

BETWEEN:
Wokingham Borough Council
Taxi licensing Authority

V.

Petitioner:
Address:
Vehicle:
Date: 7th, June 2018

For Committee Meeting to Consider

Public Body:

- 1 Wokingham Borough Council (WBC), is a Public Body which makes decisions regarding public law, where we the taxi drivers are directly concerned. My concern is that the decision-making and policy-making process may be correct. However, the correct person may not be using the correct power which has followed the correct procedures and may have not considered all of the facts when making the decision.

The Decision Maker:

- 2 The decision maker WBC must understand the law correctly that regulates their decision making power and give effect to it and must not misinterpret legislation. I believe that the decision made by WBC under s.163 of the Equality Act 2010, without considering Exemption from taxi accessibility regulations s.164 (1) (2) of the Equality Act 2010 is an issue of Illegality, Irrationality and Procedural impropriety. The Decision Maker must consider all facts listed in this report.

Hybrid and Electric Vehicles:

- 3 I am also concerned that the decision maker has not considered or made any provisions in the Policy for Hybrid and Electric Hackney Carriage Taxis as diesel vehicles are being demonised by experts in the motor industry for contributing heavily to Carbon dioxide (Co2) emission. Every authority in the UK/EUROPE is moving towards hybrid and electric vehicles and have a set policy in place. As far as I can see there is no such policy in place by WBC for hackney carriage taxis. Hybrid and Electric Vehicles that are available currently in the market cannot take wheelchair. Therefore, provision must be made for exemption under s.164 (1) (2) of the Equality Act 2010.

Ambiguous and Imbalance Policy:

- 4 WBC's hackney carriage licencing policy has been very ambiguous and imbalanced, for this reason many taxi drivers made financial losses by purchasing and investing money in vehicles that may or may not be suitable for the purpose of wheelchair access. I believe that WBC has failed to formulate a fair policy and for this reason taxi drivers are suffering losses by not purchasing suitable vehicles that are fit for purpose.

Suspension of Hackney Carriage:

- 5 WBC has taken a decision to suspend Hackney Carriage vehicles under s.60 (1a) Local Government (Miscellaneous Provisions) Act 1978, as these vehicles fail to comply with the disable access requirement of WBC hackney carriage policy in November 2017. By suspending these vehicles immediately; off the road, had adverse immediate effect on livelihoods of taxi drivers and their family members who are depended on the taxi drivers' household income. Furthermore, WBC has allowed and licensed these vehicles for many years and these vehicles did comply with requirements set by WBC at the time of licencing. When taxi drivers purchased these vehicle for the purpose of Taxi business they were informed by WBC that these vehicles can be used for Taxi business until these vehicles reached 15 years from first registration.

Fair Policy:

- 6 WBC needs to formulate a fair policy and allow existing taxi drivers to continue with taxi service until their vehicle reaches 15 years from first registration and the following purchasing vehicle can be fully in compliance with WBC new hackney carriage policy. As the taxi drivers have spent large amount of their life savings on these vehicles and some are looking forward to retiring in a few years' time.

Taxi Drivers over the age of 55:

- 7 Consideration needs to be given to taxi drivers over 55 years of the age as some of these taxi drivers are near the retiring age and it will be an unfair burden for these taxi drivers to spend their life savings in buying new vehicles for hackney carriage.

In the light of my comments above in this report to the committee, I, urge the decision maker to consider all circumstances and exempt some hackney carriage taxis from wheelchair access. Furthermore, taxi drivers over the age of 55 must be given attention in accordance to the policy of a vehicle reaching the 15 years from first registration. In relation to this the loyalty of taxi drivers working with WBC should be considered. A fair policy to allow hybrid and electric vehicles for hackney carriage must also be considered.

