

LICENSING AND SAFETY COMMITTEE

Wednesday, 27th February, 2013 at 6.00 p.m.

In a Conference Room at the Council House, Walsall

Present

Councillor Sears (Chairman)

Councillor Clarke (Vice-Chairman)

Councillor Burley

Councillor S. Fitzpatrick

Councillor Hussain

Councillor Murray

Councillor Rochelle

Councillor Sarohi

Councillor Smith

Councillor Whyte

1481/13 Apologies

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

1482/13 Minutes

Resolved

That the minutes of the meeting held on 28th November, 2012, a copy having been circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

1483/13 Declarations of Interest

Councillor Hussain declared an interest in item 7 Hackney Carriage Proprietor's Licence application - Mr. A. Z. and left the meeting during discussion of that item.

1484/13 **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.

1485/13 **Reference from Taxi/Private Hire Liaison group from its meeting held on 13th February, 2013:**

Local Government (Miscellaneous Provisions) Act, 1976 – Private Hire Driving Licensing – Driver Training Course

Resolved to recommend to Licensing and Safety Committee

“That approval be given for the Private Hire Driver Licensing Driver Training Course to be carried out by Walsall Adult Community College (WACC) rather than being carried out “in house.” The scheme to come into operation as soon as all necessary administrative arrangements have been agreed between the Licensing Unit and WACC.”

The report of the Interim Regulatory Manager was submitted:-

(see annexed)

The Principal Licensing Officer (Mr. Knapper) enlarged upon the report and drew the Committee’s attention to the salient points contained therein.

Councillor Smith asked how many assessments had been carried out since September 2012 and how many failures there were during that time. Mr. Knapper replied that he did not know the number of failures as it was now dealt with by WACC. He would obtain the information and report back to a future meeting of the Committee.

Councillor Smith asked what costs were involved in the transfer. Mr. Knapper replied that the only cost was an officer cost of 2½ hours which was covered by the £25 course fee. He added that WACC would offer the driving training course for £25 to mirror what the local authority had done.

Councillor Smith asked if the local authority paid anything to the college for taking on the driver training course. Mr. Knapper replied that there was no payment to the college. The only cost was for a Licensing Enforcement Officer to deliver training in respect of conditions of licence.

Councillor Murray referred to paragraph 3.6 of the report which detailed the 3 parts of the driver training course. In paragraph 3.9 of the report it stated that WACC would only deliver the disability awareness and highway code/driving modules. He asked why the council's officers were continuing to deliver the conditions of licence element. Mr. Knapper replied that the conditions of licence would continue to be taught by Licensing Enforcement Officers as they had the detailed knowledge of the licensing conditions which the college did not have.

Lorraine Boothman (Trading Standards) reported that the proposals would benefit both drivers and officers.

Councillor Rochelle reported that the trade had asked if the trainers at WACC were fully qualified. They were assured on this point and informed that the cost of the course would remain at £25. As a result they were happy with the proposals.

Councillor S. Fitzpatrick asked how many failures drivers were entitled to. Mr. Knapper replied one.

After further discussion it was:-

Resolved

- 1) That approval be given for the private hire driver licensing driver training course to be carried out by Walsall Adult Community College (WACC) rather than being carried out "in-house". This scheme to come into operation as soon as all necessary administrative arrangements have been agreed between the Licensing Unit and WACC.
- 2) That a report on progress of the scheme be submitted to a future meeting of the Committee.

1486/13

Street Trading Review

The report of the Interim Head of Regulatory Services was submitted:-

(see annexed)

Lorraine Boothman (Trading Standards) enlarged upon the report for the benefit of the Committee.

Councillor Smith asked how many street traders there were in the town centre at present and how long a licence was in force. Mrs Boothman replied 8. The Principal Licensing Officer (Mr. Knapper) confirmed that there were 7 traders on licence sites in the town centre at present. The 8th had become a loading bay and was no longer available. He added that licences were granted on an annual basis that were renewed until the applicant retired or decided to give up the pitch.

Councillor Smith asked if the Big Issue sellers would be affected by the proposed changes. Mr. Knapper replied that they would not as they were covered by separate legislation.

Councillor Smith asked if the council owned any town centre shops. Mrs. Boothman replied that the Regeneration Team tried to fill all empty shops to maintain the vibrancy of the town centre.

Councillor Burley expressed concern that certain streets in the designated area would be unsuitable for street traders and too far from the town centre to be attractive to them.

Dominic Patouchas (Legal Services) informed the meeting that the change should mean that the potential for additional town centre sites to be identified would increase and it would be easier for existing pitch holders to be moved to new sites when required by redevelopment etc. He continued that if the Committee agreed to the proposals then the scheme would go out to consultation and be reported back to this Committee before any changes took place.

Councillor Burley asked how the consultation exercise would be carried out. Dominic Patouchas drew the Committee's attention to Paragraph 8.2 of the report which listed the organisations to be consulted on the proposals. The scheme would also be advertised in newspapers covering the whole of the borough.

Councillor Murray expressed concern that this would increase the work load on the Council's Licensing Officers. Dominic Patouchas agreed that it might but it would be worth it to increase flexibility into street trading.

Councillor Hussain asked what goods were sold from existing pitches and how much an annual licence cost. Lorraine Boothman explained what was sold and confirmed that the cost of a licence was £2,820 per annum. This figure had not changed for 2 years because of the difficult economic situation.

Councillor Smith asked if more pitches were provided would a sliding scale of costs be introduced to reflect this. He asked who decided the level of costs. Lorraine Boothman replied that the setting of the cost of street trading licences was delegated to the Services Manager.

Councillor Smith asked who decided where pitches were sited and were food vendors inspected regularly by Environmental Health Officers. The Principal Licensing Officer (Mr. Knapper) replied that the Committee would decide where additional pitches would be sited and the food vendors were regularly inspected by Environmental Health Officers.

After further discussion it was,

Resolved to recommend to Council

- 1) That in pursuance of the powers conferred upon it by virtue of Section 3 of and Schedule 4 to the Local Government (Miscellaneous Provisions) Act, 1982 the Council hereby makes the following designation, such designation to take effect on 31st May, 2013 and that the Regulatory Services Manager be authorised to make the necessary statutory advertisements.

The streets within Walsall Town Centre are designated licence streets.

Walsall Town Centre is defined as an area including and edged by the following streets:-

Blue Lane West from the junction of Wolverhampton Street to Green Lane;

The line of the Ring Road from the Blue Lane/Green Lane junction to Littleton Street West/Wisemore junction;

Littleton Street West from Wisemore to Hatherton Street;

Littleton Street East from Hatherton Street to Lichfield Street;

The line of the Church Hill Ring Road from the Littleton Street East/Lichfield Street junction to the Ward Street/Walhouse Road junction;

Lower Rushall Street from Walhouse Road to Ablewell Street;

Upper Rushall Street from Ablewell Street to High Street;

The line of the Church Hill Ring Road adjoining Peal Street and Dudley Street from High Street to Caldmore Road;

Vicarage Place from Caldmore Road to Bradford Street;

A line from the Vicarage Place/Bradford Street junction to Long Street/Bridgeman Street junction;

Navigation Street and Upper Navigation Street from Bridgman Street to the Canal Arm;

A line along the Canal Arm and through the old Public Works Depot to the Wolverhampton Street/Blue Lane West junction.

- 2) Any previous resolution passed under Schedule 4 paragraph 2 of the Local Government (Miscellaneous Provisions) Act 1982 designating a street is rescinded insofar as it relates to Walsall Town Centre as defined above.

Further Resolved

That the organisations referred to in paragraph 8.2 of the report be consulted on the proposals.

1487/13 **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

1488/13 **Application for a Hackney Carriage Proprietor's Licence**

The Committee considered the application and made a decision thereon.

1489/13 **Application for a private hire vehicle licence**

The Committee considered the application and made a decision thereon.

1490/13 **Date of next meeting**

It was noted that the next meeting of the Committee would be held on Wednesday 17th April, 2013 in a Conference Room at the Council House Walsall commencing at 6.00 p.m.

Termination of Meeting

There being no further business the meeting terminated at 7.25 p.m.