

## **LICENSING AND SAFETY COMMITTEE**

**Wednesday, 21 July, 2010 at 6.00 p.m.**

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

### **Present**

Councillor Sears (**Chairman**)

Councillor Anson

Councillor Barton

Councillor Beeley

Councillor C. Bott

Councillor Clarke

Councillor P. Hughes

Councillor O'Hare

Councillor Sarohi

Councillor Wilkes

1282/10      **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Tweddle, Burley and Rochelle.

1283/10      **Minutes**

**Resolved**

That the minutes of the meetings held on 21 May and 2 June, 2010, copies having been circulated to each Member of the Committee, be approved and signed by the Chairman as correct records.

1284/10      **Declarations of Interest**

There were no declarations of interest.

1285/10      **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).

1286/10      **Hackney Carriage Fares – deposit prior to hire**

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

(see annexed)

The Principal Licensing Officer (Mr. Knapper) reported that having consulted with Legal Services it was lawful for hackney carriage drivers to ask a passenger for money before the commencement of the journey if they suspected that the individual might try to abscond without paying the fare when they reach their destination provided that the sum requested was less than that shown at the end of the hiring.

Members were concerned that it was not clear how many patrons were avoiding paying their fares and it was:-

**Resolved (Unanimously)**

That no action be taken to endorse the policy of allowing hackney carriage drivers to ask a passenger for money before the commencement of the journey if they suspect that the individual might try to abscond without payment of the fare.

1287/10      **Transfer of private hire / hackney carriage vehicle licence fee to new vehicle**

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

(see annexed)

The Principal Licensing Officer (Mr. Knapper) enlarged upon the report and requested the Committee to consider the transfer of the vehicle licence fee from an existing licensed vehicle to a permanent replacement vehicle provided there was a minimum period of three months left on the current vehicle licence. The policy to apply to all licensed vehicles.

**Resolved**

That the Committee:-

- (1) approves the transfer of the licence fee from an existing licensed vehicle, providing there is a minimum period of three months left on the existing licence;
- (2) agrees that the policy will only apply where an existing licensed vehicle is to be permanently replaced by another vehicle which is compliant with current vehicle age policy and associated conditions of licence;

- (3) agrees that no monies will be reimbursed directly, including where a vehicle licence is simply surrendered and no replacement vehicle is subsequently licensed. Whole months of licence only to be considered when transferring entitlement;
- (4) agrees that the application fee (£25) in respect of a new replacement vehicle to be licensed will still be applicable along with the associated costs of issuing a new licence / licence plate (£10) and the cost of vehicle examination at the Council's test centre (£45).

1288/10 **To consider an amendment to the hackney carriage vehicle licence conditions**

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

(see annexed)

The Principal Licensing Officer (Mr. Knapper) reported that the amendment to the hackney carriage vehicle licence conditions would mirror the same conditions applying currently to private hire vehicles.

**Resolved**

That the hackney carriage vehicle licence conditions be amended to mirror those conditions currently applying to private hire vehicles and allowing the vehicle to be re-licensed within 28 days of the vehicle licence expiring provided that the vehicle provider keeps the taxi licensing unit advised of all matters.

1289/10 **Policing and Crime Act, 2009 - Section 27: Sexual Entertainment Venues**

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

(see annexed)

Mr. Knapper enlarged upon the report for the benefit of the Committee.

Several Members felt that it would be useful to have a training session on the implications of the Act and it was:-

**Resolved**

- (1) That Council be recommended to adopt Section 27 of the Policing and Crime Act, 2009 which allows Local Authorities to regulate lap dancing clubs and similar venues under the provisions of Schedule 3 to the Local Government (Miscellaneous Provisions) Act, 1982. These premises to be known as sexual entertainment venues;

- (2) That formal consultation be undertaken prior to the policy being approved by the Council.

1290/10 **Application for a Street Collection Permit - The Royal British Legion Poppy Appeal**

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

(see annexed)

The Principal Licensing Officer (Mr. Knapper) reported a request from the Royal British Legion to undertake Borough-wide street collections from 29<sup>th</sup> October to 12<sup>th</sup> November, 2010 inclusive.

**Resolved**

That approval be given for the Royal British Legion to undertake Borough-wide street collections from 29<sup>th</sup> October to 12<sup>th</sup> November, 2010, inclusive.

1291/10 **CCTV/driver screens in licensed vehicles**

It was reported that this report had been included in the private agenda in error. The Committee agreed that it would be considered in public session.

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

(see annexed)

The Enforcement Officer (Jackie Taylor) enlarged upon the report and drew particular attention to Paragraphs 1.1 and 1.2 of the background to the report.

Councillor Wilkes felt that it was a good idea provided it could be implemented at no cost to the Local Authority. He added that the CCTV system to be used would have to be approved by the Council to ensure uniformity of equipment.

Councillor Hughes asked whether the Council would be held liable for infringement of civil liberties or human rights if passengers were recorded in vehicles. Jackie Taylor replied that stickers could be provided in vehicles to advise passengers that CCTV was in operation within the vehicle.

Councillor Hughes felt that the cost of provision of such stickers should be borne by the trade.

Referring to the provision of driver screens in private hire vehicles, Councillor Hughes stated that if drivers wanted them then he would have no objection provided that they were supplied at no cost to the Local Authority. Several other Members concurred with these remarks.

Several Members suggested that stickers should be provided in licensed vehicles to see if they would have a deterrent effect and that officers should contact Manchester and York to obtain information about the CCTV systems in operation there.

After further discussion it was,

**Resolved**

- (1) That the Committee approves, in principle, the use of CCTV and/or driver screens in licensed vehicles upon receipt of a request from vehicle licence proprietors provided that there is no cost to the Local Authority;
- (2) That officers be authorised to contact Manchester and York to obtain further information about the systems they operate.

1292/10

**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 1 of Schedule 12A of the Local Government Act, 1972 (as amended) and accordingly resolves to consider those items in private session.

**Summary of items considered in private session**

The Committee made appropriate recommendations with regard to a number of hackney carriage proprietor's licences.

**Termination of Meeting**

There being no further business, the meeting terminated at 7.08 p.m.

Chairman .....

Date .....

