

Regulatory & Appeals Committee Minutes

Date: 18 March 2019

Time: 7.00 - 7.45 pm

PRESENT: Councillor J Savage (In the Chair)

Councillors: Mrs L Clarke OBE, M Clarke, Mrs L M Clarke OBE, C Etholen, M Hussain JP, I L McEnnis, R Raja, D A C Shakespeare OBE and Ms J D Wassell and Z Ahmed.

Also present: Councillors K Ahmed, R Farmer, Maz Hussain, M E Knight, S K Raja, and P R Turner

29 MOMENT`S SILENCE

At the request of the Chairman a moment`s silence was observed in memory of those affected by the New Zealand mosque attack which had recently taken place.

30 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A Collingwood, R Gaffney and D Knights.

31 MINUTES

RESOLVED: That the minutes of the meeting of the Regulatory & Appeals Committee held on 11 February 2019 be confirmed as a true record and signed by the Chairman.

32 DECLARATIONS OF INTEREST

Councillor Z Ahmed declared an interest in agenda item 4 due to his employment in the taxi trade. He remained in the meeting but refrained from voting.

33 STATUTORY DESIGNATED LIST OF WHEELCHAIR ACCESSIBLE VEHICLES

A report was considered which requested approval for a designated list of wheelchair accessible vehicles to be adopted under section 167 of the Equality Act 2010, which would become effective from 1 April 2019. This would then be published on the Council`s website. The decision would then be recommended to Full Council for its endorsement.

The report stated that this issue had been discussed at a previous meeting of this Committee, where it had been agreed in principle that such a list should be created and that a consultation be undertaken with the relevant affected parties. It was confirmed that the consultation had revealed no negative comments in relation to the creation of such a statutory list.

The Presenting Officer explained that section 167 of the Equality Act 2010 which had come into force in April 2017, permitted authorities to specify a designated list of wheelchair accessible licensed private hire vehicles and hackney carriages which conformed to such accessibility requirements as determined by the licensing authority. Section 165 of the Act imposed certain duties upon the drivers of designated vehicles when dealing with disabled persons in wheelchairs or a person who wished to be accompanied by a disabled person in a wheelchair. Moreover it would become a criminal act to make an additional charge to disabled passengers, or to fail to carry the wheelchair if the person chose to sit in a passenger seat. The duties that were imposed were set out at section 165(4) of the Act and were summarised at point 3 of the report.

It was emphasised that whilst the provisions of section 167 were discretionary, the creation of a designated list would provide the advantage of publicity for the trade and also make them more easily available to disabled customers.

It was also highlighted that Section 166 of the Act made provision for licensing authorities to issue exemptions to drivers where they were satisfied it was appropriate to do so. This was based upon medical ground or on the grounds of the person's physical conditions which would make it difficult for them to comply with the conditions of the Act.

In considering the report Members overwhelmingly agreed that the creation of a designated list would be beneficial for all concerned.

The presenting officer also provided an update on the situation with regards to the taxi ranks review within the town. Members were informed that a meeting had been held with Bucks County Council last week and that their consultation exercise had now drawn to a close. The intention was to decommission the feeder rank in the middle of the High Street replacing it with some form of planters. Meanwhile the High Street rank would move to the opposite side of the road at the bottom of Corporation Street with the feeder rank moving up Corporation Street. It was hoped that the changes would be implemented within the next 6 months.

A Member questioned whether there was any enforcement in place to prevent drivers from leaving engines idling. The Officer confirmed that new legislation concerning pollution was to be introduced on the 1 April 2019.

RECOMMENDED: That a list of wheelchair accessible vehicles be adopted under section 167 of the Equality Act 2010, to become effective from 1 April 2019 and be publicised on the website.

34 COMMUNITY GOVERNANCE REVIEWS

A report was submitted which sought approval for the proposed Terms of Reference for the required Community Governance Reviews, attached as Appendix A to the report.

The report set out the background to the proposed reviews and it was noted that 4 petitions had been submitted to Full Council and since been successfully verified triggering reviews. These included:

- A petition by the residents of Totteridge Ward for a community governance review with a view to forming a parish council in Totteridge.
- A petition by the residents of Micklefield Ward for a community governance review with a view to forming a parish council in Micklefield.
- A petition by the residents of Sands Ward for a community governance review with a view to forming a parish council in Sands.
- A petition by the residents of the unparished area of High Wycombe Town (i.e. the wards of Abbey, Booker and Cressex, Bowerdean, Disraeli, Micklefield, Oakridge and Castlefield, Ryemead, Sands, Terriers and Amersham Hill and Totteridge) for a community governance review with a view to forming a town council for the unparished area.

All the petitions fell under the provisions of the 2007 Local Government and Public Involvement in Health Act.

Members were invited to consider the proposed terms of reference and were presented with 2 available options:

- (a) Carry out separate reviews relating to each of the four areas
- (b) Carry out a community governance review in relation to the whole of the unparished area to incorporate the areas under the three ward based petitions.

The timetable for the reviews was set out in the proposed terms of reference, and it was noted that the "Consultation on Draft Proposals" would be undertaken between mid-July – 30 September. This would enable distribution of documents to be combined with the Annual Canvass. It was also noted that on page 15 of the agenda, the word "Mickleton" should read "Micklefield".

During discussion, Councillor A R Green moved a proposal that the review should be extended to include the whole of the district. The proposal was not seconded and no debate took place.

In response to a question about consultation, the Committee noted the detail set out at page 16 of their agenda relating to the proposed consultation process and consultees. A number of options were also available, for example by way of a parish poll, a mini referendum, or sample consultation.

Members agreed that it would be necessary to establish a Working Group consisting of Members from this Committee to oversee the reviews. It was also agreed that the Working Group would report back to this Committee and that an extra meeting of the Committee should be convened in mid-May for this purpose.

RESOLVED: That;

- (i) the Terms of Reference attached as Appendix 'A' to the report be approved, subject to the following amendments:
 - a) on page 16 of the agenda, the word 'Mickleton' be replaced with the word 'Micklefield';
 - b) in the timetable of the review as set out on page 19 of the agenda, the dates for the "Consultation on Draft Proposals" be amended to read "mid July – 30 September"
- (ii) a Working Group comprising Members & Deputies from the Regulatory and Appeals Committee be established,
- (iii) an additional meeting of the Regulatory & Appeals Committee be scheduled for mid-May.

Chairman

The following officers were in attendance at the meeting:

Ian Hunt	- Democratic Services Manager
Iram Malik	- Democratic Services Officer
Matt Rae	- Electoral Services Manager
Caroline Steven	- Licensing Team Leader
Catherine Whitehead	- Head of Democratic, Legal & Policy.