

## **LICENSING AND SAFETY COMMITTEE**

**Wednesday, 4 March, 2009 at 6.00 p.m.**

**In a Conference Room at the Council House, Walsall**

### **Present**

Councillor Sears (Chairman)  
Councillor Aftab  
Councillor Anson  
Councillor Barton  
Councillor Beeley  
Councillor P. Hughes  
Councillor Rochelle  
Councillor Sarohi  
Councillor Smith  
Councillor Tweddle  
Councillor Wilkes

#### **1193/09 Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Clarke and Bird.

#### **1194/09 Minutes**

##### **Resolved**

That the minutes of the meeting held on 3 December, 2008 a copy having been circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

#### **1195/09 Declarations of Interest**

There were no declarations of interest.

#### **1196/09 Local Government (Access to Information) Act, 1985 (as amended)**

##### **Resolved**

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

**Amendment to hackney carriage and private hire conditions of licence in exceptional circumstances**

The following resolution from the Taxi/Private Hire Liaison Group from a meeting on 4 February, 2009 was submitted, together with the report of the Head of Public Protection:-

**Resolved**

- (1) That the report be noted;
- (2) That the following amendment to the private hire and Hackney carriage conditions of licence be referred to the Licensing and Safety Committee for approval:-

“Exceptional circumstances (set aside or amend standard conditions in particular cases without full amendment of conditions).

On a case by case basis and only in exceptional circumstances the Committee may resolve to set aside or amend the private hire and hackney carriage standard conditions where it is appropriate to do so. In any given case, it will be appropriate to set aside or amend the standard conditions only in exceptional circumstances where to impose the standard conditions will lead to a result which the Committee considers wholly unjust and wholly unfair in the circumstances of the particular case falling for consideration.

The setting aside or amendment of the condition will be specific to that case alone. The standard conditions will otherwise remain in place subject to the Committee’s discretion to amend them in the usual manner.”

(see annexed)

Mr. Knapper outlined the report and explained the circumstances regarding the suggested amendment.

**Resolved (Unanimously)**

That approval be given to the amendment to the private hire and hackney carriage conditions of licence as follows:-

Exceptional circumstances (set aside or amend standard conditions in particular cases without full amendment of conditions).

On a case by case basis and only in exceptional circumstances the Committee may resolve to set aside or amend the private hire and hackney carriage standard conditions where it is appropriate to do so. In any given case, it will be appropriate to set aside or amend the standard conditions only in exceptional circumstances where to impose the standard conditions will lead to a result which the Committee

considers wholly unjust and wholly unfair in the circumstances of the particular case falling for consideration.

The setting aside or amendment of the condition will be specific to that case alone. The standard conditions will otherwise remain in place subject to the Committee's discretion to amend them in the usual manner.

1198/09      **Amendment of hackney carriage and private hire vehicle licence fees for vehicles over three years of age**

The report of the Head of Public Protection was submitted:-

(see annexed)

**Resolved**

That approval be given to a fee of £215 for an annual vehicle licence for private hire and hackney carriages that are over three years of age, the fee to be implemented with effect from 1 April, 2009.

1199/09      **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 by virtue of the appropriate paragraphs of Part I of Schedule 12A of the Local Government Act, 1972 (as amended), and accordingly resolves to consider these items in private session.

**Summary of Matters considered in Private Session**

1200/09      **Expiry of Hackney Carriage Proprietor Licences**

The Committee considered representations in respect of expiry of hackney carriage proprietor licences and made a decision thereon.

(Exempt information under Paragraphs 3 and 7 of Part I of Schedule 12A of the Local Government Act, 1972) (as amended)

### **Termination of Meeting**

There being no further business, the meeting terminated at 6.15 p.m.

Chairman .....

Date .....