

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY, 23RD FEBRUARY 2009, AT 6.00 P.M.

PRESENT: Councillors D. Hancox (Chairman), Mrs. R. L. Dent (Vice-Chairman),
Dr. D. W. P. Booth JP, (during Minute No.'s 19/08 to 25/08),
Miss D. H. Campbell JP, Ms. J. A. Marshall, L. J. Turner and
M. J. A. Webb

Observers: Councillor P. M. McDonald

Officers: Mrs. D. Warren, Mrs. S. Smith, Mr. J. Davies and Ms. P. Ross

19/08 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs. M. A. Sherrey,
Mrs. C. J. Spencer and D. McGrath.

20/08 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

21/08 **MINUTES**

The minutes of the meeting of the Licensing Committee held on 21st July
2008 were submitted.

RESOLVED that the minutes be approved as a correct record.

22/08 **DESIGNATED PUBLIC PLACES ORDER - COFTON HACKETT**

Consideration was given to introducing a Designated Public Places Order (DPPO), which would prevent, when requested, the consumption of alcohol in the Cofton Hackett area in an attempt to reduce anti-social behaviour and drinking in these public areas. This matter was being brought before the Committee as the Police, who are 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 that 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 P. M. McDonald, County Councillor representing the County Electoral Division for Beacon, spoke in favour of introducing a DPPO in this area. In doing so he stated that it had been raised as a top issue during a PACT (Partners and Communities Together) meeting and during an additional Public Meeting. In addition over four hundred people had been contacted and Neighbourhood Watch had expressed concern

regarding the consumption of alcohol. A Dispersal Order under Section 30 of the Anti-Social Behaviour Act 2003 had been implemented by an adjoining authority.

It was noted that information provided by the police had shown that during the period from 1st June 2007 to 27th November 2008 only 4 incidents out of a total of 59 reports of anti-social behaviour were linked to the consumption of alcohol in the area. Following discussion on the absence of clear evidence of alcohol related public nuisance or disorder, it was

RESOLVED that the request for the creation of a Designated Public Places Order in the Cofton Hackett area, Bromsgrove be deferred until the next Licensing Committee meeting. Officers were tasked to obtain further evidenced information from Neighbourhood Watch, West Mercia Constabulary and PACT meetings.

23/08 **TAXI LICENSING HANDBOOK**

Consideration was given to a report seeking approval to adopt the revised policy and licence conditions in respect of all taxi licensing matters, to be incorporated into the Council's Taxi Handbook. Members were made aware that Bromsgrove District Council had worked with other licensing authorities across Herefordshire and Worcestershire in an attempt to bring together guidance, licence conditions and policies relating to all aspects of taxi licensing, into one handbook, to be used throughout the County. Following a period of consultation and discussions with County colleagues, it had become apparent that this was not feasible, at this present time, due to the reasons highlighted in the report.

RESOLVED:

- (a) that the policy elements and licence conditions relating to taxi licensing, as set out in the Taxi Handbook be approved for adoption; and
- (b) that the proposed transition periods for the policy changes to take effect be approved.

24/08 **GUIDANCE RELATING TO THE RELEVANCE OF CONVICTIONS AND CAUTIONS**

The Committee considered a report on a proposal to adopt a revision of existing guidance to Licensing Committee Members and applicants on the relevance of convictions when granting either a Dual Hackney Carriage and Private Hire Driver's Licence or Private Hire Operator's Licence.

RESOLVED that the revised guidance on the relevance of convictions and cautions be approved for adoption.

25/08 **HACKNEY CARRIAGE STANDS**

The Committee gave consideration to a report which outlined proposals to create two new Hackney Carriage Stands, and on the proposed re-confirmation of two existing Stands. Following a review of all Hackney

Carriage Stands in the district, the Council had been approached by the Police Authority to look at introducing an additional Hackney Carriage Stand in the Town area to help reduce crime and disorder during the evenings, as well as enhancing current taxi rank provision.

RESOLVED:

- (a) that the creation of a new Hackney Carriage Stand at Worcester Road, Bromsgrove, as set out in the report, be approved;
- (b) that the creation of a new Hackney Carriage Stand at New Road Service Road, Rubery, as set out in the report, be approved;
- (c) that the re-confirmation of an existing Stand at The Strand, Bromsgrove, as set out in the report, be approved; and
- (d) that the re-confirmation of an existing Stand at Market Street Bus Station, Bromsgrove, as set out in the report, be approved; with all Stands being subject to the necessary amendments being made to Traffic Regulation Orders.

26/08 **LICENSING SUB-COMMITTEE SITE VISITS**

Consideration was given to a report on the current process relating to site visits and whether to recommend to Council that the Licensing Code of Practice be revised. Members had queried the possibility of Licensing Sub-Committees undertaking site visits in cases where it would be helpful in the determination of applications. Following discussion it was

RESOLVED that authority be delegated to the Senior Solicitor in consultation with the Chairman and Vice-Chairman to prepare a revised draft Licensing Code of Practice.

RECOMMENDED that the Council adopt the revised Licensing Code of Practice, which forms part of the Constitution.

27/08 **LICENSING SUB-COMMITTEE REVISED HEARING PROCEDURES**

The Committee gave consideration to a report which outlined the periodic reviews of Committee Hearing Procedures. The Licensing Sub-Committee Hearing Procedures had recently been reviewed in order to shorten the time allowed for representations to be made, to simplify the language and to clarify certain aspects of the procedure. Officers informed Members that hearing procedures would be regularly reviewed. Following discussion officers were tasked to draft a brief guide providing information for Public Speaking at Licensing Sub-Committees.

RESOLVED that the Licensing Sub-Committee Hearing Procedures be revised, as set out in Appendix 1 of the report.

The meeting closed at 7.20 p.m.

Chairman