

Policy on Disabled Persons having Access to and for their Safe Carriage within Licensed Taxis & Private Hire Vehicles and the Requirement for the Licensing Authority to Maintain a Designated Vehicle List.

What responsibility does the Council have regarding the assistance of disabled persons and their use of taxi and private hire vehicles?

Gedling Borough Council is responsible for licensing taxi drivers (both private hire and hackney carriage drivers), their vehicles, and private hire operators within its area. The Council, under powers given to it by the Equality Act 2010 (the Act), are required to administer a list of licensed vehicles which are occupied wheelchair accessible. This list is referred to as the Designated Vehicles list.

The Council is responsible for enforcement of the drivers' responsibilities with respect to provide assistance to and the carriage of a disabled passenger. The Council is also responsible for the enforcement of the private hire operators' responsibilities with respect of accepting a booking requested by or on behalf of a disabled person or a person who wishes to be accompanied by a disabled person.

The Council upon successful application by a driver, may exempt the driver from their responsibilities on medical grounds, or a physical condition making it impossible or unreasonably difficult.

What is the Designated Vehicle List?

The Designated Vehicle list is the Council's record of all licensed vehicles which are capable of carrying, some – but not necessarily all – types of occupied wheelchairs. This means the wheelchair user is able to enter, leave and travel in the passenger compartment in safety and reasonable comfort whilst seated in the wheelchair. Such vehicles are referred to as Wheelchair Accessible Vehicles (WAV).

Under section 167 of the Act the Council are required to maintain and publish the Designated Vehicles List. A current is published on the Council's website (insert link)

What responsibilities do Drivers' of a designated Taxi or Private Hire vehicle have?

A driver of any designated vehicle must:

- carry passengers while seated in the wheelchair
- carry passengers who do not wish to remain in the wheelchair and to load the wheelchair into and out of the vehicle
- provide assistance to those passengers
- not charge those passenger extra for the service
- provide mobility assistance as is reasonably required
- load and unload the passengers luggage

What responsibilities do Drivers' of a non-designated Taxi or Private Hire Vehicle have?

A driver of any non-designated vehicle must:

- take such steps as are reasonable to assist the passenger to identify and find the vehicle which has been hired
- carry passenger
- carry the wheelchair, if the passenger has with them a wheelchair
- carry the mobility aids if the passenger has with them any mobility aids.
- take such steps as are reasonable to ensure that the passenger is carried in a safe and reasonable comfort
- give the passenger such mobility assistance as is reasonably required, by enabling the passenger to get into or out of the vehicle; load the passengers luggage, wheelchair or mobility aids into or out of the vehicle
- not to make, or propose to make any additional charge for complying with any duty listed above

Exempt Drivers

The Act allows the Council to exempt drivers from the duties to carry disabled passengers, where it is appropriate to do so, on medical grounds or due to the drivers' physical condition making it impossible or unreasonably difficult for them to comply with those duties listed above. The driver may submit to the Council an application for exemption by completing the prescribed application form accompanied by any medical evidence in support of the exemption application.

Any driver who holds a valid exemption certificate is required to display the valid exemption notice in clear view within the licensed vehicle, until such time the exemption notice expires.

Until the driver has been issued with a valid exemption notice, the driver must continue to carry on with the responsibilities as specified above.

What responsibilities do Operators of Private Hire Vehicle have?

A Private Hire Operator must:

- accept a booking for a vehicle if the booking is requested by or on behalf of a disabled person or a person who wishes to be accompanied by a disabled person
- not to make, or propose to make any additional charge for the carrying out of any duty imposed on the driver of the Private Hire vehicle as listed above

What do I do if I think a driver and or the private hire operator is not fulfilling their responsibilities?

If you have a concern about a driver and or the private hire operator not fulfilling their duties, we ask that you report your concerns to the Council as soon as you can. We need to be able to identify the driver and or the private hire operator, so information from you about the registration number, the licence number of the vehicle and/or the name of the driver/operator is essential. It will also help if you can give us the names and addresses of any other witnesses.

What sort of things should I report to you?

We want to know about anything that may make a driver non-compliant with the duties of a driver of a designated vehicle. For instance:

- refusal to carry a disabled passenger, their wheelchair and or mobility aids.
- refusal or reluctance by the driver to assist a disabled passenger to get into or out of the vehicle; load the passengers' luggage, wheelchair or mobility aids into or out of the vehicle
- overcharging by way of adding an additional charge for the carriage of, and or the assisting a disabled passenger
- incorrectly displaying of an Exemption Notice within the vehicle
- displaying an expired, fake or counterfeit Exemption Notice

How do I make a complaint?

- Via our web site - [Taxi Complaints \(gedling.gov.uk\)](https://www.gedling.gov.uk/taxi-complaints)
- If you want assistance completing the online taxi complaint form please contact Customer Services on 0115 9013971 or visit the Council Offices.

What will you do?

We will investigate every complaint made. If the complaint is upheld, we have the power to take action which, in very serious cases, may mean that the driver's licence is revoked.

Any driver or operator found to be in breach of their duties will be liable to prosecution and face up to a £1000 fine.

Any questions?

If you have any questions, or wish to have information about the investigation procedure, please contact us on 0115 9013971 or by email as licensing@gedling.gov.uk