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Meeting	Gambling, Licensing & Regulatory Committee
Date	13 November 2017
Present	Councillors Douglas (Chair), Funnell (Vice-Chair), Crisp, Gillies, Hayes, Hunter, Looker, Mason, Mercer, Orrell, Pavlovic, Reid, Richardson and Wells
Apologies	Councillor Taylor

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## 1. **Declarations of Interest**

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they may have in respect of business on the agenda.

The Chair declared a personal interest in agenda item 5 – Taxi Licensing – Equalities, as a trainer for Guide Dogs. Councillor Mason declared a personal interest in agenda item 5 – Taxi Licensing – Equalities as he was the Interim Chief Executive for York Blind Society. Cllr Gillies declared a personal interest in agenda items 4 - Taxi Licensing – Review of Driver Training and 5 – Taxi Licensing – Equalities as his daughter and son in law were licensed drivers, including Uber.

## 2. **Minutes**

Resolved: That the minutes of the meeting held on 4 September 2017 be approved as a correct record and signed by the Chair.

## 3. **Public Participation**

It was reported that there had been three registrations to speak at the meeting under the Council's Public Participation Scheme.

Mike Palmer spoke in relation to item 4 - Taxi Licensing – Review of Driver Training to raise concerns about taxi licensing in relation to Uber. Antony Green spoke in relation to item 4 - Taxi Licensing – Review of Driver Training to express concern regarding the knowledge test as part of the new training

package. Antony Green also spoke in relation to item 4 - Taxi Licensing – Review of Driver Training to request that further consultation regarding the driver training package be undertaken with taxi drivers.

#### **4. Taxi Licensing - Review of Driver Training**

Members considered a report which sought Members' views in relation to the training package that was now being provided by the Council to both new and existing drivers in accordance with the Council's Taxi Licensing Policy.

The Licensing Manager gave a brief overview of the report, highlighting that the training was designed to enable drivers to demonstrate an awareness of sexual exploitation and safeguarding issues – this being a requirement of taxi drivers to meet the criteria of being 'fit and proper' to hold a licence in York. She also explained the format and content of the training package.

The Licensing Manager clarified the following points in relation to Members questions:

- Nine emails had been received from taxi drivers who shared concerns about the new training package for existing drivers. Concerns from the licensed trade included that they should not be expected to do the training, the cost of the training and it covered more issues than CSE and safeguarding.
- Concerns were also received from the licensed trade regarding the training for new driver applicants, that the test was easier.
- There was currently 611 private hire and 286 hackney carriage driver licences in York.
- The fee for the training day was £80. The cost for the half day training session was £40. The half day session is being delivered at different start times. These sessions were fully booked until the new year.
- The Council, as the Licensing Authority had a duty to make sure that taxi operators were 'fit and proper' to hold a York Licence. A private licence operator could be a person or a company.
- If taxi drivers working in York were licensed in a different authority, they would need to pass any relevant training required by the authority through which they are licensed.

If they breach their licence while operating in York we would report this to their home licensing authority.

- The 15 questions relating to routes included the requirement for the names of roads on the route to be stated.
- The free CSE training had stopped because of the behaviour of some of the participants.
- The previous qualifications of licensed drivers would be considered on a case by case basis at the time of license renewal.

Members then considered the following options:

Option 1 – The Members note the new training package and provide any comments they have to Officers.

Option 2 – That Members seek a further report to address any concerns they may have regarding the delivery of the present comprehensive training package.

Following consideration of the options, it was:

Resolved: That, in accordance with Option 1, Members note the new training package and provide any comments they have to Officers. Feedback on the new training package would be provided to the Committee in 6 months time.

Reason: To inform and seek Members' views about the Taxi Driver's Training Package.

## **5. Taxi Licensing - Equalities**

Members considered a report which briefed them on recent changes relating to taxi licensing following the introduction of Sections 165 and 167 of the Equalities Act 2010 (the Act). The report sought approval to instruct Officers to produce Designated List of wheelchair accessible vehicles, and to introduce 'tactile medical exemption certificates' as requested by Guide Dogs.

The Licensing Manager highlighted that S166 of the Act was already in force. This allowed licensing authorities to issue exemption certificates to drivers if they were satisfied that it was

appropriate to do so –

- a) on medical grounds, or
- b) on the ground that the person's physical condition makes it impossible or unreasonably difficult for the person to comply with those duties.

It was confirmed that there had been two exemptions on medical grounds in York.

In response to Members' questions, the Licensing Manager confirmed that:

- The Council as the licensing authority would bear the cost of the 'tactile medical exemption certificates.'
- A medical certificate from a doctor would be required to qualify for a 'medical exemption certificate.'

Members then considered the following options:

Option 1 – That Members (i) note the introduction of S165 and 167 of the Equalities Act 2010 instruct Officers to produce Designated List of wheelchair accessible vehicles, and (ii) that members instruct officers to introduce 'tactile medical exemption certificates' as requested by Guide Dogs.

Option 2 – That Members (i) note the introduction of S165 and S167 of the Equalities Act 2010 instruct Officers to produce Designated List of wheelchair accessible vehicles, and (ii) take no further action with regards to 'tactile medical exemption certificates'.

Option 3 – That Members (i) note the introduction of S165 and S167 of the Equalities Act 2010 determine that a Designated List of wheelchair accessible vehicles is not required, and (ii) that members instruct officers to introduce 'tactile medical exemption certificates'.

Option 4 – That Members (i) note the introduction of S165 and S167 of the Equalities Act 2010 determine that a Designated List of wheelchair accessible vehicles is not required, and (ii) take no further action with regards to 'tactile medical exemption certificates'.

Following consideration of the options, it was:

Resolved: That, in accordance with Option 1, Members

- (i) note the introduction of S165 and S167 of the Equalities Act 2010 instruct Officers to produce Designated List of wheelchair accessible vehicles, and;
- (ii) instruct officers to introduce 'tactile medical exemption certificates' as requested by Guide Dogs. Members note the new training package and provide any comments they have to Officers. Feedback on the new training package would be provided to the Committee in 6 months time.

Reason: This updates Members on the legal requirements of the Equalities Act 2010, the Council will produce and publish a Designated List of licensed vehicles, and will introduce a new requirement with regards to the carrying of assistance dogs in licensed vehicles.

Councillor H Douglas, Chair

[The meeting started at 4.00 pm and finished at 4.55 pm].