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LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

Wednesday, 22 May 2013

Present: Councillor WJ Davies (Chair)

Councillors S Niblock P Williams
I Williams J Salter

Deputies: Councillors D Roberts (In place of P Glasman)
P Kearney (In place of C Blakeley)

1 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked to declare any disclosable pecuniary and non pecuniary interests in connection with any application on the agenda and state the nature of the interest.

Councillor S Niblock declared a personal and prejudicial interest in respect of item 6 (minute 5 post) by virtue of having publicly supported the request for a Designated Public Places Order in New Ferry and by having taken part in the consultation also as Chair of Village Hall Management Committee.

Councillor I Williams declared a personal interest in respect of item 6 (minute 5 post) by virtue of being Ward Councillor.

2 MINUTES

The Committee was requested to receive the minutes of the meeting held on 20 March, 2013.

Resolved - That the minutes of the meeting held on 20 March, 2013 be approved as a correct record.

3 APPOINTMENT OF VICE-CHAIR

The Head of Legal and Members Services requested that a Vice-Chair be appointed for 2013/14.

It was moved by Councillor J Salter and seconded by Councillor D Roberts that
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“Councillor Steve Niblock be appointed Vice-Chair of this Committee.”

Resolved - That Councillor Steve Niblock be appointed Vice-Chair of this Committee for 2013/14.

4 **APPOINTMENT OF THE LICENSING PANEL**

The Head of Legal and Member Services reported that Standing Order 33(1) required that Committees should keep the need for panels under review and, in particular, the position must be reviewed at the first meeting of a Committee in each municipal year.

He set out the terms of reference of the Licensing Panel and indicated that if it was to be retained in 2013/14 with seven members, the allocation of those places would be 4 Labour, 2 Conservative and 1 Liberal Democrat.

He reported that as a result of a High Court judgement, only named deputies may attend panel meetings in place of a permanent member. Standing Order 25(6)(a) permits appointment of up to a maximum of eight deputies for each political group and deputies are normally called to serve in the order in which they are nominated.

Unless appointed as full members, the Leaders and Deputy Leaders of the three largest political groups represented on the Council are entitled to attend meetings of all Committees, Sub-Committees and Panels, with the right to speak at the Chair's invitation, but not to vote (Standing Order 25(5) refers).

Resolved -

(1) That the Licensing Panel be re-appointed for 2013/2014 with the terms of reference identified.

(2) That the following members be appointed to serve on the Licensing Panel in 2013/2014:-

	<u>Members</u>	<u>Deputies</u>
4 Labour Councillors	Bill Davies (Chair) Steve Niblock Pat Glasman John Salter	Jim Crabtree George Davies Christina Muspratt Anita Leech Bernie Mooney Denise Roberts Sylvia Hodrien Janette Williamson
2 Conservative Councillors	Mike Hornby Adam Sykes	Eddie Boulton Leah Fraser Steve Williams Paul Hayes Chris Blakeley John Hale Peter Kearney Wendy Clements
1 Liberal Democrat Councillor	Pat Williams (s)	Alan Brighthouse Phil Gilchrist Tom Harney Stuart Kelly

5 DESIGNATED PUBLIC PLACES ORDER - NEW FERRY

Councillor S Niblock declared a personal and prejudicial interest in this matter (minute 1 refers) and left the meeting during its consideration.

Councillor I Williams declared a personal interest in this matter (minute 1 refers).

The Strategic Director of Regeneration and Environment reported upon the response received to the consultation that had taken place in respect of the designation of an area within New Ferry as being subject to a Designated Public Places Order.

The Licensing Manager outlined the report and advised that Councillor Niblock wished to address the Committee as Ward Councillor.

Sergeant Barrigan, Licensing Sergeant, Merseyside Police, attended the meeting and reported that the Police supported parts of New Ferry being subject to a Designated Public Places Order and was keen for this to be put in place as soon as possible as it would assist policing in the area. Sergeant Barrigan advised that it would be a useful tool to help reduce alcohol related anti social behaviour and crime and disorder in the area.

Councillor Niblock advised Members that the local community were in support of the petition presented at Council regarding New Ferry being subject to a Designated Public Places Order. He requested that Members consider and support the request for a Designated Public Places Order in New Ferry. Councillor Niblock left the meeting during the consideration of this matter.

It was moved by Councillor J Salter and seconded by Councillor I Williams that
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“A Designated Public Places Order be put in place in respect of the area identified in Appendix 2 (page 31) of the report.”

Resolved - That a Designated Public Places Order be put in place in respect of the area identified in Appendix 2 (page 31) of the report.

6 PRIVATE HIRE VEHICLE AGE POLICY - OUTCOME OF CONSULTATION

The Strategic Director of Regeneration and Environment reported upon the outcome of the consultation that had taken place in respect of a review of the current Age Policy relating to the licensing of Private Hire Vehicles.

The Licensing Manager outlined the report and referred to an email which expressed the views of a member of the public.

Mr Keeley, Private Hire Driver, attended the meeting and requested that should a policy be put which would not allow a vehicle over ten years to be licensed, that existing owners of older vehicles be given twelve months from 1 June to replace their

vehicles due to them currently being licensed and that they may have to obtain finance for a new vehicle.

The Licensing Manager confirmed that should the policy be amended, provision would still remain to consider each application on its individual merits.

Members gave consideration to their obligation to consider the reliability, safety and overall standards of private hire vehicles licensed by the authority.

It was moved by Councillor J Salter and seconded by Councillor S Niblock that
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“(1) The maximum age for a vehicle to be licensed as a private hire vehicle be ten years from the date of first registration or manufacture, whichever is the earlier.

(2) The Licensing Panel be delegated with the authority to act outside this policy.”

Resolved -

“(1) The maximum age for a vehicle to be licensed as a private hire vehicle be ten years from the date of first registration or manufacture, whichever is the earlier and that this Policy is to have immediate effect.

(2) The Licensing Panel be delegated with the authority to act outside this policy.”

7 HACKNEY CARRIAGE VEHICLE CHANGE OF VEHICLE POLICY - OUTCOME OF CONSULTATION

The Strategic Director of Regeneration and Environment reported upon the outcome of the consultation that had taken place in respect of the adoption of a policy relating to the age of a vehicle to be licensed when a Hackney Carriage Vehicle Proprietor wished to change their vehicle.

The Licensing Manager outlined the report and referred to an email which expressed the views of a member of the public.

Mr D Cummins of Unite the Union, addressed the Committee. He referred to the email he had sent to Members in which he advised that Unite the Union could not agree to setting an arbitrary age limit.

Mr G Gregory, Unite the Union also addressed the Committee. He expressed concerns regarding setting an age limit should a Hackney Carriage Vehicle Proprietor wished to change their vehicle.

Members gave consideration to their obligation to consider the reliability, safety and overall standards of hackney carriage vehicles licensed by the authority.

It was moved by Councillor S Niblock and seconded by Councillor J Salter that
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“(1) In circumstances when a hackney carriage vehicle proprietor wishes to change a hackney carriage vehicle that is currently licensed to a different vehicle, the replacement vehicle must be the same age or less than the vehicle that is currently licensed, up to a maximum of ten years old. Vehicles that are ten years old or more must be replaced by a vehicle that is no more than ten years old and that this Policy is to have immediate effect.

(2) The Licensing Panel be delegated with the authority to act outside this policy.”

Resolved -

(1) That in circumstances when a hackney carriage vehicle proprietor wishes to change a hackney carriage vehicle that is currently licensed to a different vehicle, the replacement vehicle must be the same age or less than the vehicle that is currently licensed up to a maximum of ten years old. Vehicles that are ten years old or more must be replaced by a vehicle that is no more than ten years old and that this Policy is to have immediate effect.

(2) That the Licensing Panel be delegated with the authority to act outside this policy.

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