
GENERAL LICENSING COMMITTEE, 11.12.17

Present: Councillors Steve Collings, Eryl Jones-Williams, Dafydd Owen, Edgar Wyn Owen, Rheinallt Puw, Peter Read, Dewi Roberts, Elfed W. Williams and Gareth Williams

Also in Attendance: Gareth Jones (Senior Planning and Environment Manager), Gwenan Mai Roberts (Licensing Manager), Geraint B. Edwards (Solicitor) and Lowri Haf Evans (Member Support Officer)

1. APOLOGIES

Apologies had been received by Councillors Annwen Daniels, Annwen Hughes, John Brynmor Hughes, Sion Jones and Jason W Parry.

2. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

3. URGENT ITEMS

None to note

4. MINUTES OF THE PREVIOUS MEETING

The Chair signed the minutes of the meeting of this Committee, that took place on 11 September 2017, as a true record.

5. MINUTES OF THE GENERAL LICENSING SUB-COMMITTEES

Submitted - for information, the minutes of a meeting of the General Licensing Sub-committee held on 22.8.17 and 13.11.17.

6. IMPLEMENTATION OF THE EQUALITY ACT 2010 - ACCESSIBLE TAXIS FOR WHEELCHAIRS

Submitted – the report of the Head of Environment advising the Members on the elements of the Equality Act 2010 that have been operational since April 2017. It was reported that sections 165, 166 and 167 which are relevant to vehicles accessible to wheelchairs, made it a requirement for the Licensing Authority to decide whether they wish to publish the list of vehicles that have been designated as accessible. The intention was to ensure that better information would be available for wheelchair users about the vehicles that were suitable for them in their areas, and for them to be confident that they would receive the required assistance to travel safely.

It was noted that Section 167 of the Act gave the Authority permission to maintain a designated list of vehicles accessible to wheelchairs. Although there was no legal obligation or statutory requirement to maintain a list, it was noted that the government strongly suggested that Local Authorities should ensure that the list was correct and up-to-date. Reference was made to the statutory guidelines the Transportation Unit had determined in regards to implementing the sections along with a recommendation to which process the Local Authorities should consider to ensure that the Act was implemented effectively.

It was reported that there were 53 licensed vehicles that would be designated as accessible to wheelchairs in Gwynedd (13% of the County's total). It was noted that publishing a list would be a way to encourage and increase in licence applications for such vehicles and would be an encouragement for companies to realise the potential economic value of including accessible vehicles as a part of their fleet.

During the ensuing discussion, the following points were highlighted by individual Members:

- A list would set the framework for Gwynedd Council's provision
- It would be a good guide to promote service
- There would be a possibility of collaborating and sharing the list with the County's hospitals
- Ideally, every hackney vehicle should be accessible to wheelchairs and that this should be the vision for the future
- There was a need to introduce the new system gradually to encourage use of multi-purpose vehicles - The Council needed to be innovative
- Smaller companies more likely to invest following public pressure
- It would be a challenge for the department to keep the list up-to-date

RESOLVED to approve:

- a) **implement the requirements of sections 165, 166 and 167 of the Equality Act 2010.**
- b) **officers to prepare a policy to be considered by the committee on the criteria for the exceptions and the procedures for drivers who are not able to conform to the duties imposed by the Act for medical or physical reasons.**
- c) **the policy provision for implementing these procedures to be included in the upcoming review of taxis policies; and include them in the unitary taxi policy which will be ready to be consulted upon soon.**

7. REVIEW OF GWYNEDD COUNCIL TAXI POLICIES

An oral update from the Licensing Manager was provided on the process of reviewing all Gwynedd Council taxis policies and the Members were reminded that the intention was to submit one unitary policy which would include the Committee's decision to implement sections 165, 166 and 167 of the Equality Act. It was reported that James Button (JB) (Specialist lawyer in the licensing field) was also conducting a national review to strengthen and improve the convictions policy. It was added that Gwynedd Council welcomed this work and appreciated any improvements / updates, as the Council made extensive use of the policy when considering hackney license / taxi driver applications. It was reported that JB's

review would likely be completed by April 2018 and that any adaptations would be included in Gwynedd's unitary policy.

During the ensuing discussion, the following points were highlighted by individual Members:

- The need to rationalise and reconcile the policies for the three areas in Gwynedd was welcomed
- Needed to ensure a general convictions policy for everyone - the policies were currently being misinterpreted which made some situations difficult
- Needed to ensure that the adaptations / changes were implemented at the same time
 - one adaptation

In response to an observation regarding the timetable for publishing the unitary policy, it was emphasised that this was dependent on ensuring that all elements were ready along with conducting a formal and official consultation. It was added that the elements would be driving the timetable, but hopefully the unitary policy would be operational by June 2018.

The information was ACCEPTED.

The meeting commenced at 10:00am and concluded at 10:50am