

## APPENDIX 3

### **Equality Act 2010 161 Control of numbers of licensed taxis: exception**

**(1) This section applies if—**

**(a) an application for a licence in respect of a vehicle is made under section 37 of the Town Police Clauses Act 1847,**

**(b) it is possible for a disabled person—**

**(i) to get into and out of the vehicle in safety,**

**(ii) to travel in the vehicle in safety and reasonable comfort, and**

**(iii) to do the things mentioned in sub-paragraphs (i) and (ii) while in a wheelchair of a size prescribed by the Secretary of State, and**

**(c) the proportion of taxis licensed in respect of the area to which the licence would (if granted) apply that conform to the requirement in paragraph (b) is less than the proportion that is prescribed by the Secretary of State.**

**(2) Section 16 of the Transport Act 1985 (which modifies the provisions of the Town Police Clauses Act 1847 about hackney carriages to allow a licence to ply for hire to be refused in order to limit the number of licensed carriages) does not apply in relation to the vehicle; and those provisions of the Town Police Clauses Act 1847 are to have effect subject to this section.**

**(3) In section 16 of the Transport Act 1985, after “shall” insert “ (subject to section 161 of the Equality Act 2010) ”.**

groups representing disabled people, such as the Disabled Persons Transport Advisory Committee, said that an appropriate threshold, the Committee’s initial recommendation was that it should be in excess of 30% availability, while Disability Rights UK proposed a minimum of 50%. The Joint Committee on Mobility for Disabled People supported the use of quotas until such time as all vehicles are accessible.