



Licensing, Health and Safety and General Purposes Committee

Date: Thursday, 25 February 2016

Time: 6.00 pm

Venue: Committee Room 1 - Wallasey Town Hall

Contact Officer: Anne Beauchamp

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AGENDA

1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee are 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.

2. MINUTES (Pages 1 - 4)

To approve the accuracy of the minutes of the meeting held on 27 January 2016.

**3. POLLING STATION (UPTON,PENSBY AND THINGWALL WARD)
(Pages 5 - 14)**

**4. INDEPENDENT ASSESSMENT OF THE SUPPLY AND DEMAND
FOR HACKNEY CARRIAGE VEHICLES ON WIRRAL (Pages 15 -
18)**

**5. EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND
PUBLIC**

The following items contain exempt information.

RECOMMENDATION: That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

6. INDEPENDENT ASSESSMENT OF THE SUPPLY AND DEMAND FOR HACKNEY CARRIAGE VEHICLES ON WIRRAL - EXEMPT APPENDICES (Pages 19 - 58)

7. ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR

To consider any other business that the Chair accepts as being urgent.

LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

Wednesday, 27 January 2016

Present: Councillor WJ Davies (Chair)

Councillors S Niblock A Hodson
J Salter L Fraser
M Sullivan G Watt

Apologies: Councillors C Spriggs
P Williams

23 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were requested to declare whether they had any disclosable pecuniary interests and/or any other relevant interest in the item on this agenda and, if so, to declare it and state the nature of such interest.

No such declarations were made.

24 MINUTES

Resolved – That the minutes of the meeting held on 25 November 2015, be approved.

25 REVIEW OF HACKNEY CARRIAGE FARES

A report by the Assistant Chief Executive asked Members to consider representations received in respect of a proposed increase to the Hackney Carriage fare tariff advertised in accordance with the decision of the Committee taken on 25 November 2015.

Members heard, how following their decision taken on 25 November 2015 to agree the proposal submitted by the Unite Hackney Carriage trade representatives, this was subject to any objections being received as part of the consultation process. Members were informed that the proposed increase had been advertised in the Wirral Globe for a period of 14 days. Following this exercise, nine representations were received in respect of the proposed increase. Details of representations were outlined within the report. Furthermore, a petition against a tariff increase was submitted and made available to Members.

Mr D Cummins of Unite Union addressed the Committee and outlined his proposal to Members as outlined within the report.

Mr C Lydiate, Hackney Carriage Driver, addressed the Committee in objection to any proposal to increase Hackney Carriage Tarrifs as he felt it would be detrimental to the taxi trade.

Mr L Grochowicki then addressed the Committee also in objection to any proposal to increase Hackney Carriage Tarrifs.

On a motion by Councillor Salter and seconded by Councillor Hodson it was:

Resolved (6:0: with one abstention) – That no tariff increase be applied at this time.

26 **INDEPENDENT ASSESSMENT OF THE SUPPLY AND DEMAND FOR HACKNEY CARRIAGE VEHICLES ON WIRRAL**

It was moved by Councillor J Salter and seconded by Councillor A Hodson that –

“The public be excluded from the meeting during consideration of this matter on the grounds that disclosure may involve providing personal financial information about individuals.”

Resolved - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of this item of business on the grounds that it involves the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest test had been applied and favoured exclusion

A report by the Assistant Chief Executive asked members to appoint an independent consultant to undertake an assessment of the supply and demand for Hackney Carriage Vehicles in Wirral.

Members were reminded that on 28 September 2015, Members of this Committee had authorised officers to proceed with a tender for the independent investigation into the supply and demand for Hackney Carriage Vehicles in Wirral. Since this meeting, a request for quotation document had been completed to enable the tender to be advertised on ‘The Chest’, an internet portal for applying for advertised contracts for local authorities within the North West of England.

The Licensing Manager advised that the closing date for Tender Applications had been 21st January 2016 and due to time constraints, a further meeting of this Committee was required in order for the information to be considered appropriately.

Resolved – That consideration of this item be deferred to a future meeting of the Licensing, Health and Safety and General Purposes Committee.

27 **APPLICATIONS TO RENEW PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER LICENCES**

A Report by the Assistant Chief Executive set out an amendment to the timeframe which an enhanced Disclosure and Barring Service (DBS) certificate may be

accepted as part of a valid application for the renewal of a Private Hire or Hackney Carriage Driver Licence.

The amendment was set out in the report and read as follows:

“ Satisfactory Enhanced Disclosure and Barring Service (DBS) certificate issues in respect of a DBS application submitted to the DBS no more than two calendar months prior to the expiry date of the licence”

It was reported that at a meeting of this Committee on 30 June 2015 Members resolved that to renew a Private Hire or Hackney Carriage Driver Licence that is due for renewal from 1 October 2015, the following are required:

- Satisfactory enhanced Disclosure and Barring Service (DBS) certificate issued no more than 28 days prior to the renewal date
- Satisfactory medical report in accordance with the Council's Policy for Medicals.
- Satisfactory driving record.

Members heard how DBS application forms are being submitted to the DBS two months ahead of the renewal date of the Private Hire or Hackney Carriage Driver Licence. It was explained that the period of time taken by the DBS to process applications varies considerably and this could result in a number of certificates being issued by the DBS more than 28 days prior to the renewal date of the licence in contravention of the current requirement as outlined above.

Mr D Cummins of Unite Union addressed the Committee in support of the proposed amendment and requested that a similar timeframe be applied to applications for medicals.

In response to this request, the Licensing Manager informed the Committee that the onus is on the driver to ensure that medicals are up to date, however, the Licensing Authority do send a reminder letter out to drivers two months before their medical is due to expire. A Councillor suggested to Mr Cummins that the matter is taken to a meeting of the JCC for further discussion.

It was moved by Councillor Hodson and seconded Councillor Niblock and

Resolved(7:0) That Members approve the amendment, as outlined within the report, to the requirements for the renewal of a Private Hire or Hackney Carriage Driver Licence.

28 **WIRRAL AWARD 2015**

The Head of Legal and Democratic Services requested that the Committee agree that the Wirral Award 2015 be granted to the nominees recommended by the Wirral Award Working Party held on 10 December 2015. The Wirral Award was intended to confer civic recognition upon individuals or organisations resident or located in Wirral for an outstanding achievement within the previous twelve months, or for distinguished service to the Borough over a period of twenty years or more.

It was reported that once nominations were agreed, a presentation ceremony would be arranged which would be attended by The Mayor of Wirral, the Leader of the Council, Group Leaders, the Chair of the Licensing, Health and Safety and General Purposes Committee, the Chief Executive and the nominees plus one guest each.

Resolved (7:0) - That the Wirral Award 2015 be conferred on the recipients recommended by the Wirral Award Working Party, and that the suggested arrangements be agreed.



LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE
25TH FEBRUARY 2016

REPORT TITLE	POLLING STATION (UPTON,PENSBY AND THINGWALL WARD)
REPORT OF	CHIEF EXECUTIVE

REPORT SUMMARY

This report provides details of necessary changes required in relation a polling place within the Borough and seeks approval of a suitable alternative.

The relevant change is in the Recommendation set out in the Appendix.

The report also deals with the further matters relating to Thingwall Recreation Centre as called for by Minute 19 Licensing, Health and Safety and General Purposes Committee of 25th November 2015

RECOMMENDATION/S

That the Committee agrees to all the recommendation set out in the Appendix.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

1.1. The Council has a statutory duty to ensure there is a polling place accessible to all Electors in each of its polling districts.

2.0 OTHER OPTIONS CONSIDERED

2.1 No other options were considered.

3.0 BACKGROUND INFORMATION

3.1 The Council has a duty under the Representation of the People Act 1983 to divide Wirral Borough into Polling Districts and to designate Polling Places for each Polling District.

4.0 FINANCIAL IMPLICATIONS

4.1 The financial implications have been set out within this report.

5.0 LEGAL IMPLICATIONS

5.1 The legal implications have been set out within the main body of this report.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 The resource implications have been set out within this report.

7.0 RELEVANT RISKS

7.1 The Council is under a statutory duty to ensure a polling place exists in each of its polling districts.

8.0 ENGAGEMENT/CONSULTATION

8.1 Ward councillors have been consulted

9.0 EQUALITY IMPLICATIONS

9.1 (c) No because of another reason which is

- The Review included use of the Electoral Commissions Evaluation Checklist which addresses equality and diversity issues relevant to Polling Districts, Places and Stations. Additionally these premises were used as a polling place in 2015.

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APPENDICES

Appendix one: Details of Changed to Polling Places

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Minute 19 – Licensing, Health and Safety and General Purposes Committee	25th November 2015
Minute 21 – Licensing, Health and Safety and General Purposes Committee	25th February 2015
Minute 15 – Licensing, Health and Safety and General Purposes Committee	28th January 2015
Minute 8 – Licensing, Health and Safety and General Purposes Committee	19th November 2014
Minute 19 – Licensing, Health and Safety and General Purposes Committee	22nd January 2014

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APPENDIX

Details of Changes to Polling Places

1. Upton Ward

District MB:

Minute 21 – Licensing, Health and Safety and General Purposes Committee approved the use of Upton Victory Hall in substitution for the former polling place, St Mary's Church Hall for the elections to be held in May 2015.

This changed was necessitated by the fact that St Mary's Church Hall was to undergo renovation works. The building owners advised that the works should be finished in time for the May 2016 elections.

A recent enquiry has established that the works will **not**, in fact be completed in time for the May 2016 elections.

Acting Returning Officer's Comments:

The Council must designate and have available for use at the forthcoming combined Local government Elections and Police and Crime commissioner elections a suitable polling place for polling district MB. Indeed the uncertainty cannot be allowed to carry on from year to year so it is recommended that The Upton Victory Hall should become the permanent polling place for polling district MB.

Recommendation:

That the Upton Victory Hall should be the polling place for the MB polling district of the Upton Ward at the District Council Election on 5th May 2016 and at all future elections thereafter.

APPENDIX

Details of Changes to Polling Places

2. Pensby and Thingwall Ward

District FB:

Minute 19 – Licensing, Health and Safety and General Purposes Committee resolved that the matter be adjourned to a future meeting in order that further discussions could take place between Electoral Services and The Thingwall Leisure Centre.

The advice of Highways as to the extent of the adopted highway and Transformation & Resources Health, Safety & Resilience Team Legislative Compliance was also sought.

The advice of Transformation & Resources Health, Safety & Resilience Team Legislative Compliance is set out in the attached schedule.

The items listed in the schedule involve expenditure which the club does not wish to incur, especially given the rather modest hire charge that they are proposing. Electoral Services are willing to accept the charges which will be approximately £1,100.

It is proposed that marshals should only be employed between 4 p.m. and 8 p.m. when it is anticipated that traffic will be at its heaviest. As can be seen from the attached photographs both ends of the lane can be clearly seen so drivers exercising normal caution should ensure that it is safe to proceed.

Sunset on 5 May 2016 is at 8:31 p.m. so light should be good for most of the day.

The Borough solicitor advises that there is no power for the marshals to stop all traffic – members of the club especially, having a contractual right to use the track to engage in activities such as bowling on the adjacent greens that will not affect the conduct of the poll and such members being drawn from a far wider area than polling district FB.

Recommendation:

That Thingwall Leisure and social club is confirmed as the polling place for Polling District FB

Thingwall Recreational Centre and Social Club. Sparks Lane

Approach

The facility can be approached from two directions, small single track access road via Sparks lane and via a footpath from Barnsdale Avenue.



Barnsdale Avenue Footpath access

The footpath from Barnsdale Avenue is even with a slight gradient down towards the facility. There is a Bollard in the middle of the path that requires repainting and a reflective strip added to each side to enable users of the path to clearly see its location. The path has debris in the form of leaves and green moss. It would be advisable to ensure the debris is removed and the path cleaned, possibly with a jet washer.



At the junction with Barnsdale Avenue, there is a large metal rod sticking up out of the path and could be a hazard during the hours of darkness for anyone not familiar with the route. It is recommended the rod is removed.

Sparks Lane Single Track access

The single track access road has a speed hump and a street light. Both require attention.



Access for pedestrians and cars during peak times would require marshals to ensure pedestrian safety is maintained.



Recommendations

Action point	Actions	Responsibility
1	Bollard requires repainting and Reflective strips added to both sides	
2	Metal rod to be removed from footpath	
3	Road hump required to be repainted	
4	Hedge around street light requires cutting back	
5	Street lamp requires checking to ensure it works	
6	Marshals required during peak times to ensure pedestrian safety	



LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

25 FEBRUARY 2016

REPORT TITLE	INDEPENDENT ASSESSMENT OF THE SUPPLY AND DEMAND FOR HACKNEY CARRIAGE VEHICLES ON WIRRAL
REPORT OF	ASSISTANT CHIEF EXECUTIVE

REPORT SUMMARY

The purpose of this report is to enable Members to appoint an independent consultant to undertake an assessment of the supply and demand for Hackney Carriage Vehicles in Wirral.

RECOMMENDATION/S

Members are asked to appoint an independent consultant to undertake an assessment of the supply and demand for Hackney Carriage Vehicles in Wirral.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a delegated function of this Committee to appoint an independent consultant to undertake an assessment of the supply and demand for Hackney Carriage Vehicles in Wirral.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 There is no provision for other options to be considered.

3.0 BACKGROUND INFORMATION

- 3.1 On 28 September 2015 Members of this Committee authorised officers to proceed with a tender for the independent investigation into the supply and demand for Hackney Carriage Vehicles in Wirral.

- 3.2 In consultation with Procurement a Request for Quotation document was completed to enable the tender to be advertised on 'The Chest' which is the internet portal for applying for advertised contracts for local authorities within the North West of England.

- 3.3 The closing date for Tender Applications was 21 January 2016.

- 3.4 Each of the responses received have been evaluated using the criteria set out in the Request for Quotation Document. The responses are attached at Appendix 1. The evaluation criteria has been applied using a weighting of 70% for price and 30% for quality. Further details of the evaluation criteria can be found on page 4 of the Request for Quotation Document responses attached at Appendix 1. The results of this evaluation are attached at Appendix 2.

- 3.5 Members are asked to consider the responses received and identify the company that should undertake an assessment of the supply and demand for Hackney Carriage Vehicles in Wirral.

4.0 FINANCIAL IMPLICATIONS

- 4.1 Cost recovery can be considered when taxi licence fees are reviewed as part of the budget setting process.

5.0 LEGAL IMPLICATIONS

- 5.1 There are no specific implications arising from this report.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

- 6.1 There are no specific implications arising from this report.

7.0 RELEVANT RISKS

7.1 There are none arising from this report.

8.0 ENGAGEMENT/CONSULTATION

8.1 This is not a matter that requires consultation.

9.0 EQUALITY IMPLICATIONS

9.1 There are no specific implications arising from this report.

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APPENDICES

Appendix 1 – Request for Quotation response documents

Appendix 2 – Evaluation Matrix

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing Health and Safety and General Purposes Committee	28 September 2015

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