

Licensing and Safety Committee

Minutes of the meeting held on Wednesday 13 September 2023 in a Conference Room at the Council House, Lichfield Street, Walsall at 6.00pm.

Present: Councillor N. Gandham (Chair)
Councillor S. Cooper (Vice-Chair)
Councillor P. Gill
Councillor K. Hussain
Councillor P. Kaur
Councillor R. Martin
Councillor S. Nasreen
Councillor A. Nawaz
Councillor K. Sears

In Attendance: David Elrington, Head of Community Safety and Enforcement
Mr S. Alom, Team Leader, Licensing
Ms S. Heath, Community Protection Officer
Mrs H. Owen, Democratic Services Officer

010 Welcome and changes in membership

Introductions took place. and a quorum of members present in-person was established.

011 Apologies

An apology for non-attendance was received from Councillor Bains, Councillor C. Bott, Councillor A Hussain and Councillor Worrall.

012 Minutes of the last meeting

Resolved:

That the minutes of the last meeting held on 7 June 2023, copies having previously been circulated to each member of the Committee, be approved and signed by the Chair as a correct record.

013 Declarations of Interest

Councillor Nawaz declared an interest regarding each of the items on the agenda as he held a taxi licence with Walsall Council.

014 Local Government (Access to Information) Act, 1985

There were no items to be considered in private session

015 **Taxi and Private Hire Licensing – Fit and Proper Test for Licensed Drivers, Operators and Proprietors**

The Team Leader, Licensing, Mr S. Alom presented a report which sought approval to undertake consultation on a draft fit and proper person policy.

(see annexed)

A discussion took place, during which time Mr Alom and the Head of Community Protection and Enforcement, Mr Elrington, responded to questions and points of clarification. Mr Elrington confirmed that the Council currently had a criminal convictions policy however it did not apply to all three parts of the trade so this was a new policy catering for all. Members were advised that consultation on the draft policy would be undertaken with all relevant parties including, but not limited to, internal council services, statutory consultees such as the police and fire service, trade representatives, Safeguarding Partnership, internal services such as the Safeguarding team. With regard to consultation with the trade, Mr Alom advised that in addition to consulting at the Taxi/Private Hire Liaison Group, every licensed person in the borough would be consulted individually via an online consultation method and if needed, by individual text messages.

Members then briefly discussed the system of DBS checks. Mr Alom provided assurance that there was a robust checking mechanism which included declarations of previous names, National Insurance number, passports, DVLA checks which all formed part of the approval.

It was **Moved** by Councillor Gandham, duly seconded and upon being put to the vote was:

Resolved (unanimously)

- 1) That approval be given to undertake consultation on the draft convictions policy as appended to the report
- 2) That the results of the consultation be reported back to this committee at a future meeting.

016 **Taxi and Private Hire Licensing – Convictions Policy**

The Team Leader, Licensing, Mr S. Alom presented a report which sought approval to undertake consultation on the draft policy.

(see annexed)

Mr Alom responded to questions and points of clarification during which time he advised that the new policy was intended to update the current policy, making it clearer and more detailed, including new offences such as those around modern slavery, to help members when considering licensing applications. He referred members to Pages 92-94 which set out those new offences.

During further discussion, Mr Elrington gave assurances that the current system regarding delegations would not materially change but the new policy would enable members and officers to be more informed about options available to them

and be able to track trends in behaviours. Mr Alom undertook to make clearer the list of convictions taken from the DVLA website, particularly those involving red and yellow lines on page 93.

Members noted that whilst there was no statutory requirement to consult on this updated policy, it was good practice to do so and that there would be assistance available via the Walsall Connected service and individual text messaging for those who found it difficult to access online.

It was **Moved** by Councillor Gandham, duly seconded and upon being put to the vote was:

Resolved:

- 1) That approval be given to undertake consultation on the draft convictions Policy as appended to the report.
- 2) That the results of the consultation be reported back to this committee at a future meeting.

Date of next meeting: 22 November 2023

The Meeting terminated at 6.33pm

Chair:

Date: