

<b>MEETING:</b>	General Licensing Regulatory Board
<b>DATE:</b>	Wednesday 26 October 2022
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

### Present

Councillors Green (Chair), Bowser, Cherryholme, Clarke, Danforth, K. Dyson, Franklin, Greenhough, Hunt, Kitching, Lodge, Osborne, Shepherd, Webster and White

### 4 Declaration of Interests

Councillor Shepherd declared a non-pecuniary interest in Minute number 6 as the Chief Executive of the Gaming and Betting Council is a personal friend and had received hospitality earlier in the year.

### 5 Minutes

The minutes of the meeting held on the 22<sup>nd</sup> June, 2022 were taken as read and signed by the Chair as a correct record.

### 6 Statement of Gambling Policy Review Consultation 2022

The Service Director Law and Governance provided members with an overview of the forthcoming Statement of Gambling Policy Review Consultation, 2022.

Members were informed that as a Licensing Authority a Statement of Gambling and Policy Review must be determined and published at least once every 3 years. Following a review Barnsley was in a position to carry out the statutory consultation leading to the final policy being determined. The consultation would run for 10 weeks commencing on 28<sup>th</sup> October, 2022 and concluding at midnight on 6<sup>th</sup> January, 2023. Members were asked to consider the document to be released and provide any reviews in writing to Licensing by the closing date.

**RESOLVED** that the Gambling Policy Review Consultation be approved and the consultation arrangements be noted.

### 7 The Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 amendment to the Taxi and Private Hire Policy 2022

The Service Director Law and Governance submitted a report informing members of the new Taxi and Private Hire Vehicles (Disabled Persons) Act 2022 which came into force on 28<sup>th</sup> June, 2022.

Members were reminded that the Council's Taxi and Private Hire Licensing Policy which brought together all taxi and private hire vehicle licensing procedures was implemented in March 2022. The Taxi and Private Hire Vehicles (Disabled Persons) Act 2022 amended the Equality Act 2010 to ensure that disabled passengers are not

discriminated against and receive appropriate assistance wherever they travel in taxi and private hire vehicles without being charged extra.

Members were informed that a list of licensed taxis and private hire vehicles that would be capable of carrying wheelchair users either in their wheelchair or in a passenger seat would be maintained and published on the council's website.

Members were provided with details of the duties the drivers must adhere to and the repercussions of non-compliance such as prosecution or referral to a General Licensing Sub-Committee. Medical exemption certificates would be available from the Licensing Section based on medical grounds of whether the driver's physical condition would prevent them from performing mobility assistance duties.

In addition to the requirements set out in Act, it would also be recommended for the driver or operator to ask every passenger whether assistance would be required and this would be at the booking stage or on approach in the rank or when hailed.

In the ensuing discussion, the following matters were raised and answered:

- The medical criteria would be determined based on the medical grounds of each individual case alongside evidence provided by medical professionals determining if a driver would be fit enough to carry out the required duties
- Drivers could report an injury for a medical exemption on the 24 hour online system which would be picked up and investigated during office hours
- With the size and weight difference of various wheelchairs, Licensing Officers were in the process of gathering relevant information as to each car available and what size wheelchair they could accommodate, guidance would be issued to drivers
- A disclaimer would be placed on the webpage detailing all wheelchair accessible vehicles, that it would be advisable for potential passengers to also check with the driver/company in advance of booking as to whether the vehicle would be able to accommodate their equipment
- Appropriate training for drivers was being looked into in order to give both passengers and Drivers the ability to appropriately assist a disabled person in and out of a vehicle
- Carers were not specifically named and covered under the new legislation but Assistance Dogs were

**RESOLVED** that the amendment of the Taxi and Private Hire Policy 2022 to the include the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 be approved.

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Chair