

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Wednesday 7th September 2011 at 6.00 pm in the Reception Suite, Civic Offices, Telford

PRESENT

Councillors C Mason (Chair), A Mackenzie, L Murray, R Picken, T Hope (joined the meeting at 6.16pm), J Seymour (joined the meeting at 6.35pm).

Officers in attendance: Suzanne Fisher – Public Protection Team Leader, Ian Mercer – Public Protection Service Delivery Manager, Michael Barker – Head of Housing & Planning, Lorraine Fowkes - Solicitor, Phil Griffiths – Democratic Services Manager, Wendy Buckley - Democratic Services Support Officer and Andrew Roberts – Democratic Services Officer.

LC-01 MINUTES

RESOLVED – that the minutes of the meeting of the Licensing Committee held on the 23rd March 2011 be confirmed and signed by the Chairman.

LC-02 APOLOGIES FOR ABSENCE

Councillors J Thompson and R Scammell.

LC-03 DECLARATIONS OF INTEREST

None.

LC-04 REVIEW OF POLLING DISTRICTS AND PLACES

The Democratic Services Manager presented the report of the Head of Governance which sought approval to commence a review of the polling districts and the polling places in the two parliamentary constituencies in the Borough in accordance with the Representation of the People Act 1983 (as amended by the Electoral Administration Act 2006). Attached to the report was a Background Information and the Returning Officer's Proposals Document which would be subject to formal consultation over the specified two month period.

RESOLVED – that authority be delegated to the Electoral Services Manager to commence a review of polling districts and polling places in the Borough, by publishing a Notice of Start of Review and the Background Information and Returning Officer's Proposals document attached to the report on 12 September 2011 and inviting comments thereon and to take all steps necessary to implement and facilitate the review of polling districts and polling places in the Borough.

LC-05 HACKNEY CARRIAGE & PRIVATE HIRE CONSULTATION

The report of the Service Delivery Manager – Public Protection was received which sought to inform Members of the results of the recent consultation on the review of conditions of license for Hackney Carriages and Private Hire/Dual Drivers.

Comments were received which outlined concerns in relation to the types of vehicles which would be placed on a designated list, particularly vehicles which had the same 'turning circle'. Members were informed that it was not known which vehicle types would be placed on the list until after consultation at which point the list would be formulated.

In connection with disability groups the Committee was referred to appendix E of the report.

Councillor Seymour was concerned with the high fee required for the current NVQ test of over £1100 which since the commencement of the current consultation the external funding for which had been withdrawn. Members considered that given the current economic climate it would not be appropriate to introduce this revised condition for all existing drivers.

RESOLVED –

- (a) that in respect to the conditions relating to Private Hire Vehicle Drivers and Dual Drivers that Condition 7.2 (a) should be retained as currently worded and that Condition 7.2 (b) should be amended to read as follows:
“That a DSA Driving Test shall be taken by all existing Private Hire Drivers (and Dual Drivers) within 24 months (of this condition coming into force).”**
- (b) in respect to the Hackney Carriage Vehicle License Conditions that Condition 3.2 should be retained as currently worded.**
- (c) In respect to the Private Hire Vehicle licence Conditions that Condition 4.8 should be amended to read as follows:
“The Council will only license suitable vehicles which do not exceed that age limit for motor cars and Multi Purpose Vehicles (or for purpose built or adapted minibuses) of seven years. Vehicles to be tested every six months from five years of age in line with best practice guidance. However no vehicle to be over 5 years of age when first licensed.”**

N.B Councillor J Seymour did not vote on any of the above resolutions.

LC-06 LICENSING SUB-COMMITTEE

The Solicitor presented the report of the Head of Governance which sought the establishment of a Licensing Sub-Committee with regards to hackney carriage and private hire related applications, renewals and reviews.

Members were reminded that there was already a Licensing Sub-Committee for Licensing Act 2003 and Gambling Act 2005 matters the title of this new Committee (if approved) would be Licensing Sub-Committee (Hackney Carriage and Private Hire Licences).

It was suggested that a Licensing Sub-committee drawn from the membership of 10 members of the Licensing Committee with a quorum of 3 would reduce the time spent in committee and represent a more appropriate environment for hearings and would be easier to arrange.

Members agreed in principle to the creation of a sub-committee but felt that it would be more appropriate to have a quorum based on 5 (with the provision for a substitute to be available on the day of the hearing). It was also suggested and agreed that refresher or basic training should be provided and it was confirmed that a session would be arranged.

RESOLVED – by unanimous vote -

- (a) that Hackney Carriage and Private Hire related applications, renewals and reviews to be delegated to a Licensing Sub-Committee (Hackney Carriage & Private Hire Licences).**
- (b) that all Members of the Licensing Committee be appointed for selection to the Licensing Sub-Committee (Hackney Carriage & Private Hire Licences).**
- (c) that the Terms of Reference for the Licensing Sub-Committee as attached at Appendix A of the report be approved subject to the quorum of the Sub-Committee being increased to five members.**
- (d) that political balance requirements in connection with the Licensing Sub-Committee (Hackney Carriage & Private Hire Licences) be waived.**

LC-07 TAXI AND PRIVATE HIRE VEHICLES FORUM – APPOINTMENT OF TELFORD & WREKIN MEMBERS

The Chairman advised that four Councillors from the Licensing Committee were required to be appointed to the Taxi & Private Hire Vehicles forum for 2011/12.

RESOLVED – that

- (a) Councillors T Hope, C Mason, R Picken and J Seymour be appointed to the Taxi & Private Hire Vehicle Forum for 2011/12.**
- (b) that the Members not in attendance at this meeting be approached for their availability as Substitute members to the Forum.**

The meeting ended at 7.15 pm.

Chairman:

Date: