



**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE LICENSING COMMITTEE**

**MONDAY 12TH JUNE 2017 AT 6.00 P.M.**

**COMMITTEE ROOM, PARKSIDE, MARKET STREET, BROMSGROVE, B61 8DA**

MEMBERS: Councillors M. T. Buxton, R. L. Dent, J. M. L. A. Griffiths,  
C. M. McDonald, S. R. Peters, S. P. Shannon, C. J. Spencer,  
P.L. Thomas, L. J. Turner and S. A. Webb, (Vacancy)

**AGENDA**

1. Election of Chairman
2. Election of Vice-Chairman
3. To receive apologies for absence and notification of substitutes
4. Declarations of Interest  
  
To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
5. To confirm the accuracy of the minutes of the meeting of the Licensing Committee held on 13th March 2017 (Pages 1 - 4)
6. Hackney Carriage and Private Hire Penalty Points Scheme - Results of Consultation (Pages 5 - 30)
7. Equality Act 2010 - Section 167 - List of Wheelchair Accessible Vehicles (Pages 31 - 52)

8. Street Trading - Designation of Streets (Pages 53 - 58)
9. Annual Report 2016/2017 (Pages 59 - 64)
10. Licensing Committee Work Programme 2017/2018 (Pages 65 - 66)
11. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

1st June 2017

## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE LICENSING COMMITTEE**

**13TH MARCH 2017 AT 6.00 P.M.**

PRESENT: Councillors R. L. Dent (Chairman), R. J. Deeming, J. M. L. A. Griffiths, M. A. Sherrey, P.L. Thomas, L. J. Turner and S. A. Webb

Officers: Mrs V. Brown, Mr D. Etheridge and Ms R. Cole

22/16 **APOLOGIES**

Apologies for absence were received from Councillors M. T. Buxton, B. T. Cooper, C. M. McDonald, S. R. Peters and C. J. Spencer. The Committee was advised that Councillors R. J. Deeming and M. A. Sherrey were attending as substitute Members for Councillors Cooper and Spencer respectively.

23/16 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

24/16 **MINUTES**

The minutes of the meeting of the Licensing Committee held on 18th January 2017 were submitted.

**RESOLVED** that the minutes of the meeting held on 18th January 2017 be approved as a correct record.

25/16 **LEGISLATIVE UPDATE**

The Committee considered a report which highlighted changes to legislation which had either taken place or were proposed to come into effect in the near future and which related to Licensing functions.

The Senior Practitioner (Licensing) WRS highlighted a number of areas of legislative change and drew the attention of Members to the appendices to the report in each case which set out the changes in more detail.

**The Immigration Act 2016**

The main impact was in respect of Section 5 of the Act in relation to Taxi and Private Hire Licensing functions. The provisions mean that Hackney

Carriage and Private Hire Driver and Operator Licences must not be issued to those who are illegally present in the UK, those who are not permitted to work or those who are permitted to work but are subject to a condition prohibiting them from holding such a licence.

It was reported that Licensing Officers had received additional training from the Home Office Immigration Enforcement Team on the new provisions and on increased document fraud awareness. Members were informed that the cost to the Authority was minimal and that it was more about increased awareness of potential areas of difficulty.

## **Policing and Crime Act 2017**

It was noted that the Act contained provisions which would impact on both Taxi Licensing and the Licensing of Alcohol and Late Night Refreshment under the Licensing Act 2003. These included:

- Statutory Guidance on Protecting Children and Vulnerable Adults - the Secretary of State may issue Guidance to public Authorities as to how their licensing functions under Taxi and Private Hire Vehicle legislation may be exercised so as to protect children and vulnerable individuals from harm;
- Personal Licences – Licensing Authorities would have the power to suspend or revoke a Personal Licence. The Licence Holder would still have the opportunity to make representations to the Licensing Committee;
- Licensing Act 2003: Addition of Further Relevant Offences - this would increase the number of “Relevant Offences” conviction for which would be grounds for refusing, suspending or revoking an existing Personal Licence;
- Licensing Act 2003: Guidance to Local Authorities - this would no longer have to come before Parliament for approval before it comes into effect;
- Cumulative Impact Policies – these would be placed on a statutory basis .At present this Council does not have a Cumulative Impact Policy;
- Late Night Levy Requirements – changes to be introduced to make the Late Night Levies more flexible but with greater transparency.

## **Section 165-167 of the Equality Act 2010 – Taxi and Private Hire Passengers in Wheelchairs**

It was reported that new guidance had been published by the Department for Transport on the new provisions of the Equality Act 2010.

From April 2017 drivers of designated wheelchair accessible Taxis and Private Hire Vehicles would be obliged by law to:

- transport wheelchair users in their wheelchair
- provide passengers in wheelchairs with appropriate assistance
- charge wheelchair users the same as non-wheelchair users

Drivers found to be discriminating against wheelchair users may be fined up to £1000 and/or have their vehicle licence suspended or revoked by their Licensing Authority.

It was noted that further updates and reports in relation to the change in the law would be brought to this Committee later in the year. In addition there would be attempts to raise the awareness of Licensed drivers of the changes in the law and potential impact on them.

## **Animal Licensing Proposals (DEFRA)**

Following a consultation with stakeholders as part of a review of animal establishment licensing in England, DEFRA had issued a document “The Review of Animal Establishments Licensing in England – Next Steps”. This related to the updating and combining of the current licensing regimes which regulate the sale of pet animals, dog and cat boarding, dog breeding and riding schools.

It was noted that further progress reports would be submitted to the Committee when the information on the review was available.

It was

**RESOLVED** that the contents of the report on legislative updates be noted.

26/16

## **REVISED STREET TRADING POLICY - APPROVAL FOR CONSULTATION**

Members considered a revised Street Trading Policy as the existing Policy had been in place since July 2011. It was recognised as good practice to have a Street Trading Policy so that applications were dealt with on a consistent and transparent basis. It was also important to review the Policy from time to time to ensure that it remained fit for purpose.

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Licensing Committee  
13th March 2017

Members considered the draft of the revised policy set out in Appendix 2 to the report. It was noted that the proposed policy was a more comprehensive and detailed document than that currently in place. The draft incorporated the standard conditions which would mean that all parties would have easier access to these. The additional information included in respect of the application process would also assist all parties involved to achieve a consistent and transparent approach to undertaking Street Trading Functions.

It was reported that the draft revised policy was based on a template being developed across Worcestershire in an attempt to harmonise where appropriate, licensing policies and procedures.

Members were reminded that the Street Trading Policy also covered traders such as flower sellers and catering vans located within laybys. It was possible that views would be expressed on areas where street trading could be extended.

It was reported that it was intended to undertake a consultation exercise in respect of the proposed revised policy and that it was proposed to issue a questionnaire for this purpose. The public would be invited to respond together with existing Street Traders and stakeholders including the Police, County Highways, Local Members and Parish Councils. In response to questions from Members it was confirmed that the Centres Manager would also be consulted.

It was anticipated that the consultation would last for 12 weeks, and that the results would be reported back to the September meeting of this Committee.

Following discussion it was

**RESOLVED** that the draft revised Street Trading Policy as set out in Appendix 2 to the report be approved for the purpose of consultation with relevant parties.

27/16

## **LICENSING COMMITTEE WORK PROGRAMME**

The Committee considered the Work Programme for 2017/18.

**RESOLVED** that the Licensing Committee Work Programme be updated to include the items discussed and agreed during the course of the Meeting.

The meeting closed at 6.42 p.m.

Chairman

**HACKNEY CARRIAGE AND PRIVATE HIRE PENALTY POINTS SCHEME**

Relevant Portfolio Holder	Councillor P. J. Whittaker
Portfolio Holder Consulted	Yes
Relevant Head of Service	Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

The Licensing Committee are asked to consider the responses received during the consultation on implementing a Hackney Carriage and Private Hire Penalty Points Scheme and decide whether or not to proceed with the implementation of such a scheme.

**2. RECOMMENDATIONS**

**Members are asked to consider the responses received during the consultation exercise and RESOLVE whether or not to proceed with the implementation of a Hackney Carriage and Private Hire Penalty Points Scheme.**

**3. KEY ISSUES**

**Financial Implications**

3.1 The costs involved in carrying out the consultation exercise were met from existing budgets held by Worcestershire Regulatory Services.

**Legal Implications**

3.2 Many authorities across the UK operate penalty point schemes and there have been a number of legal challenges to same. In order to avoid such challenges being successful it is necessary to have a mechanism in place to allow for appeals against the imposition of penalty points, and to ensure that any decision in respect of whether, or not, to revoke a licence, once the maximum number of permissible points has been reached, is taken at the appropriate level, based on the merits of each individual case.

**Service / Operational Implications**

- 3.3 The holders of hackney carriage and private hire licences issued by the Council are subject to a number of legal requirements and licence conditions which govern how they carry out their businesses.
- 3.4 Worcestershire Regulatory Services, acting on behalf of the Council, is responsible for ensuring licence holders comply with these requirements and for taking appropriate action to deal with any licence holders who commit offences or fail to comply with their requirements.
- 3.5 The vast majority of licence holders comply with the requirements that are placed upon them, however there are various options available to officers when dealing with the small minority who are found to be committing offences or other acts of non-compliance, which can be summarised as follows:
- Verbal warnings
  - Written warnings
  - Formal cautions
  - Prosecution
  - Referral to Licensing Sub-Committee
- 3.6 The way in which offences and acts of non-compliance are dealt with by officers will depend on the circumstances of each individual case and appropriate regard is had to the Regulator's Code and relevant enforcement policies.
- 3.7 Some local authorities have introduced an additional mechanism for dealing with minor offences and acts of non-compliance with hackney carriage and private hire licensing requirements in the form of a penalty points scheme for their licence holders.
- 3.8 The basic principle of such a scheme is that individuals that are found to have committed relatively minor offences or acts of non-compliance have a number of penalty points logged against their licensing records held by the authority.
- 3.9 If an individual accumulates a given number of penalty points, within a defined period, this triggers an automatic referral of the licence holder to a Licensing Sub-Committee where consideration is given to whether the individual remains a fit and proper person to hold the relevant licence.



- 3.10 A penalty points scheme enables officers to deal quickly and efficiently with minor compliance issues and helps to identify those that are regularly not acting in compliance with their licensing requirements so that more serious action can be considered against these individuals in a targeted and proportionate way.
- 3.11 The introduction of a penalty points scheme would not affect the Council's ability to take formal enforcement action for any offence or act of non-compliance and every case will continue to be considered on its own merits.
- 3.12 For example, a penalty points scheme would not be an appropriate mechanism for dealing with serious offences or acts of non-compliance such as employing unlicensed drivers, driving without appropriate insurance or plying for hire in a private hire vehicle.
- 3.13 On 14 November 2016, the Licensing Committee approved a consultation on introducing a Hackney Carriage and Private Hire Penalty Points scheme in the Bromsgrove District. The proposed scheme that was consulted upon is shown at Appendix 1.
- 3.14 A consultation survey was sent to all hackney carriage and private hire licence holders. A copy of the consultation survey can be seen at Appendix 2. The consultation survey was also sent to:
- National Taxi and Private Hire Associations
  - West Mercia Police
  - West Mercia Safer Roads Partnership
  - Bromsgrove District Council Parking Department
  - Bromsgrove District Council Depot Management
  - Bromsgrove Taxi Association
  - Parish Councils
  - District Councillors
- 3.15 In total 15 responses were received to the consultation. The responses came from twelve licensed drivers, two Parish Councils and a District Councillor. A summary of the results of the consultation exercise can be seen at Appendix 3.
- 3.16 None of the licensed drivers who responded to the consultation were in favour of the introduction of a penalty points scheme. The District Councillor and one of the Parish Councils was in support of the introduction of a scheme, the other Parish Council did not express a clear view either way.

- 3.17 There were a number of offences or acts of non-compliance that respondents felt the Council should not include within the penalty points scheme. Of these, officers recognise that currently Bromsgrove District Council's licensing conditions do not require drivers to carry a first aid kit in their vehicles and that therefore the failure to carry a first aid kit should be removed from the scope of any penalty points scheme implemented by the Council.
- 3.18 Both Parish Council's responding to the consultation made suggestions about amending the number of points issued in respect of different offences and acts of non-compliance.
- 3.19 A number of other comments and observations were made in response to the consultation exercise, which can be seen at Appendix 3. One driver also submitted a separate list of observations for consideration. This is attached at Appendix 4.
- 3.20 Officers recommend that the Licensing Committee consider the responses received during the consultation exercise and decide whether they wish to proceed with the implementation of a Hackney Carriage and Private Hire Penalty Points Scheme.

#### **4. RISK MANAGEMENT**

- 4.1 None

#### **5. APPENDICES**

- Appendix 1 – Draft Penalty Points Scheme
- Appendix 2 – Consultation Survey
- Appendix 3 – Summary of Consultation Responses Received
- Appendix 4 – Additional Observations from licensed driver

#### **AUTHOR OF REPORT**

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## **BROMSGROVE DISTRICT COUNCIL**

### **HACKNEY CARRIAGE AND PRIVATE HIRE PENALTY POINTS SYSTEM**

The penalty points system for recording non-compliance with Hackney Carriage or Private Hire requirements will operate as follows:-

1. Bromsgrove District Council's Enforcement Policies will be fully considered by the enforcing officer when determining the manner in which any breach of the legislation, byelaws or the requirements of this licence conditions are dealt with. Where it is decided that the use of penalty points is appropriate they will be issued in accordance with the rate in the attached schedule.
2. Before penalty points are issued, there must be sufficient evidence to prove the relevant offence(s) or breach of condition(s).
3. Each case will be considered on its own merits.
4. When points are issued, the relevant proprietor, driver or operator will be sent written confirmation within five working days.
5. Points may be issued to the driver, proprietor and/or operator of a vehicle in accordance with the table below depending on the circumstances of the case.
6. Where the driver of the vehicle is also the proprietor and/or operator of the vehicle, only one set of points will be issued in respect of each offence or breach of condition identified.
7. There is a right of appeal to the Licensing and Support Services Manager at Worcestershire Regulatory Services against any points that are issued.
8. Points issued will remain "live" for a rolling period of two years from the date of issue. Points will be considered "spent" once it is more two years from the date of issue.

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9. Any driver, proprietor or operator accumulating 12 points in a two year period will be referred to a Licensing Sub-Committee for a review of whether the individual remains a fit and proper person to hold the relevant licence.
10. When a driver, proprietor or operator appears before a Licensing Sub-Committee, the following options are available to the Sub-Committee:
  - Take no further action
  - Issue a written warning
  - Extend the two year period for which the points remain live
  - Suspend the licence
  - Revoke the licence
  - Any other action that the Sub-Committee feels appropriate in the circumstances of the case
11. Any driver appearing before a Licensing Sub-Committee will have the right to make representations to the Sub-Committee and be legally represented at the hearing.
12. Any driver, proprietor or operator who has their licence suspended or revoked by a Licensing Sub-Committee will have the right to appeal against the decision to a Magistrates Court within 21 days unless in the interests of public safety, the Sub-Committee further resolves that the suspension or revocation should have immediate effect.
13. Once a Licensing Sub-Committee has considered a case involving accumulated points, the points will be treated as spent unless the Sub-Committee decides otherwise.
14. If the Sub-Committee decides that any points are to remain live, they must stipulate the date at which they will be considered spent.
15. Nothing in this penalty points system will prevent the Council from taking action under any appropriate legislation.
16. The penalty points scheme will be subject to review two years after implementation and as necessary thereafter.

## SCHEDULE – TARIFF OF POINTS ISSUED FOR OFFENCES / BREACHES

	<b>Offence (s) / Breach of condition (s)</b>	<b>Points applicable</b>	<b>Vehicle Driver</b>	<b>Vehicle Proprietor</b>	<b>Operator (PH)</b>
1	Failing to behave in a civil and orderly manner	4	X		
2	Failure to proceed to another hackney carriage stand on finding a hackney carriage stand full (over-ranking)	3	X		
3	Failing to wear drivers badge so it is plainly visible	3	X		
4	Failing to display vehicle licence plate on the outside rear of the vehicle	3	X	X	
5	Vehicle interior in unacceptable condition	3	X	X	
6	Vehicle exterior in unacceptable condition	3	X	X	
7	Failure to provide fire extinguisher	3	X	X	
8	Failure to provide adequate first aid kit	3	X	X	
9	Taximeter defective or not clearly visible	4	X	X	
10	Failing to afford reasonable assistance with loading and unloading luggage	3	X		
11	Failure to display table of fares	3	X	X	
12	Conveying more passengers in the vehicle than permitted by the licence	4	X		
13	Leaving hackney carriage unattended on a stand	3	X		
14	Charging more than the prescribed fare for a journey	4	X		
15	When hired to do so, failing to attend at the appointed time and place without reasonable cause	3	X	X	X
16	Failing to hand in property left in a licensed vehicle by a passenger	3	X	X	X
17	Failing to notify the Council of motoring or other convictions within 7 days	4	X	X	X
18	Failing to keep appropriate records of bookings	4			X
19	Failing to notify the Council of a change of name or address	3	X	X	X
20	Refusing a fare without reasonable cause	3	X		
21	Failing to report an accident to the Council within 72 hours	3	X	X	
22	Failing to produce insurance certificate to officer on request	4	X	X	
23	Failing to produce vehicle for inspection on request	4	X	X	
24	Failure to produce booking records upon request	4			X
25	Causing or permitting any vehicle other than a hackney carriage to wait on a hackney carriage stand	4	X		
26	Unnecessarily prolonging a journey without reasonable cause	4	X		
27	Obstructing an authorised officer or constable	3	X	X	X

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28	Failing to comply with a requirement properly made by an authorised officer or constable	3	X	X	X
29	Using vehicle horn otherwise than in accordance with the rule 112 of the Highway Code.	3	X		
30	Allowing smoking in a licensing vehicle	3	X		
31	Smoking in a licensed vehicle	3	X		
32	Parking a vehicle in an illegal or dangerous position	3	X		



**Bromsgrove**  
District Council  
[www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)



## **Bromsgrove District Council**

### **Consultation on Hackney Carriage and Private Hire Penalty Point Scheme**

The vast majority of those individuals that Bromsgrove District Council licences to drive and operate hackney carriage and private hire vehicles comply with all of the rules and requirements rules that their status as a licensed driver places upon them.

However there are unfortunately a small minority of licensed drivers that fail to comply with some of these rules and requirements and this impacts on the vast majority of licence holders and can damage the reputation of the taxi and private hire services on offer in the Bromsgrove District.

Therefore the Council is proposing to introduce a penalty point scheme as an additional tool to help secure compliance with licensing requirements from holders of the hackney carriage and private hire licences that the Council issues.

The basic idea behind introducing a penalty point scheme is that it would allow licensing officers to issue an appropriate number of points to those who commit minor offences or acts of non-compliance as an alternative to taking more formal action, with a view to identifying those that persistently commit minor offences or fail to comply with the rules and requirements placed upon them as licence holders.

A licence holder that reaches a certain number of points within a given period would then be referred to a Licensing Sub-Committee, which would consider whether or not to suspend or revoke the individual's licence.

The penalty point scheme is not intended to be used to deal with more serious offences or acts of non-compliance and in deciding what action to take, each case will continue to be considered on its own individual merits.

A copy of the draft penalty point scheme is either enclosed or alternatively can be viewed and downloaded from the "Consultations" page on the Council website.

Please read the draft scheme before answering the questions below. The draft scheme does not set out an exhaustive list of offences or acts of non-compliance that a licence holder may commit, just those that it is proposed to deal with under a penalty point scheme.

This consultation will remain open for responses until **30 April 2017**.

## CONSULTATION QUESTIONS

1	In general terms, do you support the introduction of a penalty point scheme for those who hold hackney carriage and private hire licences issued by the Council?			
<b>YES</b>			<b>NO</b>	<b>DON'T KNOW</b>
<p>Comments / Reasons:</p>				



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2.	Are there any offences or other acts of non-compliance that are contained within the draft penalty point scheme that you think the Council should not include within any scheme they adopt?				
<table border="1"><tr><td data-bbox="248 376 638 490" style="text-align: center;"><b>YES</b></td><td data-bbox="638 376 1027 490" style="text-align: center;"><b>NO</b></td><td data-bbox="1027 376 1412 490" style="text-align: center;"><b>DON'T KNOW</b></td></tr></table>			<b>YES</b>	<b>NO</b>	<b>DON'T KNOW</b>
<b>YES</b>	<b>NO</b>	<b>DON'T KNOW</b>			
If answering YES, please specify and explain why you think the penalty points scheme should not include these offences or acts of non-compliance:					

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3.	Are there any other offences or acts of non-compliance that are not contained in the draft scheme you think the Council should include within any penalty point scheme they adopt?		
<b>YES</b>		<b>NO</b>	<b>DON'T KNOW</b>
If answering YES, please specify and explain why you think the penalty points scheme should include these offences or acts of non-compliance:			

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4.	Do you think the number of points that the Council proposes to issue in respect of each offences or act of non-compliance identified in the penalty point scheme are all set at the appropriate level?		
<b>YES</b>		<b>NO</b>	<b>DON'T KNOW</b>
If answering NO, please specify what changes you think should be made to the number of points that the Council proposes to issue in respect of particular offences or act of non-compliance?			

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5.	The Council proposes to have those who receive 12 or more penalty points in a two year period, referred to a Licensing Sub-Committee. Do you think that this threshold is appropriate?		
<b>YES</b>		<b>NO</b>	<b>DON'T KNOW</b>
If answering NO, what do you think the threshold should be when a licence holder is referred to a Licensing Sub-Committee?			

Please use this space to make any other comments or observations that you may have on the draft penalty points scheme?

This consultation will remain open for responses until **30 April 2017**.

Once completed, please return your consultation response to:

Consultation on Penalty Points Scheme – Bromsgrove District Council  
Worcestershire Regulatory Services  
Wyre Forest House  
Finepoint Way  
Kidderminster  
Worcestershire  
DY11 7WF

You can also return your consultation response via email to [wrsenquiries@worcsregservices.gov.uk](mailto:wrsenquiries@worcsregservices.gov.uk)

Finally you can submit your consultation response at the Reception Desk at the Customer Service Centre at Parkside in an envelope marked for the attention of “Licensing.”

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## CONSULTATION RESULTS - SUMMARY

<b>In general terms, do you support the introduction of a penalty point scheme for those who hold hackney carriage and private hire licences issued by the Council?</b>			
YES	NO	DON'T KNOW	NO RESPONSE
<b>2</b>	<b>12</b>	<b>0</b>	<b>1</b>
<b>COMMENTS – (FROM THOSE SAYING YES)</b>			
<p>I support the proposal on penalty points. The only area that I feel perhaps warrants discussion is the appeal process on being awarded points. I wonder whether the chair or other member of the licensing committee should be involved in the appeal process.</p>			
<b>COMMENTS (FROM THOSE SAYING NO)</b>			
<p>Just another reason for the Council to screw hardworking people</p> <p>We are professional drivers who know how to be civil otherwise the Council would not give us a driver badge.</p> <p>If you treat people like children, they act like children. No one wins and another blow struck against common sense.</p> <p>I am against the whole points system, I feel it is not required, especially when there's "out of town" private hire and hackney carriages work around Bromsgrove that these points cannot apply to if not Bromsgrove plated and licensed. Summing up – I'm against the points system.</p> <p>Do not agree with it.</p> <p>Support – 1, 3 to 7, 9, 10, 12 – 32. Not supporting 2 &amp; 11.</p> <p>I reject all this as we already have a handbook, what's next a naughty step outside Iceland. More attention should be paid by licensing to control unlicensed out of town drivers coming into Bromsgrove before there is a serious incident and if there is, I will be the first to the papers. The Council has been told and not acted on it.</p> <p>The situation some drivers have found themselves placed in would leave them exposed to receiving penalty points through being placed in an unjust system if this action was implemented.</p> <p>The unreasonable and unnecessary age restriction on vehicles are already forcing drivers out of their jobs. The closure of the Dog and Pheasant and changes to other establishments along with other things has seen a massive drop in customers and drivers are struggling. The Council should concentrate on helping not making things harder. The system would be impossible to implement as there are not enough licensing officers to police it and many of the things would rely on hearsay. Drivers and members of the public could make false allegations.</p>			

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**Are there any offences or other acts of non-compliance that are contained within the draft penalty point scheme that you think the Council should not include within any scheme they adopt?**

YES	NO	DON'T KNOW	NO RESPONSE
<b>6</b>	<b>1</b>	<b>3</b>	<b>5</b>

**COMMENTS – (FROM THOSE SAYING YES)**

Fire extinguisher (7) – if my car catches fire my first aim it to get me and my passengers to safety and dial 999.

First Aid Kit (8) – Not medically qualified to do 1<sup>st</sup> Aid.

Charging More (14) – Certain passengers change destination while in the car or stop at a shop and assume the fare should be the same.

Over ranking (2) – Day time, 7 spaces at Iceland, 4 at train station and over 100 drivers on the road. Council need to make more rank spaces. Strand rank is useless.

Clause 22 – What if they are full? It can happen. I assume, as far as the main town stand is concerned, “full” is deemed to be as far as the camera. Another reason why the Council should give serious consideration to limiting the number of licences it issues.

Clause 6 – tinted windows! Another “hot potato” What constitutes an acceptable tint and what doesn’t? Some drivers have had dark tinted windows passed as acceptable. Some drivers (with exact same level of tint) have been refused. More and more cars are now being mass-produced with dark tinted windows and to purchase a legal vehicle only to be refused by Bromsgrove District Council is appalling.

Clause 8 – I would estimate that 3 points be “awarded” to 95% of drivers with immediate effect! Unless Bromsgrove District Council has changed its way of thinking within the last 12 months without telling us drivers my understanding is that drivers are NOT required to carry first aid kits. Or is the Council unaware of its own existing rulings.

Clause 13 – The main Bromsgrove stand is adjacent to the town public conveniences. So what do drivers do when a comfort break is needed? They cannot take the cars in with them!

Clause 25 – How are drivers expected to enforce this? They can ask the alien vehicle owner to remove their vehicle from the stand but if they refuse, what then? Drivers run taxis not tow trucks.

(13) – Sometimes a driver needs to go to the bathroom.

This is not school or college! This is peoples livelihoods which you want to mess around.

The whole concept.



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- (1) - What constitute civil and orderly?
- (2) – As the ranks are often filled with public vehicles taxis are forced to park behind them. Also what if you are trying to collect a booked fare?
- (5/6) – what is unacceptable?
- (8) – Drivers are not obligated to carry a first aid kit
- (10) – What is reasonable?
- (13) – What is a driver goes to the toilet or gets out to have a cigarette or talk to another driver?
- (15) – what is reasonable?
- (16) – hand in to who?
- (20) – what is reasonable?
- (22) – The Council already have copies of insurance and most people don't carry them around.
- (25) – How can a driver prevent this?

## **COMMENTS (FROM THOSE SAYING NO)**

Does the penalty scheme you're proposing apply to non-Bromsgrove drivers.

## **COMMENTS (FROM THOSE SAYING DON'T KNOW OR NOT RESPONDING TO THE QUESTION DIRECTLY)**

Do not agree with it.

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**Are there any other offences or acts of non-compliance that are not contained in the draft scheme you think the Council should include within any penalty point scheme they adopt?**

YES	NO	DON'T KNOW	NO RESPONSE
<b>2</b>	<b>6</b>	<b>2</b>	<b>5</b>

**COMMENTS – (FROM THOSE SAYING YES)**

Smoking (30 and 31) – smoking is banned in all work places and public places. A licensing vehicle is a place of work and public for the general public. Smoking should be banned in all licensed vehicles.

Private hire cars with non-Bromsgrove hackney carriage plates displaying taxi signs and touting on the ranks.

**COMMENTS (FROM THOSE SAYING NO)**

The whole thing is ridiculous.

**COMMENTS (FROM THOSE SAYING DON'T KNOW OR NOT RESPONDING TO THE QUESTION DIRECTLY)**

Do not agree with it.

# Agenda Item 6

**Do you think the number of points that the Council proposes to issue in respect of each offences or act of non-compliance identified in the penalty point scheme are all set at the appropriate level?**

YES	NO	DON'T KNOW	NO RESPONSE
<b>1</b>	<b>8</b>	<b>3</b>	<b>3</b>

**COMMENTS – (FROM THOSE SAYING YES)**

**COMMENTS (FROM THOSE SAYING NO)**

DVLA is enough to give penalty points. The Council wants to play prosecutor, which they are clearly not.

Zero points system

Do not agree with it.

For the reasons already given

Suggest four points instead of three points for:

27 – Obstructing an authorised officer or constable

28 – Failing to comply with a requirement properly made by an authorised officer or constable.

30 – Allowing smoking in a licensed vehicle

31 – Smoking in a licensed vehicle

32 – Parking a vehicle in an illegal or dangerous position

With regards to item 18 – failing to keep appropriate records of bookings – the Parish Council would suggest 6 points instead of 4 to both the driver and the operator.

All points are 3 or 4 - why are some not lower or even higher? Suggested changes:

- a. #2 - 2 points
- b. #6 - 2 points
- c. #9 - 5 points
- d. #20 - 5 points
- e. #25 - 2 points
- f. #27 - 5 points
- g. #28 - 4 points
- h. #29 - 1 points
- i. #31 - 4 points

# Agenda Item 6

The Council proposes to have those who receive 12 or more penalty points in a two year period, referred to a Licensing Sub-Committee. Do you think that this threshold is appropriate?

YES	NO	DON'T KNOW	NO RESPONSE
<b>1</b>	<b>8</b>	<b>1</b>	<b>5</b>

**COMMENTS – (FROM THOSE SAYING YES)**

**COMMENTS (FROM THOSE SAYING NO)**

Min 20.

There are factors beyond our control – dirty roads = dirty cars. Drunk customer = inside car dirty due to spillage.

This is not right, there should be no penalty points!!!

Zero

Against the points system full stop.

I absolutely disagree with any sort of penalty system. The current discipline rules are sufficient. There are real issues currently which are very serious parking safety, I feel the Council will use their penalty system to their own advantage and penalise drivers who are doing their job. As a Council you have done nothing for drivers in this town except chase us round the town when you know there are insufficient spaces for hackney carriages to ply their trade. I would encourage our drivers not to help or co-operate with the Council at all.

Do not agree with it.

As before

## Other comments and observations:

Bad idea, cop out.

When I have looked at the consultation and the draft I think this sounds very prejudice. The reason for saying this is because you have a lot of drivers from different ethnic backgrounds applying it feels with this system the Council is giving themselves too much power to do whatever they like. No other Council have introduced this. So to conclude this draft of scheme sounds very biased and is unacceptable. We put long hours to make a living and instead the Council introducing these kind why don't you encourage the community that we work there for the people to keep them safe and sound.

There are too many hackney licences issued for the amount of work / ranks. Penalising drivers for this with a point system is unfair and shows a lack of understanding and unrealism by those trying to introduce aforesaid point system.

Council to monitor ranks on Worcester Road at night, particularly at weekends and regularly.

Council to issue warning leaflets to taxi drivers for the people (non-taxis) who park on the ranks during taxi operating hours on the ranks. Council to provide stickers, highlight on website and all other awareness campaigns that BDC will not tolerate any racial, religious hatred or violence towards taxi drivers and offenders will be prosecuted etc.

Having been a "hackney carriage" driver for a number of years I would like to point out observations I have made over recent years which are progressively leading to problems within the Bromsgrove Community also the taxi drivers. Please find attached a list of my observations.

The Council seem determined to destroy the taxi trade in Bromsgrove. This is because they gave out too many licences. As for this consultation, it is a joke as you will do as you please anyway. You have no idea about the problems drivers face in Bromsgrove but you will see the effects as drivers quit and vehicles decrease especially larger vehicles and wheelchair accessible ones.

Section 7 refers to "There is a right of appeal to the Licensing and Support Services Manager at Worcestershire Regulatory Services against any points that are issued". Should the Licensing sub-committee not deal with appeals or a separate members group rather than a County officer?

Section 13 is not clear. Does this mean that if the sub-committee revokes any points they will be considered spent?

Section 16 - What other breaches will be considered. These should be listed

Item 9 should read "or" not "of"

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## Observations

Amount of taxi licences being issued when there are more than enough taxi's.  
(passengers ask on a daily basis why there are so many to which I have no answer)

The bus station is an important place for taxi drivers to make a living but the amount of taxi's in Bromsgrove we do not have enough ranks to park up.

In my view the main problem within the bus station is congestion caused by the following:

1. Amount of Hackney carriage licences being issued.
2. Taxi's queuing for lengthy periods due to the amount of local transport that has been introduced for local people who once used taxi's and has now taken out a car. Work
3. The volume of traffic that proceeds through the bus station would still cause congestion irrespective of taxi's being present or not.

Below is a list of by no way comprehensive but in which I have observed myself over the past year.

There are four bus stops for nineteen numbered regular bus services plus the following local buses.

1. Charford hopper
2. Euro bus
3. I Go

Besides these regular bus services the station also accommodates the following:

1. Ha sons
2. Johnsons
3. Prospect
4. Lochs & Glens
5. Mystique Isle
6. Hardings
7. Smiths
8. MHS travel
9. Bakers & Dolphin
10. Swan St
11. Leon's coaches
12. Lakeside

As you can see this volume of traffic daily is causing congestion within the station.

In addition to this we have the lorry's delivering goods and then parking there to eat their lunch.

Also the implementation of subsidised travel "BURT" is yet another obstacle for taxi drivers as that is more work taken from us.

As you can see taxi drivers are in a "no win" situation.

It is deflating to here the "National press" state that the minimum wage is £7.40 ph when we earn nowhere near that.

The outgoing fees to be allowed to work as a Hackney carriage driver is phenomenal and every year becomes more of a struggle to meet these fees as we are not earning enough to cover them.

I have to conform to Bromsgrove council's "Rules & Regulations" and have no control of how this effects my work and income.

All I ask is to be allowed to earn the minimum wage.

I hope this brings to light the we need "pounds not points" as we have found ourselves in a situation we have no control over.

I would also like to point out that in previous meetings a Marshall for the rank was dismissed due to funding but funding will be needed to introduce the points system and police it. We feel a Marshall would be more viable.

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## LICENSING COMMITTEE

12 June 2017

**EQUALITY ACT 2010 – SECTIONS 165 – 167**  
**POSITION STATEMENT ON THE MAINTENANCE OF A LIST OF**  
**DESIGNATED VEHICLES**

Relevant Portfolio Holder	Councillor P.J. Whittaker
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

### 1. **SUMMARY OF PROPOSALS**

This report aims to highlight to Members the recently enacted provisions of sections 165 to 167 of the Equality Act 2010 and invites Members to consider whether the Council wishes to maintain a list of designated vehicles in accordance with section 167 of the Act and if so, what accessibility requirements will have to be met by vehicles included on the list of designated vehicles.

### 2. **RECOMMENDATIONS**

**That Members RESOLVE to recommend to Council the adoption of the draft position statement with respect to sections 165 – 167 of the Equality Act 2010 as shown at Appendix 2**

### 3. **KEY ISSUES**

#### **Financial Implications**

- 3.1 The additional costs of maintaining a list of designated vehicles are not anticipated to be significant and would be met from existing budgets held by Worcestershire Regulatory Services.

#### **Legal Implications**

- 3.2 The legal implications can be found in the main body of the report.

## LICENSING COMMITTEE

12 June 2017

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### Service / Operational Implications

- 3.3 On 7<sup>th</sup> February 2017 the Department for Transport (DfT) announced their intention to implement sections 165 – 167 of the Equality Act 2010 by and made the Equality Act 2010 (Commencement No. 12) Order 2017 which subsequently took effect on 6<sup>th</sup> April 2017.
- 3.5 As a result of this change to the law, drivers of designated wheelchair accessible taxi and private hire vehicles are now obliged to:
- transport wheelchair users in their wheelchair
  - provide passengers in wheelchairs with appropriate assistance
  - charge wheelchair users the same as non-wheelchair users
- 3.6 The new rules apply in England, Wales and Scotland, apply to both taxis and private hire vehicles and affect vehicles that are designated as wheelchair accessible.
- 3.7 Drivers found to be discriminating against wheelchair users face fines of up to £1,000. Drivers may also face having their taxi or private hire vehicle licence suspended or revoked by their licensing authority. Drivers unable to provide assistance for medical reasons are able to apply to the Council for an exemption from the new requirements.
- 3.8 The new powers only apply in those areas where the licensing authority has decided to maintain a list of designated vehicles under section 167 of the Equality Act 2010, and where the driver is driving a vehicle included on the list of designated vehicles maintained by the licensing authority.
- 3.9 In order to be able to enforce the new provisions, officers are recommending that the Council decides to maintain a list of designated vehicles under section 167.
- 3.10 A vehicle can then be added to the list of designated vehicles provided:
- (a) it is either a taxi or a private hire vehicle, and
  - (b) it conforms to such accessibility requirements as the licensing authority thinks fit.
- 3.11 The Department for Transport has published guidance on the accessibility requirements that licensing authorities should apply. This guidance can be found at Appendix 1. Licensing authorities that decide to maintain a list of vehicles under section 167 of the Equality Act 2010 have a legal obligation to have regard to this guidance under section 167(7).

## **LICENSING COMMITTEE**

12 June 2017

- 3.12 Having considered the guidance at Appendix 1, officers recommend that the Council resolves to adopt the draft position statement shown at Appendix 2 to the report.
- 3.13 The position statement contains the following:
- An introduction to the legislative provisions
  - A commitment to maintaining a list of designated vehicles
  - The accessibility requirements for vehicles that will be entered onto the designated list
  - A summary of the duties placed on drivers of designated vehicles
  - An explanation of how applications for exemptions from the duties will be dealt with
  - A statement on the approach that will be taken in relation to enforcing compliance with the duties.
- 3.14 Adoption of this position statement is being recommended to all six Councils in Worcestershire whose taxi and private hire licensing functions are carried out by Worcestershire Regulatory Services. This is in order to achieve consistency in the enforcement of these new provisions across Worcestershire in the interests of transparency and fairness to both licence holders and wheelchair users.
- 3.15 The Licensing Committee are asked to recommend adoption of the draft position statement at Appendix 2 to Council.

## **4. RISK MANAGEMENT**

- 4.1 If the Council does not decide to maintain a list of designated vehicles under section 167 of the Equality Act 2010, the new protections the legislation provides for wheelchair users will not be applicable in the Council's area. This would carry a significant risk of reputational damage for the Council.

## **5. APPENDICES**

- Appendix 1 – Guidance on Accessibility Requirements  
Appendix 2 – Draft Position Statement

## LICENSING COMMITTEE

12 June 2017

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### AUTHOR OF REPORT

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# Access for wheelchair users to Taxis and Private Hire Vehicles

## Statutory Guidance

**Moving Britain Ahead**

The Department for Transport has actively considered the needs of blind and partially sighted people in accessing this document. The text will be made available in full on the Department's website. The text may be freely downloaded and translated by individuals or organisations for conversion into other accessible formats. If you have other needs in this regard please contact the Department.

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## Ministerial Foreword



This Government is committed to ensuring that transport works for everyone, including disabled people. Since joining the Department for Transport in 2015, and taking on Ministerial responsibility for transport accessibility, I have made it my mission to challenge the status quo and encourage innovative thinking to improve access to transport across the modes.

I know however, that despite the real improvements which have taken place in recent years, some disabled passengers still face discrimination when attempting to travel. I am clear that this is unacceptable.

Owners of assistance dogs are already protected by provisions in the Equality Act 2010 which make it unlawful to refuse or charge them extra. I want similar protections to apply to wheelchair users, which is why I am delighted that we have commenced the remaining parts of sections 165 and 167 of the Equality Act 2010, making 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. I hope that in so doing we will send a clear signal to the minority of drivers who think it acceptable to discriminate on grounds of disability that such behaviour will not be tolerated – and, more importantly, to enable wheelchair users to travel with confidence.

A handwritten signature in blue ink that reads "Andrew Jones". The signature is written in a cursive style.

**Andrew Jones MP,  
Parliamentary Under Secretary of State, Department for Transport**



## 1. Introduction

### Status of guidance

- 1.1 This guidance document has been issued in order to assist local licensing authorities (LAs) in the implementation of legal provisions intended to assist passengers in wheelchairs in their use of designated taxi and private hire vehicle (PHV) services. It provides advice on designating vehicles as being wheelchair accessible so that the new protections can apply, communicating with drivers regarding their new responsibilities and handling requests from drivers for exemptions from the requirements.
- 1.2 This is a statutory guidance document, issued under section 167(6) of the Equality Act 2010 and constitutes the Secretary of State's formal guidance to LAs in England, Wales and Scotland on the application of sections 165 to 167 of the Equality Act 2010. LAs must have regard to this guidance document.

## 2. Putting the law into practice

### Background

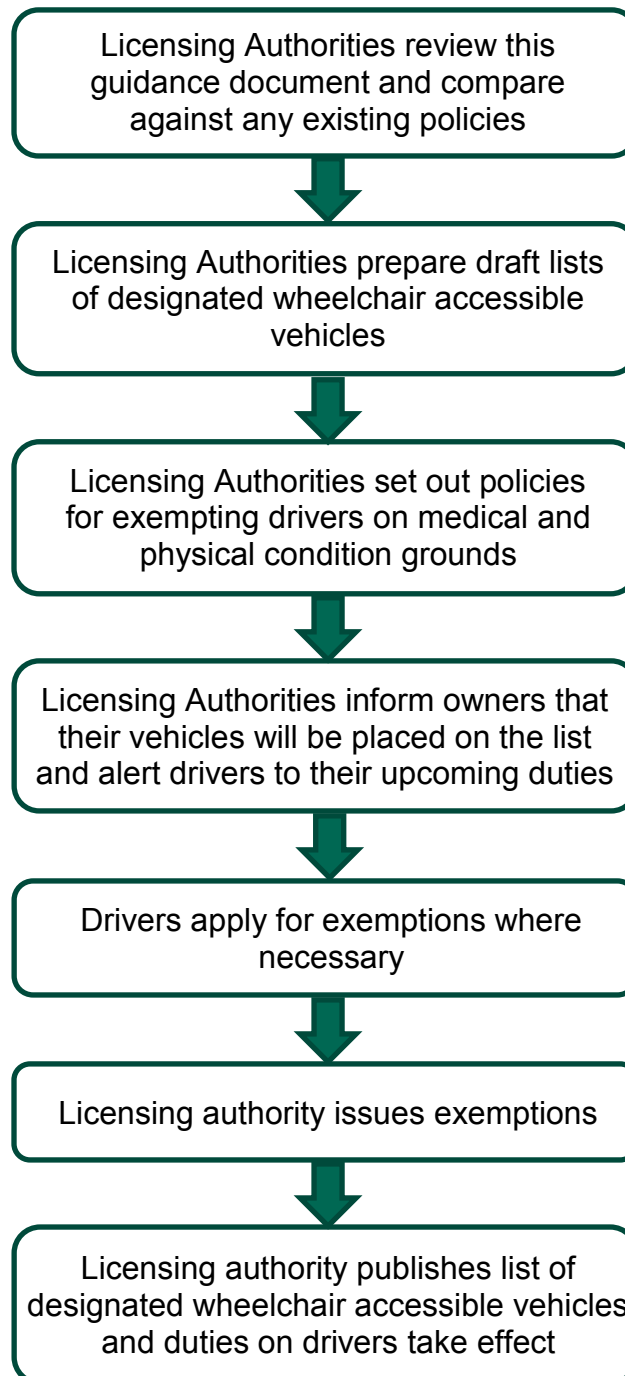
- 2.1 We have commenced sections 165 and 167 of the [Equality Act 2010](#) (“the Act”), in so far as they were not already in force. Section 167 of the Act provides LAs with the powers to make lists of wheelchair accessible vehicles (i.e. “designated vehicles”), and section 165 of the Act then requires the drivers of those vehicles to carry passengers in wheelchairs, provide assistance to those passengers and prohibits them from charging extra.
- 2.2 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 LAs 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.
- 2.3 On 15<sup>th</sup> September 2010, the Department for Transport issued guidance on the Act which stated, in relation to section 167, *“although the list of designated vehicles will have no actual effect in law until the duties are commenced, we would urge licensing authorities to start maintaining a list as soon as possible for the purpose of liaising with the trade and issuing exemption certificates”*.
- 2.4 We therefore recognise that many LAs have already implemented some of these provisions, including publishing lists of wheelchair accessible vehicles and exempting drivers. Therefore, there are likely to be a range of approaches being used in practice by LAs across England, Wales and Scotland.

### Transitional arrangements

- 2.5 We want to ensure that the commencement of sections 165 and 167 of the Act has a positive impact for passengers in wheelchairs, ensures they are better informed about the accessibility of designated taxis and PHVs in their area, and confident of receiving the assistance they need to travel safely.
- 2.6 But we recognise that LAs will need time to put in place the necessary procedures to exempt drivers with certain medical conditions from providing assistance where there is good reason to do so, and to make drivers aware of these new requirements. In addition, LAs will need to ensure that their new procedures comply with this guidance, and that exemption notices are issued in accordance with Government regulations. This will ensure that we get a consistent approach and the best outcomes for passengers in wheelchairs.
- 2.7 As such, we would encourage LAs to put in place sensible and manageable transition procedures to ensure smooth and effective implementation of this new law. LAs should only publish lists of wheelchair accessible vehicles for the purposes of

section 165 of the Act when they are confident that those procedures have been put in place, drivers and owners notified of the new requirements and given time to apply for exemptions where appropriate. We would expect these arrangements to take no more than a maximum of six months to put in place, following the commencement of these provisions, but this will of course be dependent on individual circumstances.

- 2.8 A flowchart setting out the sorts of processes that a LA could follow is set out below. This is an indicative illustration, and it will be down to each LA to determine the actions they need to take to ensure this new law is implemented effectively in their area.



## 3. Vehicles

### Overview

- 3.1 Section 167 of the Act permits, but does not require, LAs to maintain a designated list of wheelchair accessible taxis and PHVs.
- 3.2 Whilst LAs are under no specific legal obligation to maintain a list under section 167, the Government recommends strongly that they do so. Without such a list the requirements of section 165 of the Act do not apply, and drivers may continue to refuse the carriage of wheelchair users, fail to provide them with assistance, or to charge them extra.

### Vehicles that can be designated

- 3.3 We want to ensure that passengers in wheelchairs are better informed about the accessibility of the taxi and PHV fleet in their area, confident of receiving the assistance they need to travel safely, and not charged more than a non-wheelchair user for the same journey.
- 3.4 The Act states that a vehicle can be included on a licensing authority's list of designated vehicles if it conforms to such accessibility requirements as the licensing authority thinks fit. However, it also goes on to explain that vehicles placed on the designated list should be able to carry passengers in their wheelchairs should they prefer.
- 3.5 This means that to be placed on a licensing authority's list a vehicle must be capable of carrying some – but not necessarily all – types of occupied wheelchairs. The Government therefore recommends that a vehicle should only be included in the authority's list if it would be possible for the user of a "reference wheelchair"<sup>1</sup> to enter, leave and travel in the passenger compartment in safety and reasonable comfort whilst seated in their wheelchair.
- 3.6 Taking this approach allows the provisions of section 165 of the Act apply to a wider range of vehicles and more drivers than if LAs only included on the list vehicles capable of taking a larger type of wheelchair.
- 3.7 The Government recognises that this approach will mean that some types of wheelchair, particularly some powered wheelchairs, may be unable to access some of the vehicles included in the LA's list. The Act recognises this possibility, and section 165(9) provides a defence for the driver if it would not have been possible for the wheelchair to be carried safely in the vehicle. Paragraph 3.10 of this guidance below aims to ensure that users of larger wheelchairs have sufficient information about the vehicles that will be available to them to make informed choices about their journeys.

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<sup>1</sup> As defined in Schedule 1 of the [Public Service Vehicle Accessibility Regulations 2000](#)

## Preparing and publishing lists of designated vehicles

- 3.8 We want to ensure that passengers in wheelchairs have the information they need to make informed travel choices, and also that drivers and vehicle owners are clear about the duties and responsibilities placed on them.
- 3.9 Before drivers can be subject to the duties under section 165 of the Act, the LA must first publish their list of designated vehicles, and clearly mark it as 'designated for the purposes of section 165 of the Act'.
- 3.10 LAs should ensure that their designated lists are made easily available to passengers, and that vehicle owners and drivers are made aware. Lists should set out the details of the make and model of the vehicle, together with specifying whether the vehicle is a taxi or private hire vehicle, and stating the name of operator. Where possible it would also be helpful to include information about the size and weight of wheelchair that can be accommodated, and whether wheelchairs that are larger than a "reference wheelchair" can be accommodated.
- 3.11 However, we recognise that some passengers in wheelchairs may prefer to transfer from their wheelchair into the vehicle and stow their wheelchair in the boot. Although the legal requirement for drivers to provide assistance does not extend to the drivers of vehicles that cannot accommodate a passenger seated in their wheelchair, we want to ensure that these passengers are provided with as much information as possible about the accessibility of the taxi and PHV fleet in their area.
- 3.12 We would therefore recommend that LAs also publish a list of vehicles that are accessible to passengers in wheelchairs who are able to transfer from their wheelchair into a seat within the vehicle. It should be made clear however that this list of vehicles has not been published for the purposes of section 165 of the Act and drivers of those vehicles are therefore not subject to the legal duties to provide assistance. Authorities may however wish to use existing licensing powers to require such drivers to provide assistance, and impose licensing sanctions where this does not occur.

## Appeals

- 3.13 Section 172 of the Act enables vehicle owners to appeal against the decision of a LA to include their vehicles on the designated list. That appeal should be made to the Magistrate's Court, or in Scotland the sheriff, and must be made within 28 days of the vehicle in question being included on the LA's published list.

## 4. Drivers

### Driver responsibilities

- 4.1 Section 165 of the Act sets out the duties placed on drivers of designated wheelchair accessible taxis and PHVs.
- 4.2 The duties are:
- to carry the passenger while in the wheelchair;
  - not to make any additional charge for doing so;
  - if the passenger chooses to sit in a passenger seat to carry the wheelchair;
  - to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
  - to give the passenger such mobility assistance as is reasonably required.
- 4.3 The Act then goes on to define mobility assistance as assistance:
- To enable the passenger to get into or out of the vehicle;
  - If the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;
  - To load the passenger's luggage into or out of the vehicle;
  - If the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.
- 4.4 Once the duties are commenced, it will be an offence for the driver (unless exempt) of a taxi or PHV which is on the licensing authority's designated list to fail to comply with them. We encourage LAs to provide drivers of taxis and PHVs who are not exempt from the duties with clear guidance on their duties with respect to the carriage of passengers in wheelchairs, either as part of existing driver-facing guidance, or as supplementary communication. The Disabled Persons Transport Advisory Committee's Disability Equality and Awareness Training Framework for Transport Staff<sup>2</sup> may provide a useful resource.
- 4.5 Although each situation will be different, we take the view that reasonable mobility assistance will be subject to other applicable law, including health and safety legislation. However, we would always expect drivers to provide assistance such as folding manual wheelchairs and placing them in the luggage compartment, installing the boarding ramp, or securing a wheelchair within the passenger compartment.
- 4.6 Depending on the weight of the wheelchair and the capability of the driver, reasonable mobility assistance could also include pushing a manual wheelchair or

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<sup>2</sup>

<http://webarchive.nationalarchives.gov.uk/20080804135759/http://www.dptac.gov.uk/education/stafftraining/pdf/trainingframework-nontabular.pdf>

light electric wheelchair up a ramp, or stowing a light electric wheelchair in the luggage compartment.

- 4.7 It is our view that the requirement not to charge a wheelchair user extra means that, in practice, a meter should not be left running whilst the driver performs duties required by the Act, or the passenger enters, leaves or secures their wheelchair within the passenger compartment. We recommend that licensing authority rules for drivers are updated to make clear when a meter can and cannot be left running.

## Applying for and issuing exemptions

- 4.8 Some drivers may have a medical condition or a disability or physical condition which makes it impossible or unreasonably difficult for them to provide the sort of physical assistance which these duties require. That is why the Act allows LAs to grant exemptions from the duties to individual drivers. These provisions are contained in section 166, and were commenced on 1<sup>st</sup> October 2010.
- 4.9 Section 166 allows LAs to exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical or physical grounds. The exemption can be valid for as short or long a time period as the LA thinks appropriate, bearing in mind the nature of the medical issue. If exempt, the driver will not be required to perform any of the duties. Since October 2010, taxi and PHV drivers who drive wheelchair accessible taxis or PHVs have therefore been able to apply for exemptions. If they do not do so already, LAs should put in place a system for assessing drivers and a system for granting exemption certificates for those drivers who they consider should be exempt.
- 4.10 We suggest that authorities produce application forms which can be submitted by applicants along with evidence supporting their claim. We understand that some licensing authorities have already put in place procedures for accessing and exempting drivers, and as an absolute minimum, we think that the evidence provided should be in the form of a letter or report from a general practitioner.
- 4.11 However, the Government's view is that decisions on exemptions will be fairer and more objective if medical assessments are undertaken by professionals who have been specifically trained and who are independent of the applicant. We would recommend that independent medical assessors are used where a long-term exemption is to be issued, and that LAs use assessors who hold appropriate professional qualifications and who are not open to bias because of a personal or commercial connection to the applicant. LAs may already have arrangements with such assessors, for example in relation to the Blue Badge Scheme.
- 4.12 If the exemption application is successful then the LA should issue an exemption certificate and provide an exemption notice for the driver to display in their vehicle. As section 166 has been in force since 2010, many LAs will already have processes in place for issuing exemption certificates, and as such we do not intend to prescribe the form that those certificates should take. We are however keen to ensure that passengers in wheelchairs are able to clearly discern whether or not a driver has been exempted from the duties to provide assistance, and as such will prescribe the form of and manner of exhibiting a notice of exemption.
- 4.13 If the exemption application is unsuccessful we recommend that the applicant is informed in writing within a reasonable timescale and with a clear explanation of the reasons for the decision.

## Demonstrating exemptions

- 4.14 In addition to the exemption certificate, exempt drivers need to be issued with a notice of exemption for display in their vehicle.
- 4.15 The Department will soon make regulations which will prescribe the form of and manner of exhibiting a notice of exemption. Where a driver has been exempted from the duties under section 165 of the Act, they must display an exemption notice in the vehicle they are driving in the form and manner prescribed by the regulations. If the notice is not displayed then the driver could be prosecuted if they do not comply with the duties under section 165 of the Act.
- 4.16 The Department aims to distribute copies of the notice of exemption to LAs, but they are of course free to produce their own in accordance with the regulations.
- 4.17 Only one exemption notice should be displayed in a vehicle at any one time.

## Appeals

- 4.18 Section 172 of the Act enables drivers to appeal against the decision of a LA not to issue an exemption certificate. That appeal should be made to the Magistrate's Court, or a sheriff in Scotland, and must be made within 28 days beginning with the date of the refusal.
- 4.19 LAs may choose to establish their own appeal process in addition to the statutory process but this would need to be undertaken rapidly in order to allow any formal appeal to the Magistrate's Court to be made within the 28 day period.



## 5. Enforcement

### Licensing measures and prosecution

- 5.1 It is important to note that a driver will be subject to the duties set out in section 165 of the Equality Act 2010 if the vehicle they are driving appears on the designated list of the LA that licensed them, and the LA has not provided them with an exemption certificate, regardless of where the journey starts or ends.
- 5.2 The Government expects LAs to take tough action where drivers breach their duties under section 165 of the Act.
- 5.3 LAs have wide-ranging powers to determine the rules by which taxis and private hire vehicles within their respective areas may operate. We recommend that they use these powers to ensure that drivers who discriminate against disabled passengers are held accountable.
- 5.4 If a driver receives a conviction for breaching their duties under section 165 of the Act, it would be appropriate for the authority to review whether or not they remained a fit and proper person to hold a taxi or PHV drivers' licence. The Government's presumption is that a driver who wilfully failed to comply with section 165 would be unlikely to remain a "fit and proper person".
- 5.5 Authorities might also apply conditions which enable them to investigate cases of alleged discrimination and take appropriate action, even where prosecution did not proceed.

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## SECTIONS 165 – 167 OF THE EQUALITY ACT 2010

### POSITION STATEMENT

#### Introduction

The Government commenced sections 165 and 167 of the Equality Act 2010, in so far as they were not already in force, on 6<sup>th</sup> April 2017.

Section 167 of the Act provides licensing authorities with the powers to make lists of wheelchair accessible vehicles (i.e. “designated vehicles”), and section 165 of the Act then place duties on the drivers of those vehicles to carry passengers in wheelchairs, provide assistance to those passengers and prohibits them from charging extra.

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.

This allows Local Authorities 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.

In adopting this position statement, Bromsgrove District Council has had regard to the guidance issued by the Secretary of State under section 167(6) of the Equality Act 2010.

#### Maintaining a List of Designated Vehicles

Section 167 of the Act permits, but does not require, licensing authority to maintain a designated list of wheelchair accessible hackney carriage and private hire vehicles.

Whilst not being under a specific legal duty to maintain a list of designated vehicles, Bromsgrove District Council has decided that it will do so.

The list of designated vehicles will be published and maintained by Bromsgrove District Council with effect from **1<sup>st</sup> December 2017**. This will provide a reasonable amount of time for drivers to make applications for exemption from the duties that will be placed upon them once a list of designated vehicles is published.

Once published, the list of designated vehicles will be available to access via the Bromsgrove District Council website. A hard copy of the list of designated vehicles will also be provided on request. To request a hard copy of the list of designated vehicles you will need to contact Worcestershire Regulatory Services by emailing [wrsenquiries@worcsregservices.gov.uk](mailto:wrsenquiries@worcsregservices.gov.uk) or telephoning 01905 822799.

## **Accessibility Requirements for Vehicles Included on the List of Designated Vehicles**

The Act states that a vehicle can be included on a licensing authority's list of designated vehicles if it conforms to such accessibility requirements as the licensing authority thinks fit. However, it also goes on to explain that vehicles placed on the designated list should be able to carry passengers in their wheelchairs should they prefer.

Bromsgrove District Council has decided that a vehicle will only be included in the authority's list if it would be possible for the user of a "reference wheelchair" to enter, leave and travel in the passenger compartment in safety and reasonable comfort whilst seated in their wheelchair. For this purpose, a "reference wheelchair" is as defined in Schedule 1 of the Public Service Vehicle Accessibility Regulations 2000.

## **The Duties Placed on Drivers of Designated Vehicles**

Section 165 of the Act sets out the duties placed on drivers of designated wheelchair accessible hackney carriage and private hire vehicles.

The duties are:

- to carry the passenger while in the wheelchair;
- not to make any additional charge for doing so;
- if the passenger chooses to sit in a passenger seat to carry the wheelchair;
- to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- to give the passenger such mobility assistance as is reasonably required.

The Act then goes on to define mobility assistance as assistance:

- To enable the passenger to get into or out of the vehicle;
- If the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;
- To load the passenger's luggage into or out of the vehicle;
- If the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.

It is an offence for the driver (unless exempt) of a hackney carriage or private hire vehicle which is on the licensing authority's designated list to fail to comply with these duties.

## **Exemptions from the Duties Placed on Drivers of Designated Vehicles**

Some drivers may have a medical condition or a disability or physical condition which makes it impossible or unreasonably difficult for them to provide the sort of physical assistance which these duties require. That is why the Act allows licensing authorities to grant exemptions from the duties to individual drivers.

Section 166 allows licensing authorities to exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical or physical grounds. The exemption can be valid for as short or long a time period as the LA thinks appropriate, bearing in mind the nature of the medical issue. If exempt, the driver will not be required to perform any of the duties.

If a licensed driver wishes to obtain an exemption from the duties placed on them under section 165, they must complete the relevant application form and submit this to the licensing authority alongside relevant supporting evidence. The supporting evidence must include a letter or report from the licensed driver's general practitioner.

If required, a licensed driver seeking to obtain an exemption from the duties, must submit to an examination by an independent medical practitioner appointed by the licensing authority. The decision as to whether an exemption is granted and for how long, will be taken by the Head of Worcestershire Regulatory Services.

If the exemption application is successful then the licensing authority will issue an exemption certificate and provide an exemption notice for the driver to display in their vehicle.

If the exemption application is unsuccessful, the applicant will be informed in writing within a reasonable timescale and provided with a clear explanation of the reasons for the decision.

Section 172 of the Act enables drivers to appeal against the decision of the licensing authority not to issue an exemption certificate. That appeal should be made to the Magistrate's Court and must be made within 28 days beginning with the date of the refusal.

## **Enforcement**

It is important to note that a driver will be subject to the duties set out in section 165 of the Equality Act 2010 if the vehicle they are driving appears on the designated list of the licensing authority that licensed them, and the licensing authority has not provided them with an exemption certificate, regardless of where the journey starts or ends.

Bromsgrove District Council will look to take firm action where drivers breach their duties under section 165 of the Act and will use all their available powers to ensure that drivers who discriminate against disabled passengers are held accountable for their actions.

If a driver receives a conviction for breaching their duties under section 165 of the Act, the authority will review whether or not they remain a fit and proper person to hold a licence to drive hackney carriage or private hire vehicles.

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**STREET TRADING – DESIGNATION OF STREETS**

Relevant Portfolio Holder	Councillor P. J. Whittaker
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

The Licensing Committee has approved consultation on a draft revised street trading policy and this consultation is underway. The Committee is now asked to approve the advertisement of a proposal to designate all streets in the District as consent streets for the purposes of controlling street trading.

**2. RECOMMENDATIONS**

- 2.1 That Members RESOLVE to authorise officers to publish notice of the Council’s intention to pass resolutions which will take effect on 1<sup>st</sup> December 2017 and will rescind all existing designations of streets under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and designate all streets in the District (as existing at the time of the making of the resolution and in the future) as consent streets.**
- 2.2 That Members RESOLVE to authorise officers to serve a copy of this notice on the Chief Officer of Police and the highway authority for the area.**

**3. KEY ISSUES**

**Financial Implications**

- 3.1 The costs associated with publishing the required notices will be met from existing budgets held by Worcestershire Regulatory Services.**

**Legal Implications**

- 3.2 Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 defines street trading as the selling or exposing or offering for sale of any article (including a living thing) in a street.
- 3.3 Schedule 4 also defines street as including:
- (a) any road, footway, beach or other area to which the public have access without payment; and
  - (b) a service area as defined in section 329 of the Highways Act 1980,
- 3.4 Paragraph 2 of Schedule 4 states that a district council may by resolution designate any street in their district as—
- (a) a prohibited street;
  - (b) a licence street; or
  - (c) a consent street.
- 3.5 “Prohibited street” means a street in which street trading is prohibited.
- 3.6 “Licence street” means a street in which street trading is prohibited without a licence granted by the district council.
- 3.7 “Consent street” means a street in which street trading is prohibited without the consent of the district council.

**Service / Operational Implications**

- 3.8 Council’s usually control street trading so that they can decide where to allow street trading and can properly manage the environmental and safety implications that the street trading creates. Controlling street trading also allows Councils to manage the impact street trading has on the local economy.
- 3.9 The control of street trading can also be of benefit to traders who can obtain greater security over their “pitch” if they are the only person who has the Council’s consent to trade there.
- 3.10 On 13 March 2017, the Licensing Committee approved consultation on a draft revised street trading policy and this consultation exercise is ongoing at the moment



- 3.11 Prior to commencing the formal consultation exercise, the Senior Licensing Practitioner met with the Bromsgrove Centres Manager and discussed the way that street trading was currently controlled.
- 3.12 As a result of this meeting, it was agreed that whilst reviewing the Council's street trading policy, it would be worth also reviewing the current arrangements for designating where and how street trading is controlled.
- 3.13 Currently the designation of streets is as shown at **Appendix 1**. Under these designations there are a number of named "prohibited streets" with all other streets in the District being designated by the Council as "consent streets."
- 3.14 The Senior Licensing Practitioner and Bromsgrove Centres Manager both consider that it would be preferable to designate all streets in the District as consent streets with the removal of any prohibited streets.
- 3.15 The rationale behind this is that such a change would allow every application to be considered on its merits and would enable street trading to be permitted in what are currently the prohibited streets, where it was felt appropriate to allow it. This could be for example to facilitate a short term community event or other similar event where the ability to allow street trading would enhance the event and provide a benefit to the wider community.
- 3.16 Additionally it is believed that the draft revised street trading policy would, if adopted, put in place a robust framework for consultation and consideration of applications on their own merits. Therefore the need to designate any streets as prohibited streets would be diminished.
- 3.17 There is a detailed legal procedure to follow in order to properly designate streets as consent streets under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The process to be undertaken can be summarised as follows:
- Council publishes notice of its intention to pass a resolution to designate streets as consent streets
  - Minimum of 28 days given for people to make representations relating to this intention
  - Any representations received are considered
  - Council passes a resolution to designate streets as consent streets
  - Notices published to advertise the making of the resolution (at least 28 days before resolution takes effect).
  - Resolution takes effect

- 3.18 At this stage Members are asked to authorise officers to publish notice of the Council's intention to pass resolutions which will take effect on 1<sup>st</sup> December 2017 and will rescind all existing designations of streets under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and designate all streets in the District (as existing at the time of the making of the resolution and in the future) as consent streets.
- 3.19 Members are also asked to authorise officers to serve a copy of this notice on the Chief Officer of Police and the highway authority for the area.
- 3.20 Any representations received in relation to this notice of intent would be brought back for consideration by the Licensing Committee after the period given for the making of representations expires.

## **RISK MANAGEMENT**

- 4.1 None

## **5. APPENDICES**

Appendix 1 – Existing Street Trading Designations

## **AUTHOR OF REPORT**

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## EXISTING STREET TRADING DESIGNATIONS

CONSENTED STREETS	PROHIBITED STREETS
<p><b>ALL STREETS WITHIN BROMSGROVE DISTRICT EXCEPT THOSE DESIGNATED AS PROHIBITED STREETS AND STREETS WITHIN THE TOWN CENTRE USED FOR MARKET PURPOSES.</b></p>	<p><b>Worcester Road</b></p> <p><b>Hanover Street</b></p> <p><b>St. John Street</b></p> <p><b>Chapel Street</b></p> <p><b>Mill Lane</b></p> <p><b>Market Street</b></p> <p><b>Church Street</b></p> <p><b>Station Street</b></p> <p><b>High Street</b></p>

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### LICENSING COMMITTEE

12th June 2017

#### LICENSING ANNUAL REPORT 2016/17

Relevant Portfolio Holder	Councillor P.J. Whittaker
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes - Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

#### 1. SUMMARY OF PROPOSALS

To provide a report on the activities under the Licensing Act 2003, Gambling Act 2005 and other aspects of Licensing and to inform the Committee on any issues anticipated in the ensuing year as required under the Council's Licensing Act 2003 and Gambling Act 2005 Policies.

#### 2. RECOMMENDATIONS

**Members are asked to RESOLVE that the contents of the licensing Annual Report 2016/2017 be noted.**

#### 3. KEY ISSUES

##### Financial Implications

3.1 None.

##### Legal Implications

3.2 None

##### Service / Operational Implications

3.3 Since 1<sup>st</sup> June 2010 Worcestershire Regulatory Services Licensing Team has taken over operational delivery of the statutory functions of licensing and enforcement of regulated activities and businesses operating under the Licensing Act 2003 on behalf of Bromsgrove District Council. These functions cover premises which sell and supply alcohol, provide regulated entertainment and late night refreshment, gambling premises, gaming machines and lotteries. The Licensing Team also deals with the operation and administration of Hackney Carriage/Private Hire vehicles, drivers and Operator's licenses, Street and House to House Collections. The Council retains full policy and statutory responsibility for all licensing functions.

### LICENSING COMMITTEE

12th June 2017

- 3.4 Under the terms of the Licensing Act 2003 and the Gambling Act 2005, each local authority is required to prepare and publish a licensing policy which has to be reviewed periodically.
- 3.5 The Council's current Statement of Principles under the Gambling Act 2005 was published with effect from 31<sup>st</sup> January 2016. The Statement of Principles will therefore need to be revised no later than 31<sup>st</sup> January 2019.
- 3.6 The Council's current Statement of Licensing Policy under the Licensing Act 2003 was published with effect from 1<sup>st</sup> May 2014. The Statement of Licensing Policy will therefore be due for revision no later than 1<sup>st</sup> May 2019.
- 3.7 Licensing Officers participate in meetings of the Bromsgrove Town Centre Management Group with partners including the Police, Street Pastors, CCTV, Community Safety and the North Worcestershire Economic Development Partnership.
- 3.8 Licensing Officers are also part of the steering group that is looking to launch a "Best Bar None" scheme in Bromsgrove this summer.

#### **Licensing Act 2003**

- 3.9 The Licensing Act 2003 transferred the alcohol licensing functions from the Magistrate's Court to the Local Authority and consolidated these activities with entertainment licensing legislation, the provision of late night refreshment, cinemas and theatres.
- 3.10 The number of new licenses issued and granted by Bromsgrove District Council in the year 2016/2017 are:

Personal Licenses	New	62	Total	988
Premises Licenses	New	11	Total	317
Club Premises Certificates	New	0	Total	38
Temporary Event Notices			Total	242

- 3.11 The Licensing Sub-Committee created by the Licensing Act 2003 to deal with applications, variations and reviews of licensed premises, determined four applications during the year 2016/17. These were three new premises licence applications and one application to vary an existing premises licence.

## LICENSING COMMITTEE

12th June 2017

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### Gambling Act 2005

3.12 Last year saw the Council continue its functions under the Gambling Act 2005. This legislation replaced most of the existing law relating to gambling in Great Britain and much like the Licensing Act 2003 aimed to put in place an improved, more comprehensive structure of gambling regulation. Once implemented the Act transferred the licensing of gambling premises from the local Magistrates Court to the Council. The Licensing Team now issue premises licenses for the following; bingo halls, betting shops, adult gaming centres, family entertainment centres and casinos.

3.13 The numbers of premises which have continued to be licensed by this Authority under the Gambling Act are:

Betting Premises	5
Bingo Premises	0
Adult Gaming Centres	6
Family Entertainment Centres	3
Casinos	0

3.14 Again all yearly maintenance fees as set out in the Gambling Act 2003 which have been set by the Local Authority for the year ending 2016/17 have been received by the Authority.

3.15 Compliance visits to premises licensed under the Gambling Act 2005 have been conducted by Licensing Officers, often in partnership with Gambling Commission staff.

### Taxi Licensing

3.15 The Licensing Team is also responsible for the operational function of the licensing and enforcement of Hackney Carriage and Private Hire Vehicles, drivers and Operators.

### LICENSING COMMITTEE

12th June 2017

- 3.16 The number of licensed vehicles and drivers has decreased slightly over the course of the year.

	<u>15/16</u>	<u>16/17</u>
Hackney Carriage Vehicles	125	122
Private Hire Vehicles	42	39
Dual Hackney Carriage/Private Hire Drivers	172	168
Private Hire Operators	14	14

- 3.17 Licensing Officers keep in regular contact with the appointed taxi trade representatives – by phone and one to one meetings when necessary. In November 2016 the Licensing Committee approved consultation on a proposal to implement a penalty points scheme for hackney carriage and private hire licence holders.

- 3.18 Worcestershire Regulatory Services Licensing Team members regularly attend and represent Bromsgrove District Council at a number of local and regional meetings, such as the Institute of Licensing meetings, the Regional Taxi Licensing Forums and other neighbouring authority groups, which continue to prove to be invaluable, on providing information on national and regional licensing matters inclusive of upcoming changes in any licensing legislation.

#### **Scrap Metal Dealers**

- 3.19 In October 2013 the Scrap Metal Dealers Act 2013 came into force in the District. Under this new legislation the Council is responsible for issuing mobile scrap metal collector licences and scrap metal site licences. The following number of licences are currently in force:

Site Licences	3
Mobile Collector Licences	7

- 3.20 The Licensing Team is responsible for enforcing the legislation in partnership with the Police and Environment Agency.
- 3.21 During 2016/17 the Council consulted upon and approved a new Scrap Metal Licensing Policy and Guidelines document.



## **LICENSING COMMITTEE**

12th June 2017

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### **Street Collections**

- 3.22 In 2014/15, a site management agreement was negotiated and entered into with the Public Fundraising Regulatory Association (PFRA) in order to put in place some controls on when face-to-face fundraisers can visit Bromsgrove in order to try and solicit donations via direct debit. Under the site management agreement, face-to-face fundraisers should only visit Bromsgrove on Mondays and Wednesdays and are limited to a maximum of five fundraisers.
- 3.23 When originally entering into the site management agreement, the PFRA reserved the right on behalf of its members, to request that the number of days on which collections are permitted in Bromsgrove be reviewed in six months if the agreement was having a detrimental impact on their fundraising efforts. No such review has been requested to date by the PFRA. The number of complaints from member of the public about face to face fundraising has remained low throughout the year.

### **4. RISK MANAGEMENT**

- 4.1 None

### **5. APPENDICES**

- 5.1 None

### **AUTHOR OF REPORT**

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## **LICENSING COMMITTEE**

**12th June 2017**

### **12<sup>th</sup> JUNE 2017**

Hackney Carriage and Private Hire Penalty Points Scheme – Results of Consultation

Annual Report 2016/2017

Equality Act 2010 – Section 167 – List of Wheelchair Accessible Vehicles

Street Trading – Designation of Streets

### **11<sup>th</sup> SEPTEMBER 2017**

Results of Consultation on the Revised Street Trading Policy and Street Designation Proposals

Review of Policy on the Relevance of Convictions for Hackney Carriage and Private Hire Drivers

### **13<sup>th</sup> NOVEMBER 2017**

### **12<sup>th</sup> MARCH 2018**

12 month review following the public awareness raising campaign (Jan / Feb 2017) on Wheelchair Accessible Vehicles (WAV's) – Update report.

### **To Be Allocated To Suitable Available Dates in 2017/2018**

Hackney Carriage and Private Hire Handbook - Tinted Windows / NVQ Level 2 in Road Passenger Vehicle Driving - Review

Further Legislative Update Reports

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