

LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

Wednesday, 19 November 2014

<u>Present:</u>	Councillor	WJ Davies (Chair)	
	Councillors	S Niblock	A Hodson
		C Spriggs	G Watt
		M Sullivan	P Williams
<u>Deputy:</u>	Councillor	S Williams (In place of L Fraser)	
<u>Apologies:</u>	Councillor	J Salter	

6 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 G Watt declared a non pecuniary interest in item 3, Polling Stations: Further Update, Polling District QC, by virtue of being Ward Councillor.

7 MINUTES

Resolved - That the accuracy of the minutes of the meeting held on 18 June 2014 be approved.

8 POLLING STATIONS: FURTHER UPDATE

Councillor G Watt declared a non pecuniary interest in respect of Polling District QC (see minute 6 above).

The Principal Electoral Services Officer provided an update on the polling station for polling district YC and requested that Members determine the polling station for polling district QC.

Moreton West and Saughall Massie Ward

Polling District YC

Members were advised that the current polling place for polling district YC was Foxfields School but that this may be sold for redevelopment in the future and it had been determined by this Committee that the status quo continue for the Combined European Parliamentary and Local Government elections held on 22 May 2014 but that this be reviewed for future elections. It was reported that this had now been reviewed and Members were advised that should the site be sold prior to the

Combined Parliamentary and Local Government elections to be held on 7 May 2015, the site would be kept available for use as a polling station.

The Principal Electoral Services Officer recommended that the status quo continue for the Combined Parliamentary and Local Government elections to be held on 7 May 2015 but that this be reviewed for future elections.

Councillor S Williams clarified that Foxfield was being relocated rather than closed. He advised that he would be in agreement with the proposed recommendation, however, he raised concerns regarding the future arrangements for this polling station and requested that this be reviewed imminently.

Resolved - That the status quo continue for the Combined Parliamentary and Local Government elections to be held on 7 May 2015 but that this be reviewed for future elections.

West Kirby and Thurstaston Ward

Polling District QC

The Principal Electoral Services Officer reported that the current polling place for polling district QC was St Bridget's C of E Primary School, St Bridget's Lane. She advised that a Council Member, in agreement with Wirral West Conservative Association, had requested that St Bridget's Centre be used as an alternative venue as he had concerns regarding access to the current polling place.

It had been proposed at the meeting of this Committee on 22 January 2014 that St Bridget's Centre be used as an alternative venue, however, Members had been advised there would be cost implications and therefore determined that the status quo continue for the elections held on 22 May 2014 but that this be reviewed for future elections.

The Principal Electoral Services Officer advised that the cost for using St Bridget's Centre, St Bridget's Lane, as a polling place in 2015 would be £272 and recommended that the status quo should continue as no complaints had been received from constituents regarding access to the current venue.

Councillor G Watt circulated a letter from the Headteacher of St Bridget's C of E Primary School who advised that the governors of the school supported the use of St Bridget's Centre as an alternative venue as they had concerns regarding the access to the school and the effect on the organisation and pressure on the school caused by the disruption. Councillor Watt expressed further concerns regarding the access to the current venue.

The Principal Electoral Services Officer recommended that the current polling place for polling district QC should remain as St Bridget's C of E Primary School, St Bridget's Lane as no complaints had ever been received from constituents regarding the access to the current venue.

It was moved by Councillor G Watt and seconded by Councillor A Hodson that –

“St Bridget's Centre, St Bridget's Lane, be used as the polling place for district QC”.

Resolved - That St Bridget's Centre, St Bridget's Lane, be used as the polling place for district QC.

9 UPDATE ON ELECTORAL ACTIVITIES

The Principal Electoral Services Officer reported that two activities would be undertaken within Electoral Services over the next few months, Absent Voter Personal Identifier Refresh and Mini Canvass.

Absent Voter Personal Identifier Refresh

It was reported that under the Representation of the People (England and Wales) Regulations 2001, Electoral Officers must, by 31 January each year, send every registered absent voter, whose record was more than five years old, a notice requiring them to provide a fresh signature should they wish to retain their absent vote.

Members were advised that failure to do this within six weeks of the date of the notice would result in the cancellation of their absent voting facility. Members were informed that there were 2,930 postal voters and 6 proxy voters who would receive a notice which would be sent out in December following publication of the new electoral register.

Members raised concerns regarding notice given to constituents and the Principal Electoral Services Officer advised that a reminder would be sent out after the initial notice and the facility would be cancelled should the reminder not be returned.

Members queried whether staff in one stop shops had received any training on this matter and were advised that this would be investigated.

Mini Canvass

It was reported that the Electoral Registration Officer (ERO) had a duty under Section 9A of the Representation of the People Act 1983 to take all necessary steps to maintain the accuracy and completeness of the electoral register.

Members were advised that 91% of the electorate were automatically re-registered since the implementation of Individual Electoral Registration and that consideration had been given to identifying any unregistered residents and steps would be taken to remove electors who were no longer eligible in an attempt to ensure the quality of the register.

The Principal Electoral Services Officer reported that an audit of the new register in the form of a 'Mini Canvass' would be carried out in January 2015 which would consist of a letter being sent to every household confirming who is registered at that address, highlighting the forthcoming elections and requesting that they inform the office if the information is incorrect or contains any omissions.

In response to questions from Members, the Principal Electoral Services Officer advised that it would be more efficient for these activities to be carried out separately.

Resolved – That the report be noted.

10 HACKNEY CARRIAGE VEHICLE PROPRIETOR LICENCE ALLOCATION POLICY

The Strategic Director of Regeneration and Environment requested that Members consider an amendment to the Random Selection Procedure for the allocation of Hackney Carriage Vehicle Proprietor Licences to enable licences to be allocated through one Random Selection Procedure.

The Licensing Manager informed Members that since the imposition of a limit on the number of Hackney Carriage Vehicle Proprietor Licences, Licences had become available on three separate occasions which required the Random Selection Procedure to take place at the Licensing Panel in order to allocate the available licences.

Members were informed that the current procedure required a successful applicant to present a vehicle for licensing within 28 days and that should the applicant fail to obtain a vehicle which met the criteria for licensing a Hackney Carriage Vehicle, another Random Selection Procedure from the remaining applicants must take place at the next Licensing Panel meeting.

Members were asked to consider an amendment to the Procedure to enable available licences to be allocated through one random selection process.

It was proposed that all applications received for a licence or licences that had been advertised would be numbered in accordance with the order in which they were received in the Licensing Office and then input into the random selection process to generate the order in which a licence or licences could be offered. Available licences would then be allocated in order and if a successful applicant was unable to present a vehicle within 28 days, the licence would be offered to the next applicant on the generated list.

It was moved by Councillor S Niblock and seconded by Councillor A Hodson that –

“The proposal for amending the Random Selection Procedure be approved and that the amended procedure be adopted as set out within Appendix 2 to the report.”

Resolved – That the proposal for amending the Random Selection Procedure be approved and that the amended procedure be adopted as set out within Appendix 2 to the report.

11 MEDICAL REQUIREMENTS FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

The Strategic Director of Regeneration and Environment reported upon a request to give authorisation to officers to consult Private Hire and Hackney Carriage Drivers, Vehicle and Operator licence holders and members of the public in respect of a review of the medical requirements for Hackney Carriage and Private Hire Drivers.

The Licensing Manager informed Members of the current requirements for an individual to be granted a Hackney Carriage or Private Hire Driver Licence which included an applicant being fit and proper to hold such a licence and that the

provisions of Section 57(2) of the Local Government (Miscellaneous Provisions) Act 1976 specifically allows a local authority to require a medical certificate certifying that the applicant for a Hackney Carriage or Private Hire Driver Licence is physically fit to undertake that role.

Members were advised therefore that one of the current requirements included a satisfactory medical, and that following the grant of a licence, licensed drivers were not required to undertake a further medical check until they reached the age of 65 years when medical checks were then required annually on renewal of the licence.

It was reported that officers had concerns that there was a lack of medical checks on licensed drivers from the time that they were granted a licence until the age of 65 years as this was not in accordance with published guidelines as well as the standards imposed by other local authorities and it was considered both appropriate and necessary to review the current medical requirement to protect the public and have positive health outcomes for licensed drivers.

A consultation had previously taken place in respect of a review of the medical requirements for Hackney Carriage and Private Hire Drivers which had received a poor response and the current requirements had been challenged by a licensed driver which was considered in the County Court in January 2014. Therefore, Members were requested to give authorisation to officers to undertake further consultation on a number of options for medical checks to be undertaken by licensed drivers and report the outcome back to a future meeting of this Committee.

The options to go out for consultation were set out within the report and Members were also provided with details of the frequency of medicals by other local authorities in Merseyside.

In response to queries from Members, the Licensing Manager also agreed to include a further Option to be consulted upon. This option is the requirement currently imposed in St Helen's, namely 'to require medical checks on initial application, age 45, age 55, age 65 and then annually'.

Resolved –

(1) That Members authorise officers to undertake consultation regarding the medical requirement for Hackney Carriage and Private Hire Drivers on the following options:

- Option 1** **to require medical checks to be undertaken on initial application and then annually from age 65, as currently.**
- Option 2** **to require medical checks on initial application and thereafter annually.**
- Option 3** **to require medical checks to be undertaken on initial application and thereafter every three years to coincide with the current requirement for Disclosure and Barring Service criminal records checks, with checks being undertaken annually from age 65.**

- Option 4** to require medical checks on initial application and thereafter every five years, with checks being undertaken annually from age 65.
- Option 5** to require medical checks on initial application and thereafter for each renewal, with checks being undertaken annually from age 65.
- Option 6** to require medical checks on initial application and subsequently every five years from the age of 45 years until the age of 65 years, when checks would be undertaken annually. This would be in line with Driver and Vehicle Licensing Agency (DVLA) requirements for LGV and PCV drivers.
- Option 7** to require medical checks on initial application, age 45, age 55, age 65 and then annually.

(2) That the consultation be undertaken over a six week period.
