

M MINUTES

meeting: **LICENSING COMMITTEE**

date: **11 JANUARY 2012**

PRESENT:-

Councillors Banger, Clarke, Claymore, Davis, Inston, Pask,
Mrs Patten, N A Patten, Judith Rowley and John Rowley

OFFICERS IN ATTENDANCE:-

- | | | |
|------------|---|---------------------------------------------------------------------------------------------|
| L Banbury | - | Democratic Support Officer, Delivery |
| R Edge | - | Section leader (Licensing) |
| S Hardwick | - | Senior Solicitor, Delivery |
| A Jervis | - | Head of Environmental Health, Trading
Standards & Licensing, Education and
Enterprise |
| C Parr | - | Licensing Manager, Education and Enterprise |
| S Walker | - | Principal Officer (Enforcement), Education and
Enterprise |

Wolverhampton
City Council



Absence of Chair

176 In the absence of Councillor Dass the Vice-Chair, Councillor Claymore, assumed the Chair.

COUNCILLOR CLAYMORE IN THE CHAIR

Declarations of Interest

177 No interests were declared.

Minutes

178 Resolved:-

(a) That the minutes of the meeting held on 9 November 2011 be approved as a correct record.

(b) That the minutes of the meeting of the Licensing Sub-Committee held on 2, 3, 9, 12, 22 & 23 November and 1, 7 and 14 December 2011 be approved as a correct record and adopted.

Schedule of Outstanding Minutes (Appendix 9)

The Democratic Support Officer submitted a report, which set out a schedule of outstanding minutes together with details of when it was expected that reports on individual items would be presented for consideration.

The Licensing Manager advised that the Police Reform and Social Responsibility Bill had now received Royal Assent and that a report on this issue would be presented to the next scheduled meeting of the Committee.

179 Resolved:-

That the report be received.

Legal Proceedings (Appendix 10)

180 Resolved:-

That the report, outlining details of the results of legal proceedings determined by Wolverhampton Magistrates' Court, following consideration of matters delegated to the Licensing Committee, be received.

Stretch Limousines

The Principal Officer (Enforcement) provided an update in regard to stretch limousines. Members were advised that the Licensing Committee had, in 2005, approved a set of bespoke licensing conditions for limousines and other novelty vehicles which were designed or adapted to carry up to 8 passengers. However, no local firms had applied for private hire vehicle licenses and they therefore continued to be licensed by the Traffic Commissioners. Spot checks were carried out by the Council, in partnership with VOSA and the Police, in 2008, 2009 and 2010, on limousines used at end of school term prom nights. An audit of limousine operators based in Wolverhampton was carried out in 2011, in view of

potential changes to the licensing system. Following an extensive online search two Wolverhampton operators were identified, one of which had 10 seater vehicles and therefore would continue with a VOSA 'O' Licence under the proposed changes.

The Officer advised that the reason for the changes was due to a Traffic Commissioner clamp down on small limousines (maximum 8 seater) operating outside their conditions. It was noted that the 'O' Licence lasted for 5 years and cost approximately £200, compared to a Private Hire Vehicle Operator's Licence which cost approximately four times that amount and lasted for 1 year. Officers would liaise with the Traffic Commissioner and the Company which would require to be licensed by the Council in order to ensure a smooth transition between the two types of licence.

During the ensuing discussion, Members expressed concern regarding the safety of passengers in respect of those limousines licensed by the Traffic Commissioners given the small number of Commissioners covering Wolverhampton and the surrounding areas and the fact that drivers were not subject to CRB checks. A question was also raised regarding current practice in respect of licensing and enforcement in neighbouring local authorities and also whether it might be pertinent to raise the concerns at the West Midlands Planning and Transportation Sub-Committee. The Officer advised that some joint spot checks had been undertaken with neighbouring authorities.

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Resolved:-

(a) That the update on stretch limousines be received.

(b) That a further report be presented to the Committee, addressing the Committee's questions in regard to the powers and responsibilities of the Traffic Commissioners, health & safety issues and current practice in neighbouring authorities.

Revision of Fees for 'A' Boards and Tables & Chairs on the Highway (Appendix 11)

The Licensing Manager presented a report, which sought approval of revised fees for applications to place tables and chairs and 'A' Boards on the highway.

Responding to Members' questions, the Officers advised that conditions would be attached to the Licences, including confirmation of the existence of public liability insurance, the wording to be included on the 'A' Boards and the exact size, number and location of tables and chairs. Members were also advised of the proposal, as part of improvements to the City Centre, to establish a bespoke City Centre Enforcement Team.

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Resolved:-

That the revised fees for applications to place tables and chairs and 'A' Boards on the highway, as detailed in section 3 of the report, be approved.

Hackney Carriage Fares 2012 (Appendix 12)

The Licensing Manager presented a report, which outlined the request of the Hackney Carriage trade associations that, given the current economic climate, there be no increase in fares at the present time.

Responding to a Member's question, the Officer advised that the scale of charges for a Hackney Carriage would change as they crossed the City border, although the total fare would be subject to an agreed maximum charge.

183

Resolved:-

That the report be received.