

LICENSING AND SAFETY COMMITTEE

Wednesday, 13th September, 2006 at 6.00 p.m.

Conference Room at the Council House, Walsall

Present

Councillor Keith Sears (Chairman)
Councillor Leslie Beeley
Councillor Joan Beilby
Councillor Ayshea Johnson
Councillor Cath Micklewright
Councillor John Rochelle
Councillor Graham Wilkes

1066/06 **Apologies**

Apologies for non-attendance were submitted on behalf of Councillor Bill Tweddle (Vice-Chairman), Councillors Joan Barton, Arthur Bentley, Barbara Cassidy and Gary Clarke.

1067/06 **Minutes**

Resolved

That the minutes of the meeting held on 26th July, 2006, a copy having previously been circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

1068/06 **Declarations of Interest**

There were no declarations of interest.

1069/06 **Local Government (Access to Information) Act, 1985 (as amended)**

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

Taxi/Private Hire Matters**(i) Notes of Taxi/Private Hire Liaison Group - 15th August, 2006****Resolved**

That the notes of the Liaison Group from its meeting held on 15th August, 2006, be received and noted.

(ii) Proposed changes to licensing and testing of private hire/hackney carriage vehicles

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

(see annexed)

A letter from the Walsall Private Hire Association was circulated.

Resolved

- (a) That the letter from the Walsall Private Hire Association be noted insofar as it relates to this issue;
- (b) That the proposed system for allocating garage responsibilities and testing of vehicles, as detailed in the amended report, be approved for implementation;
- (c) That approval be given to a refund of the booking fee of 33% of the next test fee in cases where licences are revoked or the vehicle in question fails the MOT test.

(iii) Amendments to conditions attached to the grant of licences in respect of:-

- 1. Base operators**
- 2. Private hire/hackney carriage drivers**
- 3. Private hire vehicles**
- 4. Limousines**
- 5. Hackney carriage vehicles**

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

(see annexed)

Members attention was brought to the letter from the Walsall Private Hire Association previously circulated, which also referred to this issue. The Association was particularly concerned regarding Condition 3.31 (annual testing) and 4.34 (style and appearance of a vehicle).

Resolved

- (a) That the letter from the Walsall Private Hire Association, insofar as it relates to this issue, be noted;
- (b) That the amendments to the conditions, as identified in the report, be approved for implementation.

(iv) Testing of private hire and hackney carriage vehicles

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

(see annexed)

Members attention was again brought to the letter from the Walsall Private Hire Association. The Association was asking the Committee to consider having all taxis and private hire vehicles which are up to five years old, presented for annual testing, and six monthly tests for those over five years old.

It was **moved** by Councillor Johnson and **seconded** by Councillor Micklewright:-

That there be no change to the system of testing of private hire and hackney carriage vehicles until such time as there is a marked improvement in the pass rate.

On being put to the vote, the Motion was declared **lost**, two Members voting in favour and five against.

It was **moved** by Councillor Rochelle and **seconded**: by Councillor Beeley:-

That vehicles up to three years old be required to undertake annual tests, with vehicles over three years old and under ten years old being required to undertake two tests per year but that officers be authorised to undertake random tests as required.

An amendment was **moved** by Councillor Wilkes and duly **seconded**:-

- (a) That vehicles up to three years old be required to undertake annual tests;
- (b) That vehicles between three and five years old be required to undertake two tests per year;
- (c) That vehicles over five years old be required to undertake three tests per year;

- (d) That officers be authorised to undertake random tests as required.

On being put to the vote, the Amendment was declared **carried**, four Members voting in favour and three against. The Amendment was then put as the substantive motion and was declared **carried**, three Members voting in favour and two against.

Resolved

- (a) That vehicles up to three years old be required to undertake annual tests;
- (b) That vehicles between three and five years old be required to undertake two tests per year;
- (c) That vehicles over five years old be required to undertake three tests per year;
- (d) That officers be authorised to undertake random tests as required.

1071/06 **Licensing Act, 2003 Update**

Members viewed a DVD entitled 'Local Government - Licensing - Time for Change' and a brief discussion ensued.

Resolved

That the contents of the DVD be noted and that a further presentation be given to a future meeting of the Committee on hearings held under this legislation.

Termination of Meeting

The meeting terminated at 7.18 p.m.

Chairman

Date