

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

FRIDAY, 12TH JANUARY 2024, AT 6.00 P.M.

PRESENT: Councillors J. Elledge (Chairman), B. McEldowney (Vice-Chairman), A. M. Dale, S. M. Evans, D. Hopkins, C.A. Hotham, B. Kumar, S. R. Peters and S. A. Robinson

Officers: Mrs. V. Brown, Mr. D. Etheridge and Mrs. P. Ross

32/23 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

An apology for absence was received from Councillor D. J. A. Forsythe.

33/23 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

34/23 **HACKNEY CARRIAGE STAND IN MARKET STREET SERVICE ROAD**

Following on from a request made by Councillor S. Robinson at the Licensing Committee meeting held on 13th November 2023, Licensing Committee Members agreed for an additional meeting of the Committee to be held in order for officers, Worcestershire Regulatory Services (WRS) to present a report on the Hackney Carriage Rank, Crown Close.

Members were therefore being asked to consider a report on the Hackney Carriage Stand in Market Street Service Road, Bromsgrove.

The Principal Licensing Officer, WRS introduced the report and in doing so, highlighted the following: -

In 2019, the Licensing Committee were made aware of some improvements being made by Worcestershire County Council to walking and cycle routes around Bromsgrove.

One aspect of these improvements had impacted on the existing hackney carriage stand appointed by Bromsgrove District Council in the Market Street service road (the bus station).

The improvement works required the relocation of the hackney carriage Stand and Worcestershire County Council (WCC) had committed to ensure that the same number of spaces (five) would be retained for

hackney carriages to stand and ply for hire, on the opposite side of the road to the existing hackney carriage stand.

A plan showing the location of the original hackney carriage stand, prior to the changes, was detailed at Appendix to the report. A further plan showing the new location of the hackney carriage stand was detailed at Appendix 2 to the report. These plans showed that it was intended that spaces for five hackney carriages to stand for hire would be retained.

WRS, having consulted on and advertising the proposal to relocate the hackney carriage stand, the Licensing Committee instructed and delegated authority to WRS officers to carry out the required legal processes to appoint a new hackney carriage stand at the new location.

The District Council of Bromsgrove (Hackney Carriage Stands) Order 2020 (No.1) was subsequently made in December 2020 and the hackney carriage stand was relocated as part of the improvements made to walking and cycling routes in Bromsgrove.

Unfortunately, since the relocation of the hackney carriage stand it had become apparent that the relocated stand was only actually long enough to be able to accommodate four vehicles and not the five originally intended.

Following engagement between WRS and WCC, it was agreed that a further space for a hackney carriage to stand and ply for hire could be located in the bus station area. The location of this additional space was detailed at Appendix 3 to the report.

WCC had confirmed that once Bromsgrove District Council had carried out the required legal processes to amend the current Hackney Carriage Stand Order, that they would provide the relevant signage and road markings.

Members were further informed that the first stage of the legal process when amending a Hackney Carriage Stand Order was to consult on the proposals with the Chief Officer of police and via a public notice to be published in a local newspaper.

Members were therefore being asked to consider the information before them and to determine if WRS officers should carry out the required consultation and arrange for the required public notice to appear in a local newspaper.

Members were asked to note that, should any representations or objections be received, then these would be brought back to a future Licensing Committee meeting for Members consideration.

However, Members were asked to note that if no representations or objections were received, then officers be instructed and given delegated authority to carry out the remaining legal processes in order to

make the amendment to the Hackney Carriage Stand Order. This would enable officers to move forward more quickly with the legal processes if there were no representations or objections for Members consideration.

The Principal Officer, WRS responded to questions from Members and explained that part of the entrance to the new hackney carriage stand had been built out (a slightly curved area) in order to lineate the area, and this had resulted in the length of the hackney carriage stand being reduced and only able to accommodate four vehicles. The taxi trade was initially told they would not lose any spaces and initially the area was thought to be long enough to accommodate five vehicles. However, we were now in a position whereby only four vehicles could park on the hackney carriage stand. Both the taxi trade and the County Council Member for St. John's Ward had raised their concerns over a period of time about the lost space.

Some Members questioned if five spaces could be accommodated in what was a very busy service road for buses, taxis and business vehicles. Plus, there had been previous issues with over-ranking of taxis. Were five spaces enough?

The Principal Officer, WRS commented that the taxi trade had not requested any additional spaces and that hackney carriage numbers in the district had been falling.

The Principal Officer, WRS further clarified that only licensed hackney carriage vehicles were allowed to stand and ply for hire. Licensed private hire vehicles could not use the hackney carriage stand. Private hire vehicles had to be pre-booked. Members were further informed as to how a hackney carriage and private hire vehicle could be identified.

The Principal Officer, WRS responded to further questions with regards to enforcement on hackney carriage stands. There were two roles, Civil Enforcement Officers, who could issue fixed penalty notices; and Licensing Officers, WRS. Licensing Officers, WRS cannot issue fixed penalty notices, but they can issue notices and anyone found repeatedly offending can be prosecuted, but this was a very lengthy process.

RESOLVED that

- a) officers be instructed to advertise the proposal to amend the District Council of Bromsgrove (Hackney Carriage Stands) Order 2020 (No.1);
- b) if any representations or objections are received, these will then be brought back before the Licensing Committee for consideration before a decision is taken about whether to proceed with the amendment being made to the Order; or,
- c) if no representations or objections are received regarding the proposed amendment, officers be directed and given delegated

authority to carry out the remaining legal processes required to make the amendment to the Order.

35/23

TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE HEAD OF LEGAL, EQUALITIES, DEMOCRATIC AND PROPERTY SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING

There was no urgent business on this occasion.

36/23

LOCAL GOVERNMENT ACT 1972

RESOLVED that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraph of that part, in each case, being as set out below, and that it is in the public interest to do so:-

Minute No.

37/23 - Confidential Minute

Paragraph

5

37/23

MINUTES

The public minutes of the Licensing Committee meeting held on 13th November 2023 were submitted.

Councillor C. A. Hotham highlighted a typographical error in paragraph 4, page 16 of the main agenda pack, the word effect had been omitted, the paragraph to be amended to read as follows: -

“The current table of fares was included at Appendix 1 to the report. This table of fares was approved by Licensing Committee Members during the meeting held on 29th September 2022 and had taken effect from 7th November 2022”.

RESOLVED that the minutes of the Licensing Committee meeting held on 13th November 2023, be amended as detailed in the preamble above, and approved as a correct record.

The confidential minute of the Licensing Committee meeting held on 13th November was also submitted.

In response to questions from Members, the Council’s Legal Advisor provided a very brief verbal update.

Licensing Committee
12th January 2024

RESOLVED that Members having noted the very brief verbal update, the confidential minute of the Licensing Committee meeting held on 13th November 2023, be approved as a correct record.

The meeting closed at 6.25 p.m.

Chairman