

LICENSING AND SAFETY COMMITTEE

Wednesday, 26th November, 2014 at 6.00 p.m.

In a Conference Room at the Council House, Walsall

Present

Councillor S. Fitzpatrick (Chairman)
Councillor Sarohi (Vice-Chairman)
Councillor Barker
Councillor D. Hazell
Councillor Hussain
Councillor Murray
Councillor Nawaz
Councillor Sears
Councillor Worrall

1606/14 **Apologies**

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

1607/14 **Declarations of Interest**

There were no declarations of interest.

1608/14 **Minutes**

Resolved

That the minutes of the meeting held on 15th October, 2014 a copy having been circulated to Members of the Committee, be approved and signed by the Chairman as a correct record.

1609/14 **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 agenda for the reasons as set out therein and Section 100A of the Local Government Act, 1972.

1610/14

Medical Fitness Standards – Private Hire and Hackney Carriage Drivers

The reference from Taxi/Private Hire Liaison Group meeting held on 1st October, 2014 was submitted:-

“Resolved

That the Group recommends the Licensing and Safety Committee to approve the use of the amended Medical Examination Record form as contained in Appendix 2 to the report now submitted, which is to be satisfactorily completed for all new applicants and existing licensed private hire and hackney carriage drivers.”

The report of the Interim Head of Communities and Public Protection to Taxi /Private Hire Liaison Group was submitted:-

(see annexed)

The Principal Licensing Officer (Mr. Knapper) enlarged upon the report for the benefit of the Committee and indicated that the revised medical examination report contained in Appendix 2 to the report would bring the medical test for hackney carriage and private hire drivers up to date and in line with the DVLA’s current requirements. He added that changing the medical form would have no negative impact on the Council’s hackney carriage and private hire drivers.

Councillor Fitzpatrick referred to a recent Taxi Licensing Sub-Committee meeting B where two drivers had been suspended for not having current medical certificates.

Councillor Nawaz referred to the letter which was forwarded to drivers by the Licensing Unit reminding them that their medical certificates were about to expire and asked if additional notice could be given. Mr Knapper confirmed that this had been taken on board.

Resolved

That the Committee approves the use of the amended medical examination report form as contained in Appendix 2 to the report now submitted which is to be satisfactorily completed by GP’s for all new applicants and existing licensed private hire and hackney carriage drivers.

1611/14

Taxi Licensing Exceptional Circumstance Applications

The report of the Interim Head of Communities and Public Protection was submitted:-

(see annexed)

The Principal Licensing Officer (Mr. Knapper) enlarged upon the report for the benefit of the Committee and drew Members' attention to the salient points contained therein. He added that between 1st January, 2013 and 1st November, 2014 23 applications had been referred to Committee under the exceptional circumstances criteria. 14 applications related to vehicle licences and nine to driver licences. 12 vehicle licences and seven driver licences had been granted by Committee with four applications being refused. Mr. Knapper also drew the Committee's attention to Paragraph 4.2 of the report.

Councillor Sarohi asked if a driver could continue to work after his licence had expired until the Committee considered his exceptional circumstances application. Mr. Knapper replied that a driver could not work once his licence had expired.

Resolved

That the report be noted.

1612/14 **Withdrawal of Discrete Private Hire Vehicle Identification**

The report of the Interim Head of Communities and Public Protection was submitted:-

(see annexed)

The Principal Licensing Officer (Mr. Knapper) enlarged upon the report and drew the Committee's attention to the salient points contained therein. He reminded Members that at the meeting held on 15th October, 2014 a report had been considered regarding a private hire vehicle which had been granted discrete plating so that it could be used for contract work but Licensing Enforcement had caught the vehicle being used for ordinary private hire work with no private hire identification on the vehicle. The Committee had removed the approval for discrete plating and issued the driver with a caution. Members had asked why the report did not contain reference to the possible suspension or revocation of the private hire vehicle licence or the driver's licence. Mr. Knapper drew the Committee's attention to Paragraph 4.2 of the report which gave the reasons why suspension or revocation of the private hire licence or driver's licence had not been included.

Mr. Knapper reminded Members that the Committee could take any action it deemed appropriate having considered the individual merits of the case provided that the decision was not Wednesbury unreasonable.

Resolved

That the report be noted.

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.

LICENSING & SAFETY COMMITTEE

26TH NOVEMBER, 2014

PRIVATE SESSION SUMMARY

The committee considered and determined the following cases:-

- Application for a private hire vehicle licence and discrete plating – Exceptional Circumstances request – Mr. K.H. (Granted with conditions).
- Local Government (Miscellaneous Provisions) Act, 1976 – Application for a private hire vehicle licence – Exceptional Circumstances request – Mr. R.M. (Granted).