

MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD IN COMMITTEE ROOM 2/3, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON WEDNESDAY, 27 OCTOBER 2010 AT 2.00PM

Present:

Councillor D K Edwards - Chairperson

Councillors

Councillors

R D L Burns  
M W Butcher  
E M Dodd  
C J James

D N W Jones  
B I Quennell  
D A Unwin  
C Westwood

Officers:

Y Witchell - Licensing and Registration Officer  
R Hughes - Senior Solicitor  
C Branford - Democratic Services Officer - Committees

63 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members:

Councillor D Buttle - Medical appointment  
Councillor R D Jenkins - Unwell  
Councillor M C Wilkins - Unwell  
Councillor R Williams - Holiday

64 DECLARATIONS OF INTEREST

None

65 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the Licensing Committee held on 4 August 2010 be approved as a true and accurate record

66 EQUALITY ACT 2010 - HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

The Licensing and Registration Officer presented a report the purpose of which was to advise the Committee of forthcoming changes to equality legislation, the implementation of which would impact upon the regulation of taxi drivers and vehicles.

The Licensing and Registration Officer explained that the Equality Act 2010 would impose duties on the drivers of designated wheelchair accessible hackney carriages and private hire vehicles to assist passengers who use wheelchairs. The Officer outlined the duties and advised that they would formally come into effect after April 2011. The Officer explained that licensing authorities would be able to exempt drivers from these duties provided they were satisfied that it was appropriate to do so on medical grounds, and drivers would have the right of appeal to the Magistrates' Court in cases where the Council refused to grant an exemption. Licensing authorities would also be expected to maintain a list of designated vehicles - i.e. wheelchair accessible hackney carriages and private hire vehicles - in their area. The Licensing Section at Bridgend County Borough Council had begun work on this list already.

Other sections of the Equality Act 2010 dealt with the carriage of guide and assistance dogs. The change was largely technical and did not have any practical implications. A

system was already in place for dealing with requests for exemption from the duty to carry dogs for medical reasons. An exemption certificate should be displayed in the window of the vehicle.

It was proposed that BCBC now take the necessary steps to ensure that designated drivers were appropriately qualified to undertake the new duties; this could be achieved by requiring that drivers of wheelchair accessible vehicles complete the Driving Standards Agency wheelchair assessment test.

Members asked how many wheelchair accessible vehicles were currently in operation in the County Borough.

The Licensing and Registration Officer advised that there were 57 hackney carriages and 29 private hire vehicles.

The Licensing and Registration Officer explained that Members' concerns about drivers' ability to comply with the duties and the possible need for manual handling courses were likely to be brought up by taxi companies during the consultation process and would inform the training programme which BCBC devised.

In response to a question from the Committee, the Licensing and Registration Officer advised that there was currently no legal requirement to provide wheelchair accessible vehicles. However, the aim of the Equality Act 2010 was to identify designated wheelchair accessible vehicles and the Council's policy was to increase the availability of taxis which met a range of different needs.

Members suggested that the list of wheelchair accessible taxis should be highlighted to disability groups.

The Licensing and Registration Officer explained that a list would be published on the BCBC website but she would explore ways to make it more widely available, particularly to disability organisations.

Members further suggested that best practice guidance for traders would be helpful in enabling them to implement the new duties imposed by the Equality Act 2010.

The Licensing and Registration Officer explained that individual drivers currently received Customer Care and DDA guidance but a best practice guide which incorporated the duties of the Equality Act 2010 could be drafted. The Officer acknowledged that there may be physical capability issues for some drivers but licensing authorities were keen for as many drivers as were capable of performing the duties to take them on.

RESOLVED: The Licensing Committee:

- (1) Approved the preparation of a draft list of wheelchair accessible vehicles proposed to be designated as a basis for consultation with drivers and vehicle owners prior to the full provisions of the Equality Act 2010 coming into effect.
- (2) Approved the modification of the medical certificate outlined at paragraph 4.4 to this report.
- (3) Authorised the Assistant Chief Executive Legal and Regulatory Services to make the necessary change to the Council's Constitution in respect of the functions delegated to the Licensing Committee and officers in respect of the Equality Act 2010.

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- (4) Approved a consultation with the taxi trade in respect of a proposed amendment to the Council's pre-licensing requirements in respect of the training of drivers of designated wheelchair accessible vehicles.

The meeting closed at 2.30pm.