

## **LICENSING AND SAFETY COMMITTEE**

**Tuesday, 29<sup>th</sup> November, 2011 at 6.00 p.m.**

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

### **Present**

Councillor Sears (Chairman)  
Councillor Clarke (Vice-Chairman)  
Councillor Anson  
Councillor Carpenter  
Councillor Murray  
Councillor Rochelle  
Councillor Russell  
Councillor Sarohi  
Councillor Wilkes

1391/11      **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Burley, Cook, Douglas-Maul and Harrison.

1392/11      **Minutes**

### **Resolved**

That the minutes of the meeting held on 19<sup>th</sup> October, 2011, a copy having been circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

1393/11      **Declarations of Interest**

There were no declarations of interest.

1394/11      **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 set out therein and Section 100A of the Local Government Act, 1972.

**Dress Code for Licensed Drivers**

The reference from Taxi/Private Hire Liaison Group held on 9<sup>th</sup> November, 2011 was submitted:-

**“Resolved** to recommend to Licensing and Safety Committee

- (1) That the general dress code as set out in Paragraph 2.2 of the report now submitted be adopted i.e. “all drivers shall be clean, presentable and smartly dressed. Clothing must be freshly laundered. Shoulders and upper arms must be covered. This could include for example, salwar kameez, a shirt, polo shirt or t-shirt and single colour trousers or for female drivers a blouse or t-shirt and single colour trousers or skirt or alternatively a dress;
- (2) That the wearing of mules or “flip flops” be not permitted for safety reasons. All footwear to fit around the heel by an enclosed or sling back.”

The report of the Interim Regulatory Manager to the Liaison Group was also submitted:-

(see annexed)

Mr. Knapper enlarged upon the report for the benefit of the Committee. He drew attention to the recommendation from the Taxi/Private Hire Liaison Group from its meeting held on 9<sup>th</sup> November, 2011 regarding the proposed dress code for drivers and that the wearing of “mules” or “flip flops” should not be allowed on safety grounds.

Members felt that as hackney carriage and private hire drivers were often the first persons that visitors to the town met, then if drivers were neat and tidy, it would help to make a good impression.

Councillor Clarke referred to the fact that a company in Darlaston and another in Bloxwich already had a dress code for their drivers which included shirts and ties being worn.

Councillor Anson suggested that in the winter, drivers should be able to wear a dark coloured jacket against the cold.

Mr. Khalid (Walsall Hackney Carriage Association) stated that some drivers had objected to the fact that clothing should be “freshly laundered”. He asked that this be replaced with the word “clean”.

After further discussion it was,

## **Resolved**

- (1) That the general dress code for licensed drivers, as set out in Paragraph 2.2 of the report now submitted, be adopted i.e. “all drivers shall be clean, presentable and smartly dressed. Clothing must be clean. Shoulders and upper arms must be covered. This could include for example, salwar kameez, a shirt, polo shirt or t-shirt and single coloured trousers or for female drivers a blouse or t-shirt and single coloured trousers or skirt or alternatively a dress”;
- (2) That the wearing of mules or “flip flops” be not permitted for safety reasons. All footwear to fit around the heel by an enclosed or sling back.

1396/11

### **Tinted Windows in Licensed Vehicles**

The report of the Interim Regulatory Manager was submitted:-

(see annexed)

The Principal Licensing Officer (Mr. Knapper) enlarged upon the report and drew attention to the background information contained therein. He referred to the comments of the trade on this matter contained in a letter dated 19<sup>th</sup> October, 2011 and reminded the meeting that there could be a public safety issue if the Council’s enforcement officers or police officers could not see into the vehicle from outside. He drew the Committee’s attention to the guidance produced by VOSA regarding tinted windows and added that more and more vehicles were being fitted with tinted rear windows by manufacturers.

Several Members felt that if the tinted rear windows had been fitted as standard by manufacturers, then the trade should be able to licence those vehicles without further reference to Committee and it was,

## **Resolved**

- (1) That the report be noted;
- (2) That the vehicle licence conditions in relation to tinted windows in both private hire and hackney carriage vehicles be removed.

1397/11

### **Licensing Age Limits for Private Hire/Hackney Carriage Vehicles**

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. He drew attention to Paragraphs 3.3 to 3.8 of the report which set out the current age restrictions for hackney carriage and private hire vehicles and to the request from the trade for these restrictions to be relaxed contained in a letter dated 19<sup>th</sup> October, 2011 (Appendix 1 refers).

Mr. Knapper also drew attention to the Department of Transport's best practice guide with regard to age limits.

After detailed discussion it was,

### **Resolved**

- (1) That the report be noted;
- (2) That the age limit restrictions in respect of private hire/hackney carriage vehicles remain unchanged.

### 1398/11 **Letter from the trade dated 19<sup>th</sup> October, 2011**

The letter from the trade was submitted:-

(see annexed)

### **MOT testing**

The MOT testing officer (Mr. Pleaden) referred to Section 1.14 of the private hire conditions and Section 1.33 of the hackney carriage conditions relating to a deposit of 33% of the next booking fee being paid at the time of an MOT test. He stated that this was no longer carried out and could, therefore, be removed from the conditions.

Referring to the £25 failing to attend charge, Mr. Pleaden stated that introducing this fee had meant that more people had attended for MOT or had notified the garage if they could not attend. This meant that slots could be re-allocated and a more efficient service provided.

Councillor Sarohi felt that if a valid reason for non-attendance was given, then the £25 charge should be waived.

Councillor Rochelle referred to the request from the trade that a ninety minute notice to cancel should be introduced. He felt that this was unreasonable and that a twenty four hour period would work better.

Mr. Pleaden confirmed that a ninety minute notice of cancellation would be unworkable. VOSA recommended that the MOT should take between 40 - 50 minutes to complete so hourly bookings for MOTs were made. If ninety minutes notice of cancellation was allowed, then slots would be lost or a delay would have a knock on effect throughout the working day.

Councillor Rochelle asked if MOTs could be booked by phone then the £25 fee be paid at the time of the test. Mr. Pleaden replied that this had proved difficult in the past and officers would not book a further test before the vehicle attended to ensure that the £25 fee was paid. He informed the meeting that a review of the MOT centre would be carried out in January, 2012. The review could enable MOTs to be paid for over the phone and drivers would have the facility to text or e-mail cancellations to avoid the failure to attend charge. He added that a full time receptionist was now employed at the Public Works Depot so missed calls should become less frequent.

Members felt that in view of the forthcoming review of the MOT centre, consideration of this matter should be deferred for two months and it was,

**Resolved**

That consideration of this matter be deferred for two months.

**Tinted windows**

This matter had been considered earlier in the meeting.

**Age restrictions**

This matter had been considered earlier in the meeting.

**Resolved**

That the letter from the trade dated 19<sup>th</sup> October, 2011 be noted.

1399/11

**Implementation of Calendar Controlled Hackney Carriage Meters**

The Committee agreed to consider this matter in public.

The reference from Taxi/Private Hire Liaison Group held on 9<sup>th</sup> November, 2011 was submitted:-

**“Resolved** to recommend to Licensing and Safety Committee

That all hackney carriages be fitted with calendar controlled meters with effect from a suitable date to be agreed by Committee.”

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. He suggested that all hackney carriages should have calendar controlled meters fitted and that an implementation date of 1<sup>st</sup> March, 2012 should be set for compliance. The trade was in agreement with this proposal and it was,

### **Resolved**

That the Committee approves the proposal that all licensed vehicles using meters should be fitted with calendar controlled meters from 1<sup>st</sup> March, 2012 and that the licensing conditions be amended accordingly.

## 1400/11 **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.

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

## 1401/11 **Local Government (Miscellaneous Provisions) Act, 1976 - Application for Late Renewal of a Private Hire Driver's Licence**

The Committee approved the application.

## 1402/11 **Additional Item**

### **Local Government (Miscellaneous Provisions) Act, 1976 - Application for discrete plates/identification stickers on private hire vehicle**

The Committee approved the application and that any application for additional vehicles be considered by the Committee.

### **Termination of meeting**

There being no further business, the meeting terminated at 7.30 p.m.