

LICENSING AND SAFETY COMMITTEE

Wednesday, 7th December, 2005 at 6.00 p.m.

Conference Room at the Council House, Walsall

Present

Councillor Keith Sears (Chairman)
Councillor Bill Tweddle (Vice-Chairman)
Councillor Joan Barton
Councillor Leslie Beeley
Councillor Joan Beilby
Councillor Arthur Bentley
Councillor Barbara Cassidy
Councillor Robbie Robinson
Councillor Harbans Sarohi

909/05 Apologies

Apologies for non-attendance were submitted on behalf of Councillors Clarke, Johnson, Micklewright, Rochelle and Rose.

910/05 Declarations of Interest

There were no declarations of interest.

911/05 Local Government (Access to Information) Act, 1985

Resolved

That the public be excluded from the meeting during consideration of the items set out in the private agenda for the reasons set out therein and Section 100A of the Local Government Act, 1972.

912/05 Taxi/Private Hire Liaison Group

(a) Minutes

A copy of the minutes of the Liaison Group from a meeting held on 23rd November, 2005 were submitted:-

(see annexed)

Members were advised that the reference in the items relating to Walsall Town Centre taxi ranks and licence fees on page 3 of the minutes, relating to the Walsall Taxi Federation, should read Walsall Taxi Owners Association.

Resolved

That subject to the foregoing, the minutes of the Liaison Group be noted.

(b) New conditions for vehicles, drivers and operators

Members were advised that this item had been incorrectly put on the agenda since the consultation period would not expire until January, 2006. It was the intention that the report would be considered at the next scheduled meeting on 24th January, 2006 to allow sufficient time for the trade to comment on the proposals.

Resolved

That consideration of this item be deferred to the next scheduled meeting of the Committee on 24th January, 2006.

913/05 Street Collections 2006 - The County Air Ambulance

The report of the Head of Democratic Services was submitted:-

(see annexed)

Resolved

That approval be given to the request of the County Air Ambulance for additional street collection permit dates in the Old Square Shopping Centre as follows:-

Friday, 17th February, 2006
Saturday, 18th February, 2006
Friday, 26th May, 2006
Saturday, 27th May, 2006
Friday, 22nd December, 2006
Saturday, 23rd December, 2006

914/05 Delegations under Local Government (Miscellaneous Provisions) Act, 1976

The joint report of the Head of Public Protection and the Assistant Director of Legal Services was submitted:-

(see annexed)

Members were advised that this was an attempt to allow the Committee to concentrate on more serious matters. The establishment of a panel of five Members would allow the panel to be more focused on the issues before it.

It was **moved** and duly **seconded**:-

That the Head of Public Protection be delegated authority to make decisions under the Local Government (Miscellaneous Provisions) Act, 1976 in relation to the granting/suspending and revocation of private hire/hackney carriage licences.

On being put to the vote, the Motion was declared **lost**, three Members voting in favour and six against.

It was **moved** and duly **seconded**:-

That a panel be established, solely to determine applications under the Local Government (Miscellaneous Provisions) Act, 1976, the panel to comprise five Members of the Licensing and Safety Committee on a rota basis and subject to availability.

On being put to the vote, the Motion was declared **lost**, three Members voting in favour and five against.

The point was made that, in view of the above, the existing procedure for dealing with such applications will continue.

915/05

Prohibition on Drinking Alcohol in Public Places

The report of the Assistant Director of Legal Services was submitted:-

(see annexed)

Resolved

That approval be given to making the Bloxwich (Alcohol Consumption in Designated Public Places) Order, 2005 under the Criminal Justice and Police Act, 2001, it being noted that the Order was advertised in the Express & Star and the Advertiser on 25th November, 2005 and that consultation is for a period of 28 days, following which, the Order will come into force subject to any representations received.

916/05

Late Item

Licensing Act, 2003 - Gaming Act, 1968, Amusement with Prizes

The report of the Head of Democratic Services was submitted:-

(see annexed)

Members were advised that Schedule 6 of the Licensing Act, 2003, which came into effect on 23rd November, 2005, amended the Gaming Act, 1968 in respect of the grant of Section 34 permits for amusement with prizes in premises licensed for the sale of alcohol for consumption on the premises. The responsibility for issue of such permits now lay with the Local Authority and, in view of the timescale, there was a need to seek Committee's urgent approval of the process to be followed in dealing with such applications.

Members were advised that any such process would be for an interim period only in view of the fact that the new Gambling Act, 2005 would change the way in which casinos and gaming machines were regulated.

Resolved

That, in the light of the recommendations of the Secretary of State detailed in Paragraph 3.3 of the report, approval be given to continue the policy adopted by the Magistrates Court, as detailed in Paragraphs 3.4 and 3.5 of the report, in the interim period pending implementation of the provision of the Gambling Act, 2005.

917/05

Private Session

Exclusion of Public

Resolved

That, during consideration of the remaining items on the agenda, the Committee considers that the items for consideration are exempt information for the reasons set out therein and Section 100A of the Local Government Act, 1972 and accordingly resolves to consider those items in private.

Summary of Matters considered in Private Session

Private Hire Licences

The Committee considered representations in respect of a number of taxi/private hire matters and made decisions thereon.

(Exempt information under Paragraphs 7 and 14 of Part I of Schedule 12A of the Local Government Act, 1972)

Termination of Meeting

The meeting terminated at 8.47 p.m.

Chairman

Date