

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY, 15TH JULY 2019, AT 6.03 P.M.

PRESENT: Councillors H. J. Jones (Chairman), P. J. Whittaker (Vice-Chairman), A. B. L. English, C.A. Hotham, S. A. Hughes, A. D. Kriss (substituting for Councillor C. J. Spencer), H. D. N. Rone-Clarke, M. A. Sherrey, M. Thompson, J. Till and S. A. Webb (substituting for Councillor M. Glass)

Invitees: Mr. P. Cooper and Mr. J. Wyllie, Worcestershire County Council

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

1/19 **ELECTION OF CHAIRMAN**

A nomination for Chairman was received in respect of Councillor H. J. Jones.

RESOLVED that Councillor H. J. Jones be elected as Chairman for the ensuing municipal year.

2/19 **ELECTION OF VICE-CHAIRMAN**

A nomination for Vice-Chairman was received in respect of Councillor P.J. Whittaker.

RESOLVED that Councillor P. J. Whittaker be elected as Vice-Chairman for the ensuing municipal year.

3/19 **APOLOGIES**

Apologies for absence were received from Councillors M. Glass and C. J. Spencer.

The Committee were informed that Councillor S. A. Webb was in attendance as the substitute Member for Councillor M. Glass and that Councillor A. D. Kriss was in attendance as the substitute member for Councillor C. J. Spencer.

4/19 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

5/19 **MINUTES**

The minutes of the Licensing Committee held on 17th April 2019 were submitted.

It was noted that Councillors M. A. Sherrey and S. A. Webb, were present at that meeting and they consecutively proposed and seconded the approval of the minutes.

RESOLVED that the minutes of the Licensing Committee held on 17th April 2019, be approved as a correct record.

6/19

HACKNEY CARRIAGE STAND IN MARKET STREET SERVICE ROAD

Following on from the Licensing Committee meeting held on 17th April 2019, whereby Members approved for the purposes of consultation; a proposal to relocate the current appointed hackney carriage stand in Market Street service road. The Committee were asked to consider a further report which detailed the response received to that consultation.

The Chairman welcomed Mr. P. Cooper and Mr. J. Wyllie, Worcestershire County Council (WCC) officers to the meeting.

The Senior Practitioner (Licensing), Worcestershire Regulatory Services (WRS) reminded the Committee that, the County Council's £3.4 million project aimed to reduce congestion in Bromsgrove by providing alternative travel choices to local residents to reduce short journeys made by car.

The improvements would form part of a wider transport and highways plan for the area and would see an additional six recognised walking and cycling paths being introduced over the next two years. The work would also include improvements to other recognised cycle ways across Bromsgrove.

One aspect of the proposed improvements would impact on the existing hackney carriage stand appointed by Bromsgrove District Council in the Market Street service road (the bus station). It was anticipated that the proposed works at this location would take place in summer 2019.

The Senior Practitioner (Licensing), WRS, highlighted that Licensing officers had some concerns about the proposals raised verbally by some licence holders both on the phone and at licensing surgeries, with regard to the consultation. Some licence holders had verbally suggested alternatives to the location being proposed. Officers did remind licence holders of the opportunity to respond in writing to the formal consultation, however, despite being reminded no written responses were received from any licence holders.

The Senior Practitioner (Licensing), WRS drew Members' attention to Appendix 2, the response received from Councillor R. L. Dent, County Councillor, Bromsgrove Central Division.

In response to Councillor M. Thompson, Councillor S. A. Hughes stated that the area in question was not in her ward area, however, she had as

Ward Member for Bromsgrove Central, spoken with people who worked at premises on the high street and they were not happy about the proposal. There had been issues with delivery drivers being unable to access the rear of shop premises due to taxis over-ranking on the Market Street hackney carriage stand.

The Senior Practitioner (Licensing), WRS highlighted that there were double yellow lines where the taxis were over-ranking and it was down to the civil enforcement officers and the police to manage this. The police had been consulted with on the proposed changes to the hackney carriage stand; however, no comments had been received. There was no official 'feeder rank' for the current or proposed hackney carriage stand, drivers were fully aware that if the hackney carriage stand was full then they should drive to the next available hackney carriage stand.

Officers from WCC informed the Committee that the proposal would see vehicles (taxis) parked on the left hand side and that would enable passengers to enter vehicles, more safely, from the near side without having to walk out into the road.

They had consulted with the bus transport companies and they were happy that they could operate with one less bus stand. The bus companies had also suggested that bus drivers would be asked to report any issues with taxis over-ranking at the proposed new location.

Currently there was some pinch points with mobile scooters blocking pedestrians, the existing wooden bridge would be removed to allow for a wider pathway.

Bromsgrove had a very limited infrastructure to support walking and cycling, forcing some local people to drive short distances. The plan was to make the transport network more efficient, particularly at peak times and to help reduce congestion, by providing new and improved links between the town centre and residential areas.

Further discussion took place on the potential for electric charging points, which would not be practical on a hackney carriage stand.

Members commented that they still had concerns with regard to over-ranking at the proposed new location; as they had witnessed over-ranking at the existing location on many occasions.

The Senior Practitioner (Licensing), WRS, explained that over-ranking usually occurred during the daytime. Licensing officers, WRS and civil enforcement officers could deal with over-ranking. He would ensure that it was made very clear to licensed drivers, that there would be serious implications if they were caught over-ranking at the proposed new location and that over-ranking would not be tolerated.

Licensing officers would ensure that robust enforcement was carried out and that this message was highlighted to licensed drivers, in order to

ensure that there was no potential for over-ranking at the proposed new location.

RESOLVED that

- a) the relocation of the hackney carriage stand as proposed and shown at Appendix 1, to proceed; and
- b) officers carry out the legal process required in consultation with officers delivering the Worcestershire County Council project in order to make improvements to walking and cycling routes around Bromsgrove.

7/19

LICENSING ANNUAL REPORT 2018/2019

The Committee considered the Licensing Annual Report 2018/2019.

The report provided an overall view of the activities, under the Licensing Act 2003, Gambling Act 2005 and other aspects of Licensing, and informed the Committee of any issues anticipated in the ensuing year, as required under the Council's Licensing Act 2003 and Gambling Act 2005.

The Senior Licensing Practitioner, Worcestershire Regulatory Services (WRS), introduced the report and in doing explained that the report provided the Committee with information on the work undertaken by WRS on behalf of Bromsgrove District Council; and that he was happy to take any questions on the contents of the report.

The Senior Licensing Practitioner, WRS, responded to questions from Members with regard to the new Animal Licensing Implementation. Members were informed that an enormous amount of work had been carried out over the last twelve months in implementing the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, which came into force on 1st October 2018. Interim inspections would still need to be carried out.

Two WRS officers had attended the required training course and were now in a position to assist the Licensing Officer, WRS, who had been responsible for the intensive work schedule over the last twelve months.

The Senior Licensing Practitioner, WRS, further informed the Committee that with regard to Scrap Metal Dealers; mobile collectors could take their scrap metal to any licensed site, but were required to hold a licence for every area they actually collected from.

RESOLVED that the Licensing Annual Report 2018/2019 be noted.

8/19

LICENSING COMMITTEE WORK PROGRAMME

The Committee considered the Work Programme for 2019/2020.

The Chairman questioned the potential timescale for a review of the Council's policy on the Guidance Relating to the Relevance of Convictions and Cautions for Hackney Carriage and Private Hire Drivers – consultation.

The Senior Licensing Practitioner, WRS, informed the Committee that, as detailed in the main agenda pack; Section 177 of the Policing and Crime 2017 had given the Secretary of State for Transport the power to publish statutory guidance to taxi and private hire licensing authorities on how their licensing powers could be exercised in order to safeguard children and vulnerable adults.

In February 2019, the Department for Transport launched a 10 week consultation on a draft of the statutory guidance. The consultation period ended on 22nd April 2019. It was anticipated that the final version of this statutory guidance would be published later this year. Officers would need to have regard to this guidance when reviewing and revising the Council's policies on the licensing of taxi and private hire vehicles.

Therefore, a review of the Council's policy on the Guidance Relating to the Relevance of Convictions and Cautions for Hackney Carriage and Private Hire Drivers would be carried out as soon as the Department for Transport, statutory guidance was published. Officers were hoping that the guidance would be issued during the next few months.

RESOLVED that the Licensing Committee Work Programme for 2019/2020, be noted.

The meeting closed at 6.57 p.m.

Chairman