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BRECKLAND COUNCIL

At a Meeting of the

LICENSING COMMITTEE

Held on Wednesday, 19 October 2022 at 11.30 am in
The Breckland Conference Centre, Anglia Room, Elizabeth House, Walpole Loke,
Dereham, NR19 1EE

PRESENT

Cllr Marion Chapman-Allen (Chairman)	Cllr Keith Martin
Cllr Tina Kiddell (Vice- Chairman)	Cllr Linda Monument
Cllr Mike Brindle	Cllr Philip Morton
Cllr Susan Dowling	Cllr Taila Taylor

In Attendance

Josie Hoven	- Senior Licensing Officer
Julie Britton	- Democratic Services Officer

Action By

26/22 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 20 July 2022 were agreed as a correct record and signed by the Chairman.

27/22 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Ashby, Dale and Kiddle-Morris.

28/22 URGENT BUSINESS (AGENDA ITEM 3)

None.

29/22 DECLARATION OF INTERESTS (AGENDA ITEM 4)

None declared.

30/22 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

None.

31/22 BRECKLAND TAXI POLICY AND PROCEDURES - MEDICAL EXEMPTION POLICY (AGENDA ITEM 6)

Josie Hoven, the Senior Licensing Officer provided Members with a detailed overview of the report.

On 28 June 2022 the Taxis and Private Hire Vehicles (Disabled Persons)

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Act 2022 came into effect making changes to The Equality Act 2010. Those changes introduced new and amended existing duties for local authorities and hackney carriage/private hire drivers and operators alike.

The aim of the 2022 Act was to ensure that disabled people could use taxi and private hire services with confidence, and would not be discriminated against, and assistance would be given where required.

The Licensing Team had contacted all licensed drivers and operators to advise them of these changes. The Act allowed an exemption to be applied for should a driver be unable to carry out the duties required under the Equality Act 2010 on medical grounds.

Members were being asked if a section to the Breckland Taxi Policy and Procedures could be added that formally sets out the procedure for applying for exemption from those duties – the Medical Exemption Policy.

The new section advises that an application for exemption could be made using the new application form that must be completed by a GP.

If approved, the applicant would be given an exemption certificate to display in their vehicle. This would enable anyone approaching the vehicle to see that the driver was exempt from assisting. The exemption certificate could be time limited (i.e., due to injury a driver would be exempted from duties for 3 months) or a permanent exemption which would be reviewed at each renewal application every three years. A copy of the proposed Medical Exemption Policy could be found at Appendix A of the report.

The following 3 minor amendments to the Appendix, suggested by Councillor Monument, were agreed:

Page 13 of the agenda pack:

To carry the passenger's guide or assistance dog.....

Page 14 of the agenda pack (2nd paragraph):

Upon receipt of a second doctor's note, the licensing team may either accept the doctor's note or require the driver to be referred to a health centre.....

Page 14 of the agenda pack (3rd paragraph):

On the basis of *not* being a fit and proper person to hold a licence.

Although this might not form part of this Policy, Councillor Morton asked if Breckland Council had the ability, if a firm applied for a medical exemption for one driver, if they could then employ that driver in another car, so the number of taxis could be retained for disabled people. Members were informed that Breckland did not have any drivers with medical exemptions as yet but in general, if a wheelchair accessible vehicle or assistance was required an assumption would be made that the operator had asked that question and only provide employ a driver who could provide that assistance.

Action By

In response to a question about whether drivers had to pay for their medical examination to be provided with a certificate by their General Practitioner, Members were informed that they did.

RESOLVED that the proposed Medical Exemption Policy be approved, so that it can be included in the Breckland Taxi Policy and Procedures with immediate effect.

32/22 NEXT MEETING (AGENDA ITEM 7)

The arrangements for the next meeting on Wednesday, 11 January 2023 at 10am in the Anglia Room were noted.

The meeting closed at 11.40 am

CHAIRMAN