
HACKNEY CARRIAGE DRIVER'S AND VEHICLE LICENCES

1 PURPOSE OF REPORT

- 1.1 Members to consider whether to issue a private hire vehicle licence for a rear loading wheelchair accessible vehicle (WAV).

2 INTRODUCTION

- 2.1 Mr Milligan on behalf of Access Anyone applied to Rochford District Council on 25 September 2018 to license a private hire vehicle within the district.
- 2.2 At the time of the application, Mr Milligan presented a rear loading wheelchair accessible vehicle, along with the relevant documentation, including an application form and relevant fee. A copy of his application is attached at Appendix A.
- 2.3 The Rochford District Council Private Hire Vehicle Licence Conditions paragraph 103.6 states:-

“Permit loading of wheelchairs ONLY through the side door(s) of the vehicle. Vehicles that load wheelchairs through the tailgate will not be accepted for licensing unless a mechanical lift is present with rear side doors. Those proprietors whose vehicles are rear loading shall replace their vehicle with a vehicle that is side loading, if the vehicle is changed or when the licence is renewed after the vehicle reaches 12 years of age.”

3 THE CASE

- 3.1 Mr Milligan attended a meeting at Rochford District Council offices with Licensing Officer, Steven Greener. During the appointment, Mr Milligan produced a vehicle that did not meet the condition outlined above and the application was refused.
- 3.2 During the vehicle inspection, photographs of the vehicle were taken.
- 3.3 At the time of the inspection, Mr Milligan pointed out this was not a standard rear loading wheelchair accessible vehicle; the vehicle had been adapted to include a number of key security aspects which had been specifically installed to safeguard the passengers.
- 3.4 These measures included a central support column behind the wheelchair user, the side lockable seats to accommodate larger wheelchairs and the rear support panel which provided additional support should the vehicle have an impact in the rear of the vehicle. A copy of the photographs is attached at Appendix B, highlighting the additional measures put in place to safeguard the passengers.

3.5 A letter was sent to Mr Milligan outlining the reason to refuse the vehicle licence and the opportunity to appeal against the decision. A copy of this letter is attached at Appendix C.

3.6 On 26 September 2018, Mr Milligan appealed against the decision. A copy of the letter is attached at Appendix D.

4 RISK IMPLICATIONS

The Council has an obligation to ensure that licence holders fall within the approved licensing criteria and that failure to comply with these requirements are brought to the attention of the Committee.

5 EQUALITY AND DIVERSITY IMPLICATIONS

5.1 The Equality Impact Assessment (EIA) indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

6 RECOMMENDATION

6.1 It is proposed that the Committee **RESOLVES**

- (1) To approve the application for Mr Milligan;
- (2) To refuse the application for Mr Milligan; or
- (3) To take any other reasonable course of action



Angela Law

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Background Papers:-

None.

For further information please contact Steven Greener on:-

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If you would like this report in large print, Braille or another language please contact 01702 318111.