

LICENSING AND SAFETY COMMITTEE

Wednesday, 20 October, 2010 at 6.00 p.m.

In a Conference Room at the Council House, Walsall

Present

Councillor Tweddle (**Vice-Chairman**)

Councillor Anson

Councillor Beeley

Councillor Burley

Councillor P. Hughes

Councillor Mushtaq Ahmed

Councillor Rochelle

Councillor Sarohi

Councillor Wilkes

Councillor Yasin

1297/10 **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Barton, C. Bott, Clarke and Sears.

1298/10 **Substitution**

Councillor Yasin substituted for Councillor Sears for the duration of the meeting.

1299/10 **Minutes**

Resolved

That the minutes of the meeting held on 21 July, 2010, a copy having been circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

1300/10 **Declarations of Interest**

There were no declarations of interest.

1301/10 **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 part of the agenda for the reasons set out therein and Section 100A of the Local Government Act, 1972 (as amended).

1302/10 **Private Session**

Exclusion of Public

Resolved

That, during consideration of the following items on the agenda, the Committee considers that the items for consideration are exempt information by virtue of the appropriate Paragraphs of Part 1 of Schedule 12A of the Local Government Act, 1972 (as amended) and accordingly resolves to consider those items in private session.

Summary of items considered in private session

1303/10 **Licensed driver/operator - Receipt of caution - Breach of Operator Licence condition**

1304/10 **Licensed private hire driver - to consider if a fit and proper person to drive private hire vehicles**

1305/10 **Application for a Hackney Carriage Proprietor's Licence**

1306/10 **Application for discrete identification stickers on private hire vehicles**

The Committee considered reports relating to the above items and made recommendations thereon.

PUBLIC AGENDA

1307/10 **References from Taxi/Private Hire Liaison Group held on 28th July, 2010**

MOT tests and conditions

“Resolved to recommend to Licensing and Safety Committee

That the six monthly MOT test for hackney carriage and private hire vehicles be extended from twelve months to two years so that all vehicles can get the benefit of six monthly tests and the pass/fail figures can produce a true reflection of the situation.”

The Principal Trading Standards Officer (Mr. Beavon) reminded the meeting that six monthly testing of hackney carriage and private hire vehicles had originally been agreed for twelve months only. However, because the policy had been introduced on 1st May, 2010, only about half the fleet would have received the benefit of six monthly testing before the policy was re-considered. The Taxi/Private Hire Liaison Group had suggested that the trial should run for two years so that the whole fleet could benefit from the experience.

Resolved (Four Members voting in favour, two Members voting against and one Member abstaining)

That the six monthly MOT test for hackney carriage and private hire vehicles be extended from twelve months to two years so that all vehicles can get the benefit of six monthly tests and the pass/fail figures can produce a true reflection of the situation.

Guidelines relating to the relevance of convictions

“Resolved

That the report be endorsed and referred to the Licensing and Safety Committee for approval.”

The report of the Head of Public Safety to Taxi/Private Hire Liaison Group was submitted:-

(see annexed)

The Principal Trading Standards Officer (Mr. Beavon) reported that the guidance referred to in the report would be superseded by national guidelines in the near future and requested the Committee to defer consideration of this matter until the national guidance had been published.

Resolved

That consideration of this matter be deferred until national guidelines have been introduced.

Colour, design and livery of private hire vehicles

“Resolved

That the Group:-

- (1) notes the report and recommends that private hire vehicles should be any colour other than black and that the private hire vehicle licence conditions be amended accordingly;
- (2) That Legal Services be consulted over any proposed changes;

- (3) That the report be submitted to the Licensing and Safety Committee for consideration.”

The report of the Head of Public Safety to Taxi/Private Hire Liaison Group was submitted:-

(see annexed)

A copy of a letter from Walsall Private Hire Association dated 14th October, 2010 relating to this matter was circulated to Members present at the meeting:-

(see annexed)

The Principal Trading Standards Officer (Mr. Beavon) enlarged upon the report and requested the Committee to agree that private hire vehicles should be any other colour than black and that the private hire vehicle licence conditions be amended accordingly.

Following a brief discussion, it was,

Resolved

- (1) That the letter from the Walsall Private Hire Association dated 14th October, 2010 be noted;
- (2) That the Committee endorses the recommendation of the Taxi/Private Hire Liaison Group that private hire vehicles should be any colour other than black and that the private hire vehicle licence conditions be amended accordingly.

1308/10 **Licensed Vehicles Insurance Certificates Production**

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

(see annexed)

The Principal Trading Standards Officer (Mr. Beavon) reported that in the past, only the originals of insurance documents were accepted when vehicles were due to be licensed. He indicated that insurance companies now e-mailed or faxed insurance documents and requested the Committee to agree that faxed or e-mailed insurance documents or confirmation of insurance direct from the insurance broker was acceptable when vehicles were licensed.

After discussion it was,

Resolved

That approval be given for the Licensing Unit to accept faxed or

e-mailed insurance documents or confirmation of insurance direct from the insurance provider or broker when vehicles are licensed.

1309/10 **Review of Statement of Licensing Policy**

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

(see annexed)

The Principal Trading Standards Officer (Mr. Beavon) enlarged upon the report and reminded Members that the Council's licensing policy had to be reviewed every three years. He drew attention to the list of persons who were required to be consulted under the 2003 Act and explained the proposed amendments to the licensing policy statement contained in Appendix 2 to the report now submitted.

Resolved

That the Committee endorses the changes to the Council's current statement of licensing policy contained in Appendix 2 to the report and recommends approval of those changes to Council.

1310/10 **Walsall Football Club (Ltd.) - Stadium Safety Advisory Group**

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

(see annexed)

Resolved

That the contents of the report be noted.

Termination of Meeting

There being no further business, the meeting terminated at 8.27 p.m.

Chairman

Date