

## **LICENSING AND SAFETY COMMITTEE**

**Wednesday, 30<sup>th</sup> July, 2008 at 6.00 p.m.**

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

### **Present**

Councillor Sears (Chairman)  
Councillor Barton  
Councillor Bird  
Councillor Clarke  
Councillor P. Hughes  
Councillor Rochelle  
Councillor Sarohi  
Councillor Tweddle

#### **1163/08 Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Anson, Beeley, Micklewright and Wilkes

#### **1164/08 Minutes**

##### **Resolved**

That the minutes of the meetings held on 28<sup>th</sup> May and 18<sup>th</sup> June, 2008, copies having been circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

#### **1165/08 Declarations of Interest**

There were no declarations of interest.

#### **1166/08 Local Government (Access to Information) Act, 1985 (as amended)**

There were no items on the agenda that the Committee considered should be dealt with in private session.

1167/08      **Cumulative Impact Policy**

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

(see annexed)

**Resolved to recommend to Council**

- (i)      That the committee notes that concern has been identified by West Midlands Police about crime and disorder and public nuisance issues in Walsall Town Centre.
- (ii)      That the committee considers that the police have provided good evidence that crime and disorder and public nuisance is happening and is caused by the customers of licensed premises, or that the risk of cumulative impact is imminent in the area of Walsall Town Centre identified as 'Beat 10', including areas around Bridge Street, Ablewell Street, Lichfield Street, The Bridge, Bradford Street, Bradford Place, Freer Street, Leicester Street, High Street and Park Street, as defined by the map in Appendix 2.
- (iii)      That it be noted that consultation has been undertaken with those bodies specified in Section 5 (3) of the Licensing Act 2003.
- (iv)      That approval be given to the implementation of a cumulative impact policy in the area of Walsall Town Centre identified as 'Beat 10' and detailed in (ii) above.
- (v)      That the cumulative impact policy detailed in 8.2 – 8.9 of this report be approved for inclusion in the licensing authority's policy statement.

1168/08      **Taxi Matters**

**(a)      Proposed Hackney Carriage Fare Increase**

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

(see annexed)

**Resolved**

That, notwithstanding the objection referred to in the report now submitted, approval be given to the implementation of the fare table as originally proposed and detailed in Appendix 1 to the report, the revised fare table to be effective from 31<sup>st</sup> August, 2008.

**(b) Proposed basic skills assessment for new applicants for a licence to drive private hire and hackney carriage vehicles**

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

(see annexed)

A revised recommendation was circulated:-

(see annexed)

Members were of the view that the scheme should be implemented with immediate effect and that it should apply to both new applicants and existing drivers. The Council's Legal Advisor, Mr. David Watson advised that imposing an additional condition on existing drivers could have human rights implications and the members would need to ensure, prior to extending the scheme to existing drivers, that if there is any interference with an existing driver's human rights, such interference is justified and lawful under the Human Rights Act.

It was **MOVED, SECONDED** and subsequently **RESOLVED (unanimously)**

- (1) That approval be given to a scheme for the introduction of a basic skills assessment for private hire and hackney carriage drivers, the scheme to be implemented at the earliest possible date in respect of new applications for private hire and hackney carriage licences and that a further report be submitted for information to the Committee within six months on the operation of the scheme;
- (2) That approval be given to the creation of an additional pre-licensing requirement condition for the requirement to pass the Council's basic skills assessment for all new applicants for a licence to drive a private hire vehicle and hackney carriage vehicle with effect from 1<sup>st</sup> September, 2008;
- (3) That the Trading Standards Manager be delegated authority to devise the scheme in accordance with paragraph 11.9 of the report and amend the pre-licensing conditions to private hire and hackney carriage applicants in order to implement paragraphs (1) and (2) above;
- (4) That approval be given to an increase of £10 on the application fee to cover costs associated with the extra administration;
- (5) That the Council's Legal Section be required to report back to the Committee on the legal implications of extending the scheme to existing private hire and hackney carriage drivers with effect from 1<sup>st</sup> January, 2009.

**(c) Recommendations from Taxi/Private Hire Liaison Group**

The Committee was advised that there were no recommendations from the Liaison Group at the present time.

**Termination of Meeting**

The meeting terminated at 6.55 p.m.

Chairman .....

Date .....