

LICENSING AND SAFETY COMMITTEE

Wednesday, 7th June, 2006 at 6.00 p.m.

Conference Room at the Council House, Walsall

Present

Councillor Keith Sears (Chairman)
Councillor Bill Tweddle (Vice-Chairman)
Councillor Joan Barton
Councillor Joan Beilby
Councillor Barbara Cassidy
Councillor Carl Creaney
Councillor Anthony Harris
Councillor Cath Micklewright
Councillor John Rochelle
Councillor Graham Wilkes

1038/06 **Welcome to new Members**

The Chairman extended a welcome to new Members, Councillors Harris and Wilkes.

1039/06 **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Beeley, Bentley, Clarke, Johnson and Robinson.

Councillor Creaney was attending as substitute Member for Councillor Robinson.

1040/06 **Minutes**

Resolved

That the minutes of the following meetings, copies having previously been circulated to each Member of the Committee, be approved and signed by the Chairman as correct records:-

21st March, 2006

3rd April, 2006

12th April, 2006

19th April, 2006

1041/06 **Declarations of Interest**

There were no declarations of interest.

1042/06 **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.

1043/06 **Taxi Matters**

(a) Taxi/Private Hire Liaison Group

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

(see annexed)

Resolved

That the report be noted and that approval be given to the re-establishment of the Taxi/Private Hire Liaison Group on the same basis as in previous years and in accordance with the Terms of Reference appended to the report, the names of Members nominated to the Group to be notified to Constitutional Services in due course.

(b) Delegations under Local Government (Miscellaneous Provisions) Act, 1976

The report of the Assistant Director, Legal and Constitutional Services was submitted:-

(see annexed)

Councillor Wilkes indicated that he was not in favour of delegating functions under the Local Government (Miscellaneous Provisions) Act, 1976 to officers but would be in favour of dividing the Committee into two separate Sub-Committees to determine such applications.

The Council's legal adviser, Mr. Abel, indicated that there would be a need to investigate whether such a proposal would be in accordance with the Council's Constitution and pointed out that if it was, the rules relating to political balance would need to be applied to each of the Sub-Committees.

In consequence of the above, it was **moved** by Councillor Wilkes and duly **seconded**:-

That, subject to confirmation that such a proposal is in accordance with the Council's Constitution, approval be given to the establishment of two Sub-Committees solely to deal with the backlog of applications under the Local Government (Miscellaneous Provisions) Act, 1976. The Sub-Committees to be politically balanced and to each comprise seven Members of the Licensing and Safety Committee. One of the Sub-Committees to meet during the daytime and the other in the evening.

On being put to the vote, the Motion was declared **carried**, six Members voting in favour and four against.

Resolved

That, subject to confirmation that such a proposal is in accordance with the Council's Constitution, approval be given to the establishment of two Sub-Committees solely to deal with the backlog of applications under the Local Government (Miscellaneous Provisions) Act, 1976. The Sub-Committees to be politically balanced and to each comprise seven Members of the Licensing and Safety Committee. One of the Sub-Committees to meet during the daytime and the other in the evening.

1044/06

The Licensing Act, 2003 - Licensing Sub-Committees

The report of the Assistant Director, Legal and Constitutional Services was submitted:-

(see annexed)

Resolved

- (1) That the report be noted;
- (2) That approval be given to the re-establishment of Sub-Committees in accordance with Section 9 of the Licensing Act, 2003, solely to determine applications under that legislation. The Sub-Committees to comprise three Members of the Licensing and Safety Committee on a rota basis, subject to availability.

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 Matters considered in Private Session

Private Hire Licences

The Committee considered representations in respect of a number of taxi/private hire matters and made decisions thereon.

(Exempt information under Paragraphs 3 and 7 of Part I of Schedule 12A of the Local Government Act, 1972) (as amended)

Termination of Meeting

The meeting terminated at 9.11 p.m.

Chairman

Date