

Portfolio Holder decision record sheet

Name of decision maker:	Councillor Neil Harden
Portfolio:	Residents and Corporate Services
Date of Portfolio Holder decision:	

Title of decision:	Authority to issue taxi and private hire exemption certificates under the Equality Act 2010
Part II:	No
Part II reason:	

Decision made and reasons:	<p>1. To delegate the power to issue, or refuse to issue, exemption certificates under the following statutory powers to the council's Assistant Director (Chief Executive's Unit), with a view to onward authorisation to enable the powers to be exercised alongside other licensing and registration functions:</p> <ul style="list-style-type: none"> a) Equality Act 2010, section 166 (passengers in wheelchairs) b) Equality Act 2010, section 169 (assistance dogs in taxis) c) Equality Act 2010, section 171 (assistance dogs in private hire vehicles)
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Reports considered: (here reference can be made to specific documents)	<p>Background information (attached) Equality Act 2010, part 12 chapter 1</p>
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Officers/Councillors/Ward Councillors/Stakeholders consulted:	<p>None (administrative issue)</p>
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Monitoring Officer comments:	
Chief Financial Officer comments:	

Implications:	<p>Delegation of these powers will allow officers to determine requests for exemption certificates under the provisions listed, and to issue them. Without delegation, all such requests would need to be determined at Cabinet level.</p>
Risk:	<p>Exemption certificates may only be issued if evidence is produced of medical grounds which mean a taxi or private hire driver cannot safely fulfil the statutory duty to render assistance to passengers in wheelchairs, or to carry assistance dogs in their vehicle, as the case may be. Where such grounds exist it may compromise the safety of the driver, passengers or public to force them to do so. Decisions to refuse to issue exemption certificates are subject to a statutory right of appeal to a magistrates' court.</p>
Value for money:	<p>This decision is not expected to have any financial implications, as work will be carried out by existing budgeted staff within the Licensing team.</p>

Options considered and reasons for rejection:	
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