

## LICENSING & SAFETY COMMITTEE

Wednesday 20<sup>th</sup> June, 2018 at 6.00 p.m.

In a Conference Room at the Council House, Walsall

### Present:

Councillor Sears (Chair)  
Councillor Clarke (Vice Chair)  
Councillor Butler  
Councillor S. Ditta  
Councillor S. Fitzpatrick  
Councillor J. Fitzpatrick  
Councillor Hussain  
Councillor Murray  
Councillor Nawaz  
Councillor Rochelle  
Councillor Samra  
Councillor Waters

### Officers

Gul Khan	Principal Solicitor (Mitigation)
Neil Picken	Senior Democratic Services Officer
David Elrington	Regulatory Services Manager (Business Compliance)
Lorraine Boothman	Regulatory Services Manager (Community Protection)

1773/18      **Apologies**

Apologies for absence were received on behalf of Councillor Ward.

1774/18      **Declarations of Interest**

There were no declarations of interest.

1775/18      **Minutes**

### Resolved

That the minutes of the meetings held on 24 May and 6 June, 2018 copies having previously been circulated to members of the committee, be approved and signed by the Chairman as a correct record.

## **Consultation on draft new Licence Conditions and Associated Policies for the Hackney Carriage and Private Hire Trades**

The Committee considered a report of the Director of the Public Health [annexed] presenting the draft new licensing conditions and associated policies for the hackney carriage and private hire trades prior to the commencement of public consultation.

The Regulatory Services Managers presented the report and highlighted the salient points therein. Members sought clarity on the proposed changes as it was not made clear within the documents circulated. The Regulatory Services Manager (Community Protection) advised that a further document was being produced for consultation which would highlight the proposed changes in more detail. Broadly, proposed changes included:-

- A change to align DVLA checks, medical checks and DBS checks;
- A change to reduce the age limit of vehicles.

In relation to the age of the vehicles, Members questioned what would happen to those individuals with vehicles that would be contrary to Policy should the revised Policy be agreed. The Regulatory Services Manager (Community Protection) advised that there would be a transition period of three years. A member enquired as to whether exceptional circumstances would still apply to which the Regulatory Services Manager (Business Compliance) advised that any request for exceptional circumstances would be considered by the Licensing and Safety Committee.

A member explained that the drivers experienced delay when trying to book an MOT. A discussion ensued as to whether the depot, which undertook MOT checks, had sufficient capacity to meet demand or needed to extend its opening hours to include weekends. The suggestion of an additional depot was also explored. The Regulatory Services Manager (Business Compliance) explained that this whilst this did not form part of the Policy review, it had been considered previously by the Taxi/Private Hire Liaison Group. Should further garages be authorised to undertake the MOT there could be an issue with quality checking and so the Council's depot continued to be the only garage to undertake MOTS for hackney carriages and private hire vehicles. Members were advised that the depot was open until 7 p.m. and gave priority to taxis.

The Committee then explored whether it would be prudent to explore changing bye laws applicable to hackney carriages. The Regulatory Services Manager (Community Protection) explained that the process was lengthy and complex and wasn't part of the current review but

confirmed that the matter could be explored further should the committee deem it appropriate.

In relation to Fit and Proper Person Policy, a member queried how existing drivers would be impacted upon by the English/Maths test as its states that the 'existing drivers may be referred back to committee'. The Regulatory Services Manager (Community Protection) explained that drivers would only be referred to committee if a complaint had been received.

A member stated that the application form drivers were asked to complete could be improved. The Regulatory Services Manager (Business Compliance) advised that the licensing service had produced a draft for consideration but it had not yet been finalised, Members' opinion of the draft application form would be appreciated prior to its launch.

In closing, officers agree to forward the questionnaire that would form part of the consultation to members and which would highlight the main changes to the conditions and policies.

**Resolved**

1. That formal public consultation commences; and
2. That Officers forward the questionnaire that would form part of the consultation to members.

The meeting terminated at 6.45 p.m.

Chairman.....

Date.....