

## LICENSING AND SAFETY COMMITTEE

Wednesday, 15<sup>th</sup> January, 2014 at 6.00 p.m.

In a Conference Room at the Council House, Walsall

### Present

Councillor Sears (Chairman)  
Councillor Clarke (Vice-Chairman)  
Councillor Cook  
Councillor Douglas-Maul  
Councillor S. Fitzpatrick  
Councillor Hussain  
Councillor Murray  
Councillor Rochelle  
Councillor Sarohi  
Councillor Worrall

1556/14      **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Anson and C. Bott.

1557/14      **Minutes**

**Resolved**

That the minutes of the meeting held on 27<sup>th</sup> November, 2013, a copy having previously been circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

1558/14      **Declarations of Interest**

There were no declarations of interest.

1559/14      **Local Government (Access to Information) Act, 1985 (as amended)**

**Resolved**

That the public be excluded from the meeting during consideration of the item set out in the private agenda for the

reason as set out therein and Section 100A of the Local Government Act, 1972.

1560/14 **Vehicle licensing following Council testing compliance.**

The report of the Interim Regulatory Manager was submitted:-

(see annexed)

The Principal Licensing Officer (Mr. Knapper) enlarged upon the report for the benefit of the Committee and drew attention to the salient points contained therein. He added that the request had come from the Walsall Private Hire Association after the Taxi/Private Hire Liaison Group meeting held on 13<sup>th</sup> November, 2013. He reminded the meeting that any driver who felt the present five day condition was unfair had a right of appeal to the Local Magistrates Court.

Councillor Cook asked if the current five day condition was creating any problems for the majority of drivers. Mr. Knapper replied that the Hackney Carriage Association had indicated that their members were happy with the existing arrangement. Some of the private hire drivers were concerned that five days was too short a time and should be extended. However, very few drivers missed licensing their vehicles within five days of their vehicle obtaining its MOT. He added that changing the condition might create confusion for drivers.

Councillor Murray asked if the Taxi/Private Hire Liaison Group had suggested a time limit for the licensing of vehicles after MOT. Mr. Knapper replied no.

Councillor Sarohi suggested that the time limit should be increased to 10 days to bring Walsall into line with other local authorities in the area as currently Walsall was the strictest when it came to licensing a vehicle after it had obtained its MOT.

Councillor Rochelle asked what happened if a vehicle missed the five day target. Mr. Knapper replied that the vehicle would have to be MOT tested again.

Councillor Douglas-Maul commented that as the majority of drivers seemed happy with the five day limit and it was working well he would not support a change. Councillor Rochelle concurred with Councillor Douglas-Maul.

Councillor Worrall asked why the Private Hire Association had asked for a review. Mr. Knapper replied that the Association had indicated that some drivers struggled to license their vehicles within five days of the MOT due to the pressure of work.

Councillor Hussain stated that as the Private Hire Association had raised the matter there must be a problem for at least some of its members. He referred to the fact that at five days Walsall was the strictest of all the Black Country Boroughs and Birmingham allowed 10 weeks to license a vehicle after the MOT test. He suggested that it should be increased to 28 days and that hackney carriages should be treated the same.

Councillor Clarke indicated that the current system was working well and should not be changed.

Councillor Rochelle indicated that the Hackney Carriage Association was happy with the five day condition and the Private Hire Association had suggested 10 days. He asked if the Licensing Authority could require the vehicles to be tested and licensed on the same day. Mr. Knapper replied that tested vehicles could be licensed on the same day or the following day and would always be licensed within five working days.

The Legal representative (Mr. Green) asked the cost of an MOT retest. Mr. Knapper replied £45.00.

Councillor Fitzpatrick asked if private hire and hackney carriage drivers could have their vehicles MOT'd earlier than the due date. Mr. Knapper replied that they could, as with any private car, up to three weeks before the due date.

After further discussion it was **moved** by Councillor Sarohi and **seconded** by Councillor Hussain:-

'that the period for licensing a vehicle after testing be extended to 10 days.'

An amendment was **moved** by Councillor Cook and **seconded** by Councillor Clarke:-

'that the period for licensing a vehicle after testing remain at 5 days.'

Upon being put the vote, five Members voted in favour of the amendment and five Members voted against. On the Chairman's casting vote the amendment was declared **carried**. The amendment was then put as the substantive Motion and declared **carried** and it was

### **Resolved**

That the period for licensing a vehicle after testing remain at five days.

## **Private Session**

### **Exclusion of public**

### **Resolved**

That during consideration of the remaining item on the agenda, the Committee considers that the item for consideration is exempt information for the reason set out therein and Section 100A of the Local Government Act, 1972 and accordingly resolves to consider that item in private.

### **Summary of item considered in private session**

1561/14

#### **Application for renewal of a private hire vehicle licence – exceptional circumstances request**

The Committee considered the request and made a decision thereon.

### **Termination of meeting**

There being no further business, the meeting terminated at 6.55 p.m.