



# Walsall Council

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## REPORT OF THE HEAD OF PUBLIC SAFETY

### TO A MEETING OF THE LICENSING AND SAFETY COMMITTEE

WEDNESDAY 21<sup>ST</sup> JULY 2010

### TO CONSIDER AN AMENDMENT TO THE HACKNEY CARRIAGE

### VEHICLE LICENCE CONDITIONS

#### **1.0 PURPOSE OF REPORT**

- 1.1 To place before committee a report regarding an amendment to the hackney carriage vehicle licence conditions in order to mirror the same condition that is currently applicable to private hire vehicles.

#### **2.0 RECOMMENDATION**

- 2.1 The committee is asked to consider the information contained in the report and determine whether an amendment be made to the hackney carriage vehicle licence conditions.

#### **3.0 BACKGROUND**

- 3.1 Condition 1.11 of the private hire vehicle licence conditions which permits a vehicle to be relicensed after the licence has expired in part states 'when a saloon car/ MPV is presented for licensing and that saloon car/MPV has not been licensed by Walsall MBC, or if it has previously been licensed by Walsall MBC and the licence allowed to expire for a period of more than 28 days other than by prior arrangement in writing with the Licensing Office then .....
- 3.2 The effect of this condition is to allow the relicensing of a private hire vehicle where the actual vehicle licence has expired providing the vehicle proprietor keeps the taxi licensing unit advised of matters. This scenario tends to occur where a vehicle has been involved in a road traffic accident just prior to licence expiry. Obviously there can be a delay in getting the vehicle repaired due to parts shortage, or delays in dealing with the claim by insurance providers

- 3.3 No such provision currently exists for hackney carriage vehicles. This means that if a vehicle is involved in an accident just prior to vehicle licence expiry and that licence expires before repairs can be satisfactorily carried out on that vehicle, the licence cannot be renewed by the taxi licensing unit and in effect a new licence application is required, or a request is made by the proprietor for the matter to be considered by the Licensing and Safety Committee.
- 3.4 Under the rules of natural justice it is felt that this condition should be applicable to both types of licensed vehicle.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 Within Budget: yes.

#### **5.0 POLICY IMPLICATIONS**

- 5.1 If the hackney carriage vehicle licence conditions are amended these would become effective from the date of the committee

#### **6.0 LEGAL IMPLICATIONS**

- 6.1 Legal Services consulted: No

#### **7.0 EQUAL OPPORTUNITIES**

- 7.1 None arising from this report.

#### **8.0 ENVIRONMENTAL IMPACT**

- 8.1 None

#### **9.0 Contact Officer**

- 9.1 Steve Knapper, 01922 652221