

# LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

Wednesday, 22 January 2020

Present:

Councillors	M Collins	I Lewis
	C Cooke	D Mitchell
	A Corkhill	L Rowlands
	WJ Davies	J Stapleton
	G Davies	P Stuart
	A Hodson	K Greaney

## 21 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.

No such declarations were made.

## 22 MINUTES

Resolved –

- (1) That the accuracy of the minutes of the meeting held on 13 November 2019 be approved.
- (2) That the accuracy of the minutes of the meeting held on 20 November 2019 be approved subject to an amendment in relation to Polling Districts in Eastham Ward that “Lyndale Road” should read “Lyndale Avenue”.

## 23 MEMBERSHIP OF THE LICENSING PANEL

Members of the Committee were invited to replace the fourth Labour Member of the Licensing Panel.

On a motion by the Chair and seconded by Councillor G Davies it was –

Resolved – That Councillor K Greaney be appointed as the fourth Labour Member of the Licensing Panel.

## 24 HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER MEDICAL ASSESSMENTS

The Director of Governance and Assurance reported upon a request received from a representative of the Hackney Carriage and Private Hire trade to review the requirement that Hackney Carriage and Private Hire Drivers undertake a medical

assessment with a General Practitioner in the medical practice to which the individual is registered.

The Licensing Manager reported that the request had been made by a representative of the trade due to the financial costs of having to have a medical assessment with a General Practitioner in the medical practice to which the individual was registered as well as the availability of appointments.

Members were advised that the current policy in respect of the medical requirement for Private Hire and Hackney Carriage Drivers had been adopted by this Committee on 25 March 2015.

The Licensing Manager reported that representations had been made for the Council to accept medical forms that were completed by individuals other than a General Practitioner in the medical practice to which an applicant for a Private Hire or Hackney Carriage Driver Licence or renewal was registered. This included private companies who offered their services to HGV and taxi drivers at a reduced rate. The representations related to the cost incurred in respect of the medical assessment undertaken by a General Practitioner in the medical practice to which the individual was registered and the time it took to get an appointment. Details of requirements set by other local authorities in the City Region were outlined within the report.

It was further reported by officers that the medical assessment undertaken by a General Practitioner in the medical practice to which the individual was registered provided confidence that the full medical records of an individual had been available to the GP making the assessment. There had been circumstances where matters relating to the fitness of an individual may not have been identified should an applicant have taken the medical assessment form to an individual outside the medical practice to which the applicant was registered. It was therefore considered that the current policy was the most effective in determining whether an individual was a fit and proper person to hold a Hackney Carriage or Private Hire Driver Licence.

Mr D Cummins, Unite the Union addressed the Committee and highlighted the difficulties with respect to the availability of General Practitioners within the medical practice to which the licence holder was registered. He believed that should individuals be allowed to go to a GP outside of their own medical practice, this would provide the opportunity to compare costs and complete the medical within the required time period.

In response, the Licensing Manager advised that costs do vary slightly however the average was £102 across different medical practices. Members were advised that it was a matter for them to consider, but were also advised of the risk should the medical assessment be completed by persons other than a General Practitioner in the medical practice to which an individual is registered as full details of the medical condition of that individual may not be revealed.

Members discussed the proposals and risks and also the practicality of whether individuals would need to be registered with the practice at which they would undertake their medical assessment. Members considered the safety of drivers and passengers and it was suggested that the Chair of the Clinical Commissioning Group (CCG) be contacted to provide further information regarding the ability of GPs who

are not located within the practice where individuals are registered to carry out medical assessments for Hackney Carriage and Private Hire Drivers.

**On a motion by Councillor I Lewis and seconded by Councillor M Collins it was –**

**Resolved –**

- (1) That the current policy be retained for 12 months.**
- (2) That the Chair of the Clinical Commissioning Group (CCG) be contacted to provide further information regarding the ability of GPs who are not located within the practice where individuals are registered to carry out medical assessments for Hackney Carriage and Private Hire Drivers.**

## 25 **REVIEW OF HACKNEY CARRIAGE FARES**

The Director of Governance and Assurance submitted a report requesting Members to consider representations received in respect of a proposed increase to the Hackney Carriage fare tariff advertised in accordance with the decision of this Committee on 13 November 2019.

The Licensing Manager reported that a proposal had been considered by this Committee on 13 November 2019 to increase the Hackney Carriage Tariffs that had been submitted by a representative of Unite the Union.

Members were advised that in accordance with the statutory requirement the proposed increase had been advertised for a period of fourteen days. Six objections to the proposed increase had been received by the Licensing Authority and the organiser of the petition that had been submitted to the Committee on 13 November 2019 had requested the petition also be considered, however he had advised that he was unable to attend this meeting.

Mr D Cummins, Unite the Union addressed the Committee, he informed Members that all drivers would not be satisfied, however, he requested that the proposed increase be agreed.

**On a motion by Councillor D Mitchell and seconded by Councillor K Greaney it was –**

**Resolved (9:2) (1 abstention) – That the approval of the proposed increase to the Hackney Carriage fare tariff be recommended to Cabinet.**

## 26 **WIRRAL AWARD 2019**

A report by the Director of Governance and Assurance requested agreement from the Committee that the Wirral Award be conferred on the nominees as recommended by the Wirral Award Working Party held on 18 December 2019. 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 or their nominees, the Chair and spokespersons of the Licensing, Health and Safety and General Purposes Committee or their nominees and the award nominees plus one guest each.

Members considered the recommendations of the Wirral Award Working Party and the nominations which were attached to the report as an exempt appendix.

**On a motion by Councillor D Mitchell and seconded by Councillor A Hodson it was -**

**Resolved –**

- (1) That the Wirral Award 2019 be conferred upon those recipients recommended by the Wirral Award Working Party.**
- (2) That the arrangements for the presentation ceremony as set out in paragraph 3.0 of the report be agreed.**