

MEETING LICENCING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

Agenda Item 28

Brighton & Hove City Council

Subject:	Petition :Enforcement of Legal Duty for Disabled Taxi Passengers		
Date of Meeting:	10 February 2011		
Report of:	Strategic Director, Resources		
Contact Officer:	Name:	Penny Jennings	Tel: 29-1065
	E-mail:	penny.jennings@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	St. Peter's & North Laine		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To receive any petitions presented at Council, any petitions submitted directly to Democratic Services or any e-Petition submitted via the council's website. The following petition to be presented directly to the Licensing Committee (Licensing Act 2003 Functions).

2. RECOMMENDATIONS:

- 2.2 That the Cabinet Member/Committee responds to the e petition and in each case gives consideration to a range of options, including the following:
- taking the action requested in the petition
 - considering the petition at a council meeting
 - holding an inquiry into the matter
 - undertaking research into the matter
 - holding a public meeting
 - holding a consultation
 - holding a meeting with petitioners
 - referring the petition for consideration by the Council's Overview and Scrutiny Committee*
 - calling a referendum
 - writing to the petition organiser setting out the Council's views about the request in the petition
 - receiving and noting the petition
 - requesting a further report

3. PETITION(S)

- X. (i) To receive the following e. petition (containing 74 signatures) :

"Enforcement of legal duty for disabled taxi passengers:

“We the undersigned call upon the Council’s Licensing Committee to follow the Department of Transport’s Advice for Licensing Authorities (Sept 2010) and compile a list of designated wheelchair accessible taxis and private hire vehicles.

Under the new Equality Act, the drivers of these designated wheelchair accessible vehicles have a legal duty:

- to carry the passenger while in a 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 safely and in reasonable comfort; and
- to give the passenger such mobility assistance as is reasonably required.

If the Council does not maintain a list they will have no powers in law to enforce these duties which could hugely disadvantage disabled residents.

(74 signatures)