice from the DfT should be taken as particularly apposite, given the current, on-going and "live" threat from Uber and their vehicles, licensed elsewhere; but operating unlawfully each and every day and night within the Borough of Worthing. They are not subject to any onerous licensing conditions as many are licensed with 'soft' Councils and operated merely on a 'flag of convenience'.

Unite (Taxi) members locally do not expect the Council to licence to the lowest common denominator, nor do they expect to be over regulated with financially or otherwise onerous licensing conditions, brought about by caprice or whim. In the absence of clear documented evidence of incidents clearly threatening Public Safety, we believe it is the Council's duty to proceed extremely carefully when considering any augmentations or additions to Taxi licensing policies.

We believe that licensing policies and 'Policy changes' should be 'Justified' with evidence and based on fact, not formed on opinion, emotion, whim or caprice. They should be borne of 'evidence-based decision-making' and be proportionate, necessary in purpose and represent the least restrictive path or alternative.

The effect(s) of austerity are being felt by the local Community at large and this is now being felt in turn, by the Worthing 'Taxi' Trade.

Further and unnecessary regulation will merely compound this, work against the public interest – and most probably, '...indeed, have safety implications...'

We implore the Committee and the Council not to over regulate the trade or add any more unnecessary operating cost(s) to the trade at this financially/commercially challenging time.

## CCTV

To quote from the Worthing Website; '...There is a compulsory requirement for all Worthing Hackney Carriages & Private Hire vehicles to have CCTV fitted by the end of 2018. The Worthing Licensing & Control Committee having resolved that in the interest of public safety CCTV should be compulsory in all Worthing licensed vehicles...'

In short, the Committee resolved for its installation to be '...in the interest of public safety...'

The law states that the processing of personal data should be necessary for its purpose and proportionate. We do not know of, and our members inform us that they have not been supplied with any documented evidence during the initial 'Consultation at the Local Level', of any justifying incidents from the local (Worthing Borough) area that supported and provided evidence (at the inception of the policy change) that a mandatory CCTV system would be a 'necessary, justified and effective solution'.

Unite (Taxi) members locally question what evidence was used and considered by the Committee in order to properly 'justify' the introduction of a policy for the mandatory installation of CCTV in vehicles at the time?

We are informed by our members locally that no evidence of any incident(s) from the local (Worthing Borough) area was shared or 'consulted upon' with the local trade at the time.

We would have expected this in order to ascertain that the policy was proportionate, necessary in purpose and represented the least restrictive path or alternative available.



To quote the ICO (Information Commissioner's Office), '... capturing a person's movements on camera is intrusive...' There are as many passengers if not more, that are not in favour of having their movements recorded and monitored by CCTV, as support it. The law requires that "Privacy" must be considered and that the 'least restrictive path' be chosen by Councils and followed, in relation to considering the problem they are seeking to address and whether a CCTV system would be a necessary, justified and effective solution. They should take into account whether other, potentially less intrusive solutions exist that can achieve the same aim, as well as the effect that each aspect of the CCTV system may have on individuals, and whether their use is a proportionate response to the problem identified.

We also question whether the Committee took into account whether other, potentially less intrusive solutions exist that can achieve the same aim, as well as the effect that each aspect of the CCTV system may have on individuals, and whether their use is a proportionate response to the problem identified. We would be most interested in the specific nature of the, '...problem identified...' by the Council, that required and justified the policy of mandatory CCTV as a proportionate response?

The ICO go onto say, '...Taxi drivers, like all of us, have a right to privacy. And that right is enshrined in law...'

Our members do not accept that there is a justified or necessary requirement for the mandatory installation of CCTV in Worthing Taxis, given what we believe is the absence of documented historical problems or complaints. It is disproportionately expensive, intrusive and furthermore, we believe that the driver/proprietor is best placed to assess and to determine the 'risk' posed individually and to decide whether or not, they wish to install CCTV.

We wish the Committee to note at this juncture, that 'Insurance Liability' cameras (or 'dash cams' as they are more colloquially known) are not classed as CCTV as they ("face out" and) capture events within the 'Public Domain' and not within a private CCTV area. Therefore they cannot be considered as CCTV as they are not regulated by the ICO and do not require a 'Data Controller'.

CCTV will also not assist with events that occur outside of the "Carriage" or vehicle and in the 'public domain', as most do.

The mandatory requirement for CCTV is extremely unpopular with our members for a variety of reasons including;

- The disproportionate financial cost (either by purchase or recurring ongoing rental charges) of the installation and upkeep of such systems.
- The detrimental effect on 'the right to' privacy (Article 8 ECHR) of drivers and others.
- Our members believe that they were not adequately and properly consulted 'at the local level' and that the policy was not justified by evidence of being '...a proportionate response to the problem identified...'

In view of the foregoing, our members ask that this Policy be amended to allow the installation of CCTV to be at the proprietor's discretion. However any vehicle so equipped at the proprietor's discretion, shall comply in full with the Council's specification.

### Window Tinting

Unite members question what documented evidence there is from the local area, of incidents, or to support that 'Tinted' windows lower safety in the passenger carriage?

Tinted windows in fact heighten safety in so far as the drivers' view is concerned (through side windows) in times of bright sunshine. This provision needs to be sensible and workable. Most other areas allow "Manufacturer's Tints" – applied during the manufacture of the vehicle or supplied as standard by the vehicle manufacturer. We would be extremely interested in seeing any evidence of incidents in the Borough of Worthing brought about by or proven to have been caused by the existence of 'Tinted Windows'?

The Department for Transport (DfT) 'Best Practice Guidance' states:

'...

#### Tinted windows

30. The minimum light transmission for glass in front of, and to the side of, the driver is 70%. Vehicles may be manufactured with glass that is darker than this fitted to windows rearward of the driver, especially in estate and people carrier style vehicles. When licensing vehicles, authorities should be mindful of this as well as the large costs and inconvenience associated with changing glass that conforms to both Type Approval and Construction and Use Regulations...

It is interesting to note that the Council has been requiring drivers/proprietors to '...change glass...', due to this unworkable specification. As members can see, this is in polar opposite to the DfT's advice/guidance (above) on this specific matter. Source: DfT!

Many Authorities have recently overturned their previous policy on 'Tinted Windows' and evidence suggests that 60 per cent of the councils in the country now allow manufacturers tints.

The main benefits of tinted glass are considered to be, added protection from ultraviolet rays (UV) coming from the sun and Improved thermal comfort by reducing heat build-up inside the vehicle in Summer.

Transport for London (TfL) – the UK's largest Taxi Regulator, places no restrictions on Tinted Windows, if they are as part of manufacturers specification. More locally, Brighton & Hove place no restriction(s) on 'Tinted Windows' and allow licensing of vehicles with manufacturer fitted tinted rear windows.

According to the Department for Transport Taxi and Private Hire Vehicle Statistics; and to quote merely a reference to Private Hires:

England 2015, there are 166,000 private hire vehicles in England, of these 63,000 are licensed by Transport for London (TfL). All of the vehicles in the nation's Capital are licensed by TfL, where there are no restrictions on tinted windows over and above the manufacturers specification i.e. there is no prohibition on the use of glass with any degree of tint for windows rear of the driver, if it has been fitted by the manufacturer.'

Vehicle manufacturers are now more frequently installing anti-glare / tinted glass as standard to their standard production models for a variety of reasons including driver / passenger comfort and added security. In some cases vehicles are only manufactured with tinted glass and no alternate glass option is available, thereby removing the option for the glass to be changed.

If prospective licence-holders find it difficult to licence their vehicle of choice and/or are unable to find suitable vehicles that meet the Council's specification, then they may opt to become licensed elsewhere. This represents a danger to the safety of the general public locally and is a relevant consideration.

The issues identified regarding the proliferation of vehicles being manufactured with tinted windows as standard is impacting on the local trade as the prospective licence-holder now has to choose between a diminishing number of lower specification vehicles with no tinted windows and a higher specification vehicle, knowing it will cost significantly more to change the glass and this is compounded by the risk that no alternate glass option may be available. i.e. even if the licence-holder is willing to go to the expense of changing the glass, this cannot be achieved if alternate (clearer) glass is not manufactured.

In almost all areas, after-market (stick-on film type) window tints are not permitted and we (Unite) support this view. This view also does not cause significantly prejudice, as anyone intending to licence a vehicle which already has this film fitted, merely has to remove the film from the windows in order to permit it to be licensed. An increasing amount of officer and licence-holder time is taken up making subjective decisions on vehicles with tinted glass to establish if it is eligible for the Council's existing arbitrary and discretionary policy. By clarifying the Policy and permitting all manufacturer fitted rear tints, Council and trade resources will be much more effectively deployed, in these times of austerity. It is a genuine and legitimate "trade" concern that in the near future it will become increasingly difficult, and in some cases impossible; for licence-holders to source vehicles with clear windows or un-tinted glass to replace tinted windows in new or replacement vehicles.

For these reasons and in particular the fact that for the majority of vehicles licensed in England, there is no prohibition on the use of manufacturer fitted glass, with any degree of tint for windows rear of the driver;



Our members believe and accordingly ask that the policy is amended to permit manufacturer fitted glass, with any degree of tint, for windows rear of the driver, so long as they also meet the relevant 'Construction and Use Regulations' and / or the 'Road Traffic Act' requirements, whilst also precluding the use of "After Market Tints".

#### **Commercial Advertising on Rear Windows**

Our members wish the Council to consider allowing commercial advertising (governed by ASA Rules) on the rear windows of licensed vehicles in order to aid in trade revenue in these times of ongoing austerity.

#### **Silver Cars**

Our members wish the Council to consider allowing the use and licensing of "Silver" coloured vehicles as Private Hire vehicles. Any suggestion that a silver vehicle may look like white at night is negated by the required signage on a Private Hire vehicle, together with the differing roof-sign and licence plates. This added to the fact that "Silver" vehicles are in general use by neighboring authorities as licensed vehicles in a variety of roles. Precluding them from licensing in Worthing makes no useful sense and merely cuts down the choice of available vehicle(s) to Private Hire Proprietors when seeking to upgrade or change their vehicle.

#### **Side Loading of Accessibility Vehicles**

The narrow nature of the Wheelchair Accessible Vehicle (WAV) vehicle specification by the Council in terms of the method of passenger 'loading' has not assisted in vehicle procurement and has actually actively provided a disincentive to the trade to purchase these types of vehicles.

As with all specification(s), they should be agreed with the trade as workable before being offered as policy(s) to the Committee. Sometimes the Council **MUST** meet the trade 'half way', as is the case in other areas.

We believe that both "Rear" and "Side" loading vehicles should be licensed as there is no evidence in terms of "Rear Loading" vehicles (almost all Ambulances in current use load from the rear) being any less safe an option, compared to "Side Loading" vehicles.

We therefore ask that both loading methods are approved, so long as the individual vehicle has been certificated as safe by the manufacturer or convertor.



Tel: 01903-262002. 24 Burnham Road  
Worthing  
Date: 22nd Sept 2018. BN13 2NN

COPY

Dear Theresa,

Re. Rear Access Taxis.

Further to our conversation of last Wednesday (12<sup>th</sup> Sept) - my son has M.S. & is paralysed & bedridden, & I am now finding it impossible to get him a taxi with rear access to arrange any trips for him.

He cannot travel in the side access taxis as he is unable to bend his head at all to enable him to get in.

On enquiring, I find there are now only 2 rear access cabs

(2)

in Worthing, plus Dial-a-Ride. Neither of these cabs work in the evening & Dial-a-Ride finishes at 5pm & doesn't work on Saturday at all.

I understand it is the policy of Worthing Council to give licences only to side access taxis for "safety" reasons. I do not understand this as Dial-a-Ride & ambulances & many Nursing Home vehicles use rear access for people who need this type of transport.

I look forward to hearing your comments & any suggestions about how I can give my Son a break from a life restricted to

(3)

laying in bed & I am sure you can appreciate that I wish to make my Son's life more bearable.

Yours sincerely

Pat Mally (Mrs)

Tel: 01903-262002, 24 Burnham Road  
Worthing  
Date: 21st November BN13 2NN.  
2018.

Dear Theresa.

Re. Rear Access Taxis  
For my Son - Robert Melloy

Further to my letter of 22nd Sept 2018.  
(copy enclosed) I would draw your  
attention to the following from the  
Licensing Hand book :-

Page 7. 4.1. "The Council is seeking  
to maintain a mixed fleet."

Page 7. 4.5 "The Council is committed  
to an accessible public transport system  
in which disabled people have the same  
opportunities to travel as other members

(2)

of Society."

Page 24. 19.1 (a) "The loading of the wheelchair must be undertaken through the side of the vehicle." MY SON'S

WHEELCHAIR CANNOT FIT IN THIS WAY.

Page 39. 18.2 "The loading of the wheelchair must be undertaken through the side or rear of the vehicle."

THERE ARE NOT ENOUGH REAR ACCESS TAXIS IN WORTHING.

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The rear loading vehicles allow much better access & have winches which protect the driver.

I should be pleased if my representation could be applied to the Adur district as well as Worthing -



(3)

I am also returning your "Need To Travel + have Support Needs?" Form with my comments + as you will see the Rear Access Taxis are really the only way for my Son to get out.

Thank you for your help with my problems + I look forward to hearing from you in due course.

Sincerely  
Pat Mellor

Re. Rob Melloy, 24 Burnham Rd. BN13 2NN.

## Need to travel and have support needs?

Are you travelling straight away?

If you need a helping hand, your quickest option is to contact the following Taxi firms and let them know you require support or room for a wheelchair or mobility aids:

### Adur

T-Link 01273 59 59 59  
Arrow Private Hire 01903 21 21 21

### Worthing

Wortax 01903 230 302  
Arrow Private Hire 01903 21 21 21

} Side Access  
Vehicles  
only - not  
suitable

Or is it a journey that is planned?

Do consider using Public Transport - buses and trains both have ramps and additional support for you. If you have a disability you can apply for discounted travel on both buses and trains via West Sussex County Council.

*My Son's Wheelchair is too big to go on buses*  
You can also contact:

### Dial a Ride Southern Services

Help: Wheelchair Accessible minibuses with staff to help you on and off vehicles and with bags.

Where: All of Worthing, Adur and possibly further afield.

Cost: There is a cost depending on journey length.

Phone: 01903 53 00 53 (9.30-12am Mon to Fri)

\* Dial-a-Ride finish on  
weekdays at 5pm +  
don't work at all at  
weekends.

### Worthing and Bognor Shopmobility

*This is not suitable*

Help: Low cost hire of mobility scooters and wheelchairs to anyone with a mobility problem whether temp or permanent

Where: 12-14 Liverpool Gardens, Worthing, BN11 1RY.

They also have a van that can deliver a wheelchair or aids to you in Adur or Worthing.

Cost: There is a cost depending on length of hire.

Phone: 01903 820980 (Mon - Fri 9.30 - 4pm. Sat 9.30am - 2pm)

### Adur and Worthing Voluntary Transport

*My Son can't get in & out.*

Help: A car service for older people who have transport difficulties due to disability, frailty or rural isolation.

Where: Adur and Worthing.

Cost: There is a cost depending on journey length.

Phone: 01903 851 558 (9.30am - 12.30pm)

*of any  
ordinary  
car.*

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## Hackney carriage and private hire handbook consultations

1 message

Info <info@mssussex.com>

7 November 2018 at 11:18

To: "taxi.licensing@adur-worthing.gov.uk" <taxi.licensing@adur-worthing.gov.uk>

Re:

Wheelchair Accessible Vehicles

3.1 states that wheelchairs should be loaded from the side

Several of our service users who use powered chairs find that they are unable to use taxis that load from the side as their chairs are too large and/or high to allow them to enter the vehicle and so have to use transport services that use minibuses and load from the rear (e.g. Dial-A-Ride). These services are often not available in the evenings and therefore their social opportunities are restricted. For example they cannot go out to the theatre or for an evening meal with friends.

Can there be provision for some vehicles to load from the rear to permit the carriage of these larger wheelchairs?

*Alan*

Alan Taylor

Centre Manager



Charity No. 801075

A company limited by guarantee no. 2319928

Reg office: Sussex MS Centre, Southwick Recreation Ground, Croft Avenue, Southwick, West Sussex, BN42 4AB

Phone: 01273 594484

[www.mssussex.com](http://www.mssussex.com)

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## Wheelchair taxi.

1 message

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Patricia Needham <p.needham@scnh.co.uk>

19 November 2018 at 11:25

To: "taxi.licensing@adur-worthing.gov.uk" <taxi.licensing@adur-worthing.gov.uk>

Good morning,

I have been given this email address to tell you of the concerns I have.

I am the Welfare Manager of a nursing home and have 2 residents who have the larger wheelchairs which have been custom made for their comfort.

Due to the size of these wheelchairs it is impossible for a normal wheelchair taxi to fit them in, there is not enough turning space. We require a rear loading vehicle. We normally would use First choice taxis as it is a rear loading taxi.

Tracey has commitments with school runs for the disabled on most days and is limited to when she can work over the weekend.


Would there be any possibility that another wheelchair rear loading could be issued for the area?

I know there are budgets but we are finding it near impossible to get our residents to appointments and having to reschedule all the time.

From a social side too, it is important that they are not made to feel different, at times they do feel different, because they have a large taxi and cannot attend a family gathering or a friends birthday.

I look forward to hearing from you

Kind regards



Patricia Needham

Welfare Manager

[p.needham@scnh.co.uk](mailto:p.needham@scnh.co.uk)



Pentlands Nursing Home

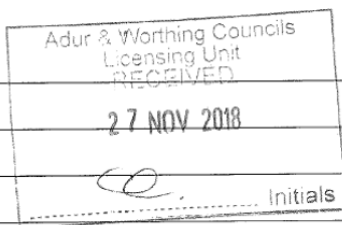
42, Mill Road,

Worthing,

West Sussex,

BN11 5DU





Mr P Henderson

225 CORING RD

WORTHING

BN12 4PW

26/11/18

RE:- TAXI STANDARDS.

Referring to above we have a very good taxi services in Worthing the majority of the taxis are of a good standard I notice most have now installed cameras in the vehicles a good thing.

The big problem is accessible vehicles especially for wheel chair users.

Because of the expense of fitting wheelchair accessible vehicles most drivers are unable to buy and refit a vehicle as they are only allowed to charge standard fare for specialist journeys.

It is exceptionally difficult to book a wheelchair accessible taxi for appointments and leisure which puts wheelchair users at a disadvantage when trying to access medical services and confines them to a life indoors when at leisure.

Is there no way these vehicles can be encouraged either with subsidies or being allowed to charge the cost effective fares.

Mr. S. STEPHENSON

## **Guide Dogs response to Adur and Worthing Council's Hackney Carriage and Private Hire Licensing Policy**

**30/11/2018**

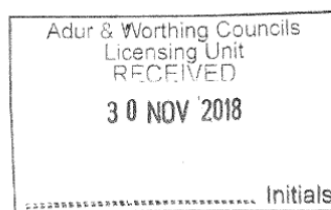
### **Summary**

Guide Dogs provides mobility services to increase the independence of people with sight loss in the UK. Alongside our mobility work we campaign to break down physical and legal barriers to enable people with sight loss to get around on their own terms. There are an estimated 21,330 people with vision impairments living in West Sussex, of which about 67 are guide dog owners.

Taxis and private hire vehicles (PHVs) and the door to door service they provide are essential for disabled people. In particular, they are essential for the independence of blind and partially sighted people, who are unable to drive or often unable to use public transport. However, accessing taxis and PHVs can be a major challenge for assistance dog owners: a Guide Dogs survey found that 42% of assistance dog owners were refused by a taxi or PHV driver in a one-year period because of their dog – despite this being a criminal offence under the Equality Act 2010. Such access refusals can have a significant impact on assistance dog owners' lives, leading to feelings of anger and embarrassment and a loss of confidence and independence.

### **Key recommendations:**

- We are pleased to see the handbook states that the operator must not refuse a booking because the person wishing to make the booking proposes that his/her guide dog is to travel in the vehicle with them, and also that the operator must not make an additional charge for the carriage of a passenger's assistance dog. We recommend that the handbook should also highlight that this is a legal requirement under the Equality Act 2010 and failure to do so is a criminal offence.
- The policy should specify a medical exemption certificate for carrying assistance dogs will only be issued when authorised by a medical practitioner and accompanied by medical evidence, such as a blood test, a skin prick test or clinical history. These medical exemption certificates should be accompanied by features distinguishable to vision-impaired passengers, such as an embossed or raised 'E'.
- We are pleased to see the requirement that all licensed Hackney Carriage & Private Hire drivers must undertake disability awareness training.
- The handbook should state that Worthing Borough Council and Adur District Council Licensing Authorities will use its best endeavours to investigate all reported violations of the Act in a timely manner with a view to pursuing a conviction, and that breach of the Equality Act is



deemed serious and therefore will result in suspension or revocation of licence.

- The handbook should state that the Worthing Borough Council and Adur District Council Licensing Authority will work together in conjunction with assistance dog owners to ensure that licensing requirements are being complied with by various means such as, but not limited to, test purchases to ensure that licensing requirements are being complied with.

#### **Highlighting obligations under Equality Act 2010 in respect of Assistance Dogs**

We are pleased that the handbook specifies that operators must not refuse a booking or charge more to carry a guide dog. We recommend that this commitment is strengthened within the handbook, and should specify that all drivers are under a duty to carry, free of charge, any assistance dog. Currently the provision refers to both 'guide dog' and 'assistance dog' which may be confusing and incorrectly suggest a guide dog has different rights to other assistance dogs.

We also advise highlighting within the handbook that this is a legal requirement under the Equality Act 2010 and failure to do so is a criminal offence. This can be similar to the provision in section 4.6 of both handbooks, which presently reminds drivers that failure to abide by the duties they owe to passengers in wheelchairs 'could lead to prosecution and a maximum fine of £1,000': for example.

#### **Medical Exemption Certificates**

The current handbook does not contain any information on the process of obtaining a medical exemption certificate, which is the only circumstance when a driver is legally exempt from their obligation to carry assistance dogs.

We believe the handbooks should state that a driver must carry assistance dogs unless they have a medical exemption certificate issued by Worthing Borough Council and Adur District Council Licensing Authority. The policy should specify that in order to apply for a medical exemption certificate for carrying assistance dogs, this must be authorised by a medical practitioner and accompanied by medical evidence which demonstrates the driver's genuine medical condition that is aggravated by exposure to dogs, such as a blood test, a skin prick test or clinical history.

Further, it is often difficult for vision-impaired passengers to identify the validity of exemption certificates. Currently, it is not permissible for licensing authorities to issue exemption certificates which incorporate tactile features, as this would alter the certificate's prescribed form and render it invalid. We therefore recommend that Worthing Borough Council and Adur District Council Licensing Authority issues exemption certificates that are

accompanied by features distinguishable to vision-impaired passengers, such as an embossed or raised 'E'. Guide Dogs would be happy to supply Worthing Borough Council and Adur District Council with tactile exemption cards.

### **Disability equality training**

As stated above, drivers who refuse to carry an assistance dog are committing a criminal offence under the Equality Act 2010. A Guide Dogs survey found that many taxi drivers are unaware of their legal obligations and the impact refusals have on assistance dog owners. The best way to address this is through disability equality training for all taxi and PHV drivers.

To help reduce the number of access refusals, it is important that drivers know their legal obligations and how to best offer assistance to their customers with vision impairments, including those travelling with a guide dog. We therefore welcome the inclusion in section 4.7 of the handbook that all licensed Hackney Carriage & Private Hire drivers will be required to undertake disability awareness training. We recommend this training includes information regarding the carriage of assistance dogs and their obligations under the Equality Act 2010. The training should focus on the concept of people being disabled by society's barriers and attitudes and highlight the role an organisation and individuals play in the removal of those barriers, while also including awareness elements such as customer care, etiquette and appropriate communication.

### **Enforcement**

While our survey shows that 42% of assistance dog owners have been refused over a one-year period, many of these incidents are not reported. Indeed, only 54% of respondents said they would 'definitely' or 'very likely' report an access refusal. In part, the underreporting is due to challenges of reporting, especially for people with sight loss. However, it is also due to disappointment at the lack of action taken following an access refusal and the low fines issued.

Considering the significant impact an access refusal can have on assistance dog owners and their communities, it is important that assistance dog owners know that all cases of access refusals are viewed very seriously and are investigated.

The two handbooks differ in terms of enforcement so for ease, with Worthing's handbook having a further Appendix explaining the penalty points scheme. Our recommendations therefore differ for each handbook:

#### **a. Adur**



There is no reference in the handbook to how the legal obligation to carry an assistance dog will be enforced. As mentioned, it is a criminal offence for any operator or driver to refuse to carry assistance dogs. On conviction for such an offence, drivers can be fined up to £1,000. As failure to carry an assistance dog is a criminal offence, we recommend a zero-tolerance approach to enforcement of the Equality Act, and therefore believe failure to carry an assistance dog should result in immediate revocation of their licence. We therefore advise stating that if a driver breaches the duty under the Equality Act 2010 to carry an assistance dog, the Licensing Authority will seek to suspend or revoke the drivers licence.

We also recommend a zero-tolerance approach to enforcement of the Equality Act in seeking prosecutions and recommend clearly stating that Adur District Council Licensing Authority will use its best endeavours to investigate all reported violations of the Equality Act in a timely manner, with a view to pursuing a conviction.

We also recommend that the handbook should state that the Adur District Council Licensing Authority will work together in conjunction with assistance dog owners to ensure that licensing requirements are being complied with by various means such as, but not limited to, test purchases to ensure that licensing requirements are being complied with.

#### **b. Worthing**

Under Appendix M, under 'Hackney Carriage' and 'Equalities Act 2010', it states that failure to carry an assistance dog or charging more to carry an assistance dog will result in 10 penalty points. We are pleased to see this offence resulting in the maximum points a driver can receive before their license is reviewed. However, whilst this section refers to the failure of a hackney carriage and a private hire vehicle, due to this sitting under 'Hackney Carriage', it may be missed by private hire vehicle drivers. We therefore recommend including these offences under both 'Hackney Carriage' and 'Private Hire Vehicles'.

Further, there is no reference to prosecution of drivers who refuse a passenger. As mentioned, it is a criminal offence for any operator or driver to refuse to carry assistance dogs. We therefore recommend clearly stating that Worthing Borough Council Licensing Authority will use its best endeavours to investigate all reported violations of the Equality Act in a timely manner, with a view to pursuing a conviction.

We also recommend that the handbook should state that Worthing Borough Council Licensing Authority will work together in conjunction with assistance dog owners to ensure that licensing requirements are being complied with by various means such as, but not limited to, test purchases to ensure that licensing requirements are being complied with.

**For more information, please contact Public Affairs Officer Katherine Copperthwaite on [katherine.copperthwaite@guidedogs.org.uk](mailto:katherine.copperthwaite@guidedogs.org.uk) or 0118 983 8121.**