

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY, 21ST JULY 2008 AT 6.00 P.M.

PRESENT: Councillors D. Hancox (Chairman), Mrs. R. L. Dent (Vice-Chairman), Miss D. H. Campbell JP, Ms. J. A. Marshall, D. McGrath, S. P. Shannon, Mrs. C. J. Spencer and L. J. Turner

Also in attendance: Councillor Mrs. C. McDonald

Officers: Mrs. D. Warren, Mrs. S. Smith and Ms. D. Parker-Jones

10/08 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Dr. D. W. P. Booth JP.

11/08 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

12/08 **MINUTES**

The minutes of the meeting of the Licensing Committee held on 3rd June 2008 were submitted.

RESOLVED that the minutes be approved as a correct record.

13/08 **APPLICATION FOR STREET TRADING CONSENT**

Further to the Committee's decision at its meeting on 3rd June 2008 to refuse the application for street trading consent to sell food items from a mobile retail unit in the Bromsgrove High Street, the Committee was informed of the Council's findings in relation to locating an alternative site for this within one of the Council's designated streets. It was noted that, following consultation with the Council's Economic Development Section, no suitable alternative site could be found on this occasion and Members were therefore asked to confirm the decision made on 3rd June.

RESOLVED that the application for street trading consent to permit the sale of ice cream and sorbets in the Bromsgrove High Street area be refused.

14/08 **HACKNEY CARRIAGE FARES**

The Committee was asked to consider a 15% increase to the mileage rates for Hackney Carriage fares, which had been requested by the Taxi Association

due to the recent significant increase in the cost of fuel. It was noted that the majority of Hackney Carriage owners who had responded to the Council's consultation on this were in favour of such an increase. Details of the proposed variations would be published in the local press. Provided no objections were received to these the variations would come into effect upon the expiry of the period specified in the press notice, with any objections having to be referred to the Committee for consideration.

RESOLVED that, subject to there being no objections received in relation to the proposed variations to the current Table of Hackney Carriage Fares attached at Appendix 1 to the report, the mileage rate set out in section (i) of the Table be increased by 15%.

15/08 **DESIGNATED PUBLIC PLACES ORDER - CHARFORD RECREATION GROUND**

Consideration was given to introducing a Designated Public Places Order (DPPO), which would prevent the consumption of alcohol, on Charford Recreation Ground, Bromsgrove. This matter was being brought before the Committee as the Police, who were responsible for enforcing any restrictions on public drinking in designated areas, were not willing to support this particular request as they had insufficient evidence of anti-social behaviour caused by alcohol consumption in the area, and felt they already had sufficient measures in place to keep any anti-social behaviour occurring in the area under control.

At the Chairman's discretion, Councillor Mrs. C. M. McDonald, Ward Councillor for Charford, spoke in favour of introducing a DPPO on this piece of land. In doing so she stated that Charford was one of the last remaining play areas not to have such an Order in place, which sent out an unwanted message. She added that it was only the part of the play area for young children which needed to be a designated area as it was an inappropriate place for alcohol to be consumed. She stated that Charford had the second highest level of recorded anti-social behaviour incidents in the District and that the introduction of a DPPO on the Recreation Ground would aid in improving the sense of community and well being in the area.

It was noted that information provided by the Council's Community Safety Analyst had shown that there had been only one alcohol related incident on the Recreation Ground over the last two years. As such, in the absence of clear evidence of alcohol related public nuisance or disorder and the lack of Police support in this regard, Members felt unable to support the request. If, however, the number of recorded incidents relating to public drinking increased sufficiently in the future then the position could be reconsidered.

RESOLVED that the request for the creation of a Designated Public Places Order on Charford Recreation Ground be refused.

16/08 **DESIGNATED PUBLIC PLACES ORDER - COMPASS WAY, BREME PARK**

Consideration was given to introducing a Designated Public Places Order (DPPO), which would prevent the consumption of alcohol, on a piece of open space at Compass Way, Breme Park, Bromsgrove. This matter was being brought before the Committee as the Police, who were responsible for enforcing any restrictions on public drinking in designated areas, were not willing to support this particular request as they had insufficient evidence of anti-social behaviour caused by alcohol consumption in the area, and felt they already had sufficient measures in place to keep any anti-social behaviour occurring in the area under control.

At the Chairman's discretion, Councillor Mrs. C. M. McDonald, Ward Councillor for Charford, spoke in favour of introducing a DPPO on this piece of land. In doing so she stated that a petition regarding anti-social behaviour in the area had been handed to the Police at a PACT (Partners and Communities Together) meeting which had taken place some three or four months previously, hence why the request for a DPPO had been made.

It was noted that information provided by the Council's Community Safety Analyst had shown that there had been only two alcohol related incidents in the area in question over the last two years. As such, in the absence of clear evidence of alcohol related public nuisance or disorder and the lack of Police support in this regard, Members felt unable to support the request. If, however, the number of recorded incidents relating to public drinking increased sufficiently in the future then the position could be reconsidered.

RESOLVED that the request for the creation of a Designated Public Places Order at Compass Way, Breme Park, Bromsgrove, be refused.

17/08 **GUIDANCE RELATING TO THE RELEVANCE OF CONVICTIONS AND CAUTIONS - CONSULTATION DOCUMENT**

The Committee considered a proposal to consult on the revision of existing guidance to Licensing Committee members on the relevance of convictions and cautions when granting either a Dual Hackney Carriage and Private Hire Vehicle Driver's Licence or a Private Hire Operator's Licence. It was noted that the document had been developed with other local authorities in the County, and that consultation on this would take place with all licence holders and any relevant public bodies prior to the guidance being brought back to the Committee in the Autumn for final approval.

RESOLVED that the proposed consultation on the revised guidance relating to the relevance of convictions and cautions be supported.

18/08 **COUNTY-WIDE TAXI LICENSING HANDBOOK - CONSULTATION DOCUMENT**

Consideration was given to a proposed consultation on the introduction of a new County-wide Taxi Handbook, which would be issued to all licensed taxi drivers. It was noted that the proposed Handbook would potentially have a

significant impact on current taxi drivers and operators and that the introduction of a transition period for the more significant changes, to lessen the impact on existing businesses, would be looked at. Consultation on the Handbook would take place with the taxi trade, members of the public and any relevant public bodies and voluntary groups prior to the guidance being brought back to the Committee in the Autumn for final approval.

RESOLVED that the proposed consultation on the new County-wide Taxi Handbook be supported.

The meeting closed at 6.58 p.m.

Chairman