

# **Appendix**

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## EARLY DAY MOTIONS

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### Printable Early Day Motion

EDM 325

**REAR LOADING TAXIS**

14/06/2005

Rosindell, Andrew

12 signatures

*Bottomley, Peter*  
*Etherington, Bill*  
*McDonnell, John*  
*Simpson, Alan*

*Brake, Tom*  
*Featherstone, Lynne*  
*Robinson, Iris*  
*Vis, Rudi*

*Corbyn, Jeremy*  
*Field, Frank*  
*Scott, Lee*

That this House believes that converted vehicle hackney carriages (taxis) that load wheelchair passengers from the rear, that are currently licensed in a growing number of local authorities outside London, particularly in the North East, are unsuitable for taxi use; notes that whilst being loaded such rear-access taxis place the wheelchair user passenger in a dangerous position on the road to the rear of the taxi, where he risks being hit by traffic coming up from behind; further notes that many AA, RAC and Green Flag recovery technicians are killed on UK roads by traffic approaching from behind whilst standing behind vehicles; further notes the concerns that Radar and the Spinal Injuries Association have about rear loading taxis; further notes that those licensing rear loading taxis do not seem to have undertaken a comprehensive risk assessment; and therefore calls upon licensing authorities throughout Great Britain and Northern Ireland only to license side loading wheelchair accessible taxis from now on.

# The UNITED KINGDOM PARLIAMENT

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The Earl of Listowel: My Lords, before the Minister sits down, is he aware of research from Australia undertaken by McDermott in which, at secondary school level, before education on bicycle safety, 2 per cent of those cyclists were wearing helmets; after education, 11 per cent were; but, after legislation,

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42 per cent of secondary schoolchildren were wearing helmets? There was an even more remarkable response from primary schools.

Lord Davies of Oldham: My Lords, if I was not aware of it before, I am now. However, the noble Earl will recognise that if 42 per cent are compliant, the Australians, or that particular state, have a law that the majority of young cyclists are not obeying. In this country, we are concerned about obedience to the law. In fact, the great strength of our safety measures is that we do not propose laws that people can then safely and easily ignore; we propose laws by which we expect people to abide. That is why, as I have argued before, the driving test requirements in this country are so much more stringent than elsewhere in the world. We expect people to reach that level of competence. The same thing applies to observation of the law.

As the noble Earl will freely concede, driving conditions in much of Australia are somewhat different, given the vastly greater population of people in crowded islands. We must address things differently. I hope that he will accept that, although I recognise his statistics, I would not take any joy in a law that the majority of our fellow citizens disregarded.

Lord Swinfen: My Lords, the Minister's last remarks are very interesting, bearing in mind adherence to the law on seatbelts. To start with, very few people wore their seatbelts. To start with, it was not compulsory in the back of a car. It now is. If the Minister is fortunate enough to get an empty taxi to take him home tonight, he will find that there is a notice in the back of the taxi telling him that it is against the law not to wear his seatbelt. So the situation changes. It changes with education, I agree—in this respect, education of children on cycles—but in the past it has changed with education of adults in their motor vehicles.

The Minister asked: who is responsible for ensuring that the child wears a helmet? In a car, the driver of the car is responsible for the passengers wearing a seatbelt, as well as himself. The noble Lord, Lord Naseby, said that his children took their bicycles when they wanted to go out. When my children were young, there were standard instructions and rules that they had to obey, and they were in trouble if they did not. There can be a standing instruction that whenever they take their bicycles, they wear a helmet. That is not difficult. I know that children do not always obey their parents—I quite agree about that—but it is not difficult to lay down boundaries that they are not supposed to cross. Those boundaries get relaxed as the children get bigger. Later on,

they are allowed out beyond nine o'clock at night, and so on. But with small children, you can lay down the rule that they must wear helmets and they are in trouble—sent to their beds, or whatever—if they disobey that rule.

Also, schools can lay down school rules that children leaving school or riding around in school must wear a helmet or they will be punished. The noble Lord, Lord Monson, said that he did not support the amendment because 100 or so children might die or

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have a head injury every year if they did not have a helmet. The noble Earl, Lord Listowel, pointed out to him that 26,000 children were injured with head injuries every year, which is a rather different figure.

The noble Baroness, Lady Thomas, said that it was good to create a culture of helmet wearing. I agree. As I said, in Australia, compulsion is creating a culture in which children are out wearing their helmets the whole time. Any new law takes time to bed down and for everyone to obey it because not everyone is aware of it. The Minister pointed out that the percentage of boys wearing a helmet has reduced recently. That is a very good reason for making it compulsory. He also said that we would be starting from a low base and that we would need to move immediately to 100 per cent wearing of helmets. The argument about helmets applies in exactly the same direction as the argument that the Government used on drivers' use of mobile phones, so that point will not wash.

However, my noble friend Lady Hanham has put to me the argument, which she did not reiterate today, that my amendment would make children criminals. I shall look at that before Third Reading because I do not wish to make children criminals if I can help it. But it is important that we make it compulsory for children under 14 to wear protective headgear. I will reserve my right to bring the matter before your Lordships' House at Third Reading. In the mean time, I beg leave to withdraw the amendment.

Amendment, by leave, withdrawn.

*[Amendment No. 60 not moved.]*

Lord Faulkner of Worcester moved Amendment No. 61:

After Clause 43, insert the following new clause—

**"HACKNEY CARRIAGES: SUPPLEMENTARY LICENSING CONDITIONS**

(1) In section 6(6) of the Metropolitan Public Carriage Act 1869 (32 & 33 Vict, c. 115) (definition of "matter of fitness" for purposes of grant of hackney carriage licence) after paragraph (b) insert—

"(c) the matters set out in subsection (6A) of this section.

(6A) The matters referred to in subsection (6)(c) are that any vehicle licensed as a hackney carriage under this section shall—

- (a) have been constructed specifically for use as a hackney carriage,
- (b) be used for no other purpose,

- (c) have hinged doors,
  - (d) have access for disabled passengers at the side, and
  - (e) have a rear window consisting of a single pane."
- (2) In section 47 of the Local Government (Miscellaneous Provisions) Act 1976 (c. 57) (licensing of hackney carriages), before subsection (1) insert—
- "(A1) A district council may grant a licence for a hackney carriage only if the conditions in subsection (A2) are satisfied.

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- (A2) The conditions are that any vehicle licensed as a hackney carriage under this section shall—
- (a) have been constructed specifically for use as a hackney carriage,
  - (b) be used for no other purpose,
  - (c) have hinged doors,
  - (d) have access for disabled passengers at the side, and
  - (e) have a rear window consisting of a single pane."

The noble Lord said: My Lords, this amendment deals with the law governing hackney carriages and taxis across the United Kingdom. The law is derived from a number of Acts of Parliament, some very ancient. The earliest that I am aware of are the Town Police Clauses Act 1847 and the Metropolitan Public Carriage Act 1869, which the first part of this amendment seeks to amend. The amendment deals with the safety hazards created by hackney carriages that load wheelchair users from the rear, those that have split rear windscreens and those with sliding doors. It also insists that all taxis in the UK are purpose-built and not converted vans. I shall deal briefly with each issue.

Numerous local authorities already ban taxi vehicles into which wheelchair users are loaded from the rear; they include major cities such as London, Edinburgh, Manchester, Liverpool and Sheffield. The main reason for my amendment is safety. Where taxis are lined up bumper to bumper at a railway station or airport rank, there is no space to pull forward safely. To load from the back they would have to put their nose into the flow of traffic and create a hazard. It is not surprising, therefore, that charities such as RADAR, the Spinal Injuries Association and the Royal Society for the Prevention of Accidents—I declare an interest as a former president—all support that view. It has also been supported in two Early-Day Motions in another place and by fire brigades, which report that they often find it difficult to extract wheelchair users in rear-loading vehicles involved in rear-end shunts.

Rear windscreens are a road safety issue. Many converted-van taxis have split rear windscreens and provide rear access through van-type doors. They have a central pillar in the rear windscreen that restricts the driver's rear view and creates a large blind spot where children could be hidden and consequently hit when the vehicle is reversing. It also leads to drivers colliding with parked cycles and motorcycles hidden in the blind spot when they are reversing. The amendment insists that all hackney carriages should have a one-piece, single-pane rear windscreen.

*Amendment by leave, withdrawn*

On hinged versus sliding doors, the amendment would adopt the same practice as exists in the city of New York, where sliding doors on taxis for non-disabled passengers were outlawed by Mayor Giuliani in 1996 and all vehicles with sliding doors had to be converted to use swing doors. Passengers who get out of vehicles through sliding doors on to a road are often at risk, as drivers coming up from behind will often not

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notice that a sliding door is opening. The first thing that they see is a leg or body emerging from the vehicle. Swing-hinged doors provide a visible barrier and create space for the passenger to exit.

I should say a word about why all taxis should be purpose built. The iconic London black cab is the ideal for others to emulate. If all hackney carriages looked like those, the travelling public would be less confused and much safer. I beg to move.

6.45 pm

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## **Policy for accessible taxi and private hire vehicles**

**RADAR believes every Local Authority should have:**

1. A policy and strategy for delivering affordable and accessible taxis and private hire vehicles
2. A policy to allow disabled people to use taxis and private hire vehicles
3. At least 50% vehicle fleet accessibility
4. A driver training scheme for taxi and private hire vehicle drivers

### **1. Policy and Strategy**

- a. Local Authorities should have a policy to improve the mobility of disabled people by the use of taxis and private hire vehicles
- b. Local Authorities should have a strategy for carrying out the policy by various means and within a timeframe
- c. These policies should be detailed in the Local Authority's Disability Equality Scheme

### **2. Affordability**

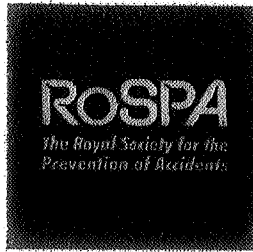
- a. Local Authorities should have a scheme whereby disabled residents unable to use bus services routinely (i.e. a concessionary bus pass may also be held but is not always usable, such as when the holder has luggage, travels after dark etc.) can use taxis affordably. This policy should include:
  - i. Allowance of at least two single trips a day
  - ii. At least half fare discount
  - iii. Companions allowed at no extra fare

### **3. Vehicle accessibility**

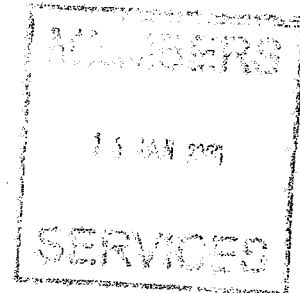
- a. All new and transferred licences for Hackney Carriages should be for side-loading wheelchair accessible vehicles with M1 ECWVTA and include features to cater for those passengers with reduced mobility, vision and hearing
- b. All new licences for private hire vehicles should be required to have an approved swivel seat fitted

### **4. Driver training**

- a. Drivers should be trained in disability awareness, communication and use of equipment
- b. Training should be taken as part of the licence requirements on first issue and renewal
- c. It is recommended that driver training is mandatory. However, when introducing this, Local Authorities should work in partnership with other Local Authority areas in the region to ensure standardisation



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28 April 2005

Dear Chris,

#### Wheelchair Users and Taxis

Following your recent enquiry about RoSPA's views on the safety of wheelchair users entering and leaving taxis at the rear, rather than the side, I have discussed this issue with colleagues in my Department.

This is not a topic on which we have any particular expertise, nor do we have any data or research on it. However, our views are that it would only be suitable for wheelchair users to enter and leave taxis by the rear door in an off-road area.

For a wheelchair user to get into or out of the rear of a taxi which has pulled up on the road at the kerb would require him or her to be in the road. This presents the danger of being hit by another vehicle which pulls up behind the taxi. As the wheelchair user would have to leave the pavement to get behind the taxi, there is also the issue of what happens when there is no dropped kerb.

We think there could also be visibility problems with other drivers not seeing the wheelchair user hidden behind the taxi.

There is also a practical issue for the taxi drivers in ensuring that there is sufficient space behind the taxi whenever they arrive at their destination so the wheelchair user can safely exit the vehicle.

Yours sincerely,

Kevin Clinton  
Road Safety Adviser







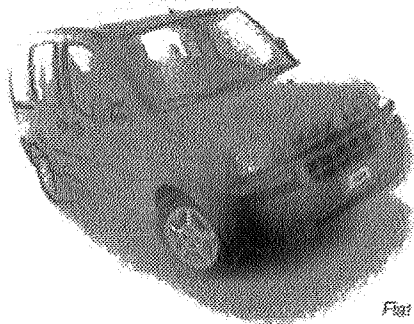
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## Councils called on to scrap rear loading taxis

Councils across the UK are being called on to outlaw the licensing of rear-loading vehicles as wheelchair-accessible taxis.

Both the Scottish Accessible Transport Alliance (SATA) and the National Taxi Association, which covers the whole of the UK, have written to licensing officers saying only side-loading vehicles should get taxi licences because they are safer for passengers, particularly those using wheelchairs.



Fiat Doblo

SATA also wants to see any new licences or those transferred to another operator only approved if the vehicle is fully-accessible.

Speaking of the call for side-loading taxis only, Alan Rees, secretary of SATA, said: "The decision was based on the balance of available evidence that for Hackney Carriage vehicles on ranks, side-loading was preferable to rear-loading.

“The policy outline has now been sent to all 32 local authorities in Scotland.”

The guidelines from SATA came just after the UK’s National Taxi Association drafted a letter to all licensing committee chairs at local councils across the country, calling on them to adopt no-rear-loading policies.

NTA members endorsed a resolution to support the early day motion put down by MP Andrew Rossindale, calling for rear-loaders not to be licensed as Hackney carriages because of the safety issues.

In the letter, Norman Deegan, chair of the NTA, said members were concerned that previous letters to local authorities on this “safety critical issue” had been ignored.

A spokesperson for Taxiwise said anything that worked towards making all taxis accessible to all was welcome.

“There are safety issues surrounding the use of rear-loading vehicles by wheelchair-users,” they said.

“Getting into the vehicle at the back leaves people open to injury if there is a collision from the rear – which is more likely to happen as people are getting in and out because the rear lights might accidentally be covered.

“There is also the issue that if there is a rear shunt – the most common form of accident – the passenger might be injured as they are right at the back. They could also be trapped inside in the event of an accident as they only have one way in and out.

“Licensing rear-loaders to carry wheelchair users is putting the passengers at risk unnecessarily. Only side-loading cabs, ideally those purpose-built for the job, should be licensed in this way.”

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T+G WU.

# Wheelchair Accessible Taxis and the T&G

by EDDIE LAMBERT

The T&G's Cab Trade Section is very pleased with the results of TYL's and the Mayor of London's review of the Metropolitan Conditions of Fitness (COF). We fully support the retention of the standards which have served the taxi trade in London and many other towns and cities across the country, and produced a vehicle that is recognised across the globe as, "The London Taxi." We are also pleased that the review has not just endorsed the current standard but brought forward new standards for the future.

Outside of London we would like to see The London COF used by councils who remove the

number limitation of taxis as this ensures the maximum protection for both drivers and passengers. What we have not said at anytime is that these vehicles are the only vehicles that should be licensed as taxis. In fact following a motion passed at the Union's Biannual Delegate's Conference in 1999 it became our policy to support in areas which had not gone fully Wheel Chair Accessible a policy of proportionality. The ratio to be decided following consultation with the local council, the public, disabled groups, other users and the local trade. Something that we are very concerned about is the practice of some councils

to licence as taxis, rear loading converted vans and MPVs in particular our concerns are as follows: -

- 1) To load a person on at a rank would require the vehicle to pull forward by at least 12 feet to allow enough room for ramp, wheelchair, space to manoeuvre and carer / driver. On many ranks this would just not be possible.
- 2) It can be difficult if not dangerous to get an electric wheel chair down a kerb.
- 3) Due to the amount of space needed to load via the rear door (see 1) it may be necessary to stop in the traffic flow thereby placing both the driver and passen-

ger in danger from traffic approaching from behind. (Particularly worrying in a badly lit area at night). This could also lead to traffic congestion and a build up of fumes if vehicles cannot pass easily. This could also lead to drivers failing to stop for wheelchair passengers in these situations as they may feel that other drivers will be less than patient whilst they load up and secure the wheelchair.

- 4) Once loaded the wheelchair and passenger are usually secured right in the centre of a possible rear impact zone.
- 5) In the event of a rear impact the damage sus-

tained could well make it impossible to extract the passenger quickly and safely without going over the rear seats.

We do not object to rear loading vehicles being used by operations such as residential homes (other than concern over items 4 and 5 as generally these have off road facilities for loading and fully trained staff who would not generally be pressured to rush to get to the next job.

The retention of the London COF also helps protect the livelihood of drivers in areas where councils have lifted the restriction on the number of plates. The cost of the purpose built vehicle acts as a hurdle preventing the

whole of the local Private Hire trade becoming taxi drivers virtually overnight as could happen and indeed has in the past. In my hometown of Peterborough the local council removed the limit on plates following the local trades objection to an increase in plates. Not wishing to face constant objections every time this issue came up the council leader at the time, the infamous Neville Sanders, decided to delimit it totally but retain the existing standards of vehicle the London COF. Within two and a half years the fleet size has doubled but most think that without the vehicle type restriction it would have quadrupled.