

**REPORT TO LICENSING COMMITTEE**

<b>DATE</b>	<b>14<sup>th</sup> June 2018</b>
<b>PORTFOLIO</b>	<b>Environment</b>
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**Introduction of new Taxi and Private Hire Policy required to enable compliance with the Equalities Act 2010****PURPOSE**

1. To consider the adoption of a new policy required under the Equalities Act 2010

**RECOMMENDATION**

2. That Licensing Committee approves the new policy at appendix 'A'

**REASONS FOR RECOMMENDATION**

3. To ensure that, by implementing the requirements of the Equalities Act, the Council is able to meet its legal obligations and in addition, to enable the council to prosecute those who offend against the Act

**SUMMARY OF KEY POINTS**

4. Owners of assistance dogs are already protected by provisions in the Equality Act 2010 which make it unlawful for taxi and private hire drivers to refuse to convey them or to charge them extra. In order for similar protections to apply to wheelchair users, the government has commenced the remaining parts of sections 165 and 167 of the Act, which makes it a criminal offence for drivers of designated taxi and private hire vehicles to refuse to carry passengers in wheelchairs, to fail to provide them with appropriate assistance or to charge them extra.
5. The requirements of section 165 do not apply to drivers who have a valid exemption certificate and are displaying a valid exemption notice in the prescribed manner. An exemption certificate can be issued under section 166 of the Act, which is already in force. This allows Councils to exempt drivers from the duties under section 165 where it is appropriate to do so, on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for them to comply with those

duties. However, in order for the Council to be able to enforce these new provisions they are required to have a policy in place to deal with requests for medical exemptions from this part of the Act.

6. Once this policy is approved the Council will prepare a draft list of wheelchair accessible vehicles, write to each vehicle owner to advise them that their vehicle is on the list and make them aware of their upcoming responsibilities. Drivers may then apply for exemptions.
7. On completion of this process the Council will publish the list of designated wheelchair accessible vehicles and the duties placed on drivers will take effect. Any driver who subsequently offends against the Act may then be prosecuted.

#### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

8. None

#### **POLICY IMPLICATIONS**

- 9 Adoption of Taxi and Private Hire policies is the responsibility of the Licensing Committee

#### **DETAILS OF CONSULTATION**

- 10 David Talbot, Senior Solicitor

#### **BACKGROUND PAPERS**

- 11 None

#### **FURTHER INFORMATION**

**PLEASE CONTACT:**

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**ALSO:**

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