

MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD IN COMMITTEE ROOMS
2/3 - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 20 FEBRUARY
2018 AT 09:30

Present

Councillor DRW Lewis – Chairperson

PA Davies	JE Lewis	RM James	SE Baldwin
RJ Collins	G Thomas	AA Pucella	JE Williams
MJ Kearn	A Hussain		

Apologies for Absence

DK Edwards

Officers:

Julie Ellams	Democratic Services Officer - Committees
Andrea Lee	Senior Lawyer
Daniel Cook	Licensing Policy Officer

14. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of the Licensing Committee of 11th December 2017 be approved as a true and accurate record.

15. EQUALITY ACT 2010 DELEGATION OF AUTHORITY

The Licensing Policy Officer presented a report to determine whether to give delegated authority to the Corporate Director Operational and Partnership Services to issue exemption certificates from the requirements of Section 165 of the Equality Act 2010 and to determine whether to give the Head of the Shared Regulatory Services the delegated authority to maintain, update and publish a list of wheelchair accessible vehicles in accordance with Section 167 of the Equality Act 2010.

The Licensing Policy Officer explained that Section 165 of the Equality Act 2010 placed specific duties on the driver of a “designated vehicle” such as to carry the passenger while in the wheelchair and to give the passenger such mobility assistance as was reasonably required. Section 167 of the Act provided the Council with the powers to make lists of wheelchair accessible vehicles and when published it would be an offence for a driver of a designated vehicle on the list to fail to comply with the duties listed.

The Licensing Policy Officer reported that Members approved the proposal to publish and maintain a list of designated vehicles at the meeting on 11 December 2017. He explained that some drivers might have a medical condition, disability or physical condition which made it impossible or unreasonably difficult for them to provide the sort of physical assistance required. Drivers who had been granted an exemption would be issued with a notice to be displayed in the vehicle.

A Member asked for clarification regarding the expectation that assistance would be available from the taxi driver for elderly people with suitcases etc. The Licensing Policy Officer explained that it was a condition that a driver was expected to provide reasonable assistance and this exemption only applied to the drivers of designated

vehicles. The Act allowed the Council to grant exemptions from the duties to individual drivers of designated vehicles.

A Member stated that it was reasonable to expect a driver of a designated vehicle to be able to offer assistance as reasonably required and if a driver had an exemption certificate then he should be driving an ordinary taxi where limited help was expected.

A Member asked how the passenger would know if the driver of a designated vehicle would be able to help. The Licensing Policy Officer explained that the operator should send a driver who could assist if this was requested when the initial call was made.

A Member asked how the list would be updated and if responsibility for updating the list fell on the individual or the authority. The Licensing Policy Officer explained that any driver of a wheelchair accessible vehicle was required to comply with the requirement and the vehicle was listed, not the driver.

The Licensing Policy Officer confirmed that an exempt driver had to display his exemption certificate in the vehicle.

A Member commented that she was pleased to see the increase in the number of wheelchair accessible vehicles available and that she had never had any problems arranging a pick up or getting the help required.

RESOLVED:

Members:

- approved the proposal to give delegated authority to the Corporate Director Operational and Partnership Services to issue exemption certificates from the requirements of Section 165 of the Equality Act 2010.
- approved the proposal to give the Head of Shared Regulatory Services the delegated authority to maintain, update and publish a list of wheelchair accessible vehicles, in accordance with Section 167 of the Equality Act 2010.

16. URGENT ITEMS

None

17. DECLARATIONS OF INTEREST

None

The meeting closed at 09:50