

Minutes of Licensing Committee

**Thursday 24th February 2022 at 10.13am
Council House, Oldbury**

Present: Councillor Allen (Chair);
Councillors Chidley, Fenton, Z Hussain and R Jones.

Also present: Tracy Hubball (Licensing Service Manager);
Fiona Gee (Licensing Supervisor);
David Elliott (Solicitor);
Trisha Newton (Senior Democratic Services Officer).

5/22 **Apologies for Absence**

Apologies for absence were received from Councillors Fenton, G Gill, Mabena, Webb and Williams.

6/22 **Declarations of Interest**

There were no interests declared at the meeting.

7/22 **Hackney Carriage Fare Review**

It was reported that, on 16 December 2021, a request to increase hackney carriage fares, which were set by the Council, was received and accepted from thirteen hackney carriage vehicle licence holders due to increased fuel costs and the rising cost of living. The last time that the fares were increased was November 2013.



The Local Government (Miscellaneous) Provisions Act 1976, under Section 65, required that when a request was received, a notice be published in a local newspaper inviting objections and, in the event that no objections were received, the change in fares came into effect on a date specified in the notice – usually the day after the closing date for objections.

The proposed increase would be submitted to Cabinet for consideration.

Resolved that the Hackney Carriage Fare Review be submitted to Cabinet for consideration.

8/22

Department for Transport Statutory Taxi and Private Hire Vehicle Standards

Consideration was given to proposed changes to the Draft Sandwell Private Hire and Hackney Carriage Licensing Policy, in line with the Department for Transport Statutory Taxi and Private Hire Vehicle Standards.

The Department for Transport Statutory Taxi and Private Hire Vehicle Standards were introduced to protect children and vulnerable people, as defined by Section 42 of the Care Act 2014. Licensing authorities were under a legal duty under Section 177 (1) of the Police and Crime Act 2017, to have regard to the Statutory Standards when formulating policy.

A consultation on the adoption of the standards was undertaken between December 2020 and March 2021. At a meeting of the Licensing Committee on 23 September 2021, the Committee considered the implementation of the proposed changes and were in support of implementation subject to approval of policy wording, with the exception of CCTV being a mandatory requirement in licensed vehicles. It was determined that there was no proven local need, however should such a proven need be identified in the future, that further consideration would be given to such a requirement.



The Licensing Committee recognised that substantial changes would be required to the current Sandwell Private Hire and Hackney Carriage Licensing Policy and asked that a further report be brought back to the Committee to consider those changes in detail, together with an implementation plan for the changes to come into effect.

Following questions, clarification was provided around testing of vehicles as concern had been expressed that vehicles were being tested more than 3 occasions in a 12 month period and it was recommended that the wording be adjusted to make the position clear adhering to the law.

The proposed policy changes would be submitted to Cabinet for consideration and approval.

Decision:-

- (1) that the proposed changes to the Draft Sandwell Private Hire and Hackney Carriage Licensing Policy be endorsed and submitted to Cabinet for consideration;
- (2) that the proposed changes to the conditions of licence of the changes be endorsed and submitted to Cabinet for consideration, in line with the changes to draft Sandwell Private Hire and Hackney Carriage Licensing Policy;
- (3) that, the proposed implementation plan, outlining the approach to be taken in implementing the changes resulting from adoption of the Draft Sandwell Private Hire and Hackney Carriage Licensing Policy be endorsed and submitted for Cabinet for consideration;
- (4) that the standard relating to the mandate to install CCTV in all licenced vehicles as a mandatory policy requirement is not adopted at this time, and that the current policy position of voluntary installation is maintained.



Meeting ended at 12:04am (with an adjournment between 11.35 and 11.38)

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