

additional papers 1



Licensing Committee

Mon 18 Nov
2024
7.00 pm

Oakenshaw Community
Centre, Castleditch Lane,
B98 7YB



If you have any queries on this Agenda please contact

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Licensing

Monday, 18th November, 2024

7.00 pm

Oakenshaw Community Centre
- Oakenshaw Community
Centre

Agenda

Membership:

Cllrs:

David Munro (Chair)
Sachin Mathur (Vice-Chair)
Juliet Barker Smith
Brandon Clayton
Matthew Dormer
Sharon Harvey

Sid Khan
Gary Slim
Jen Snape
Monica Stringfellow
Paul Wren

3. Minutes (Pages 5 - 10)

This agenda pack contains the minutes of the licencing Committee of 7th October 2024 which are the correct minutes for consideration.

The Minutes of the Redditch Borough Council Planning Meeting previously published in error, will not be considered at the Licencing Committee.

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Licensing Committee

Monday, 7th October, 2024

MINUTES

Present:

Councillor David Munro (Chair), Councillor Sachin Mathur (Vice-Chair) and Councillors Juliet Barker Smith, Brandon Clayton, Matthew Dormer, Sharon Harvey, Sid Khan, Gary Slim, Jen Snape, Monica Stringfellow and Paul Wren

Officers:

Vanessa Brown and Dave Etheridge

Democratic Services Officers:

Gavin Day

11. APOLOGIES

There were no apologies for absence.

12. DECLARATIONS OF INTEREST

There were no declarations of interest.

13. PUBLIC SPEAKING

There was no public speaking.

14. GAMBLING ACT 2005 - REVIEW OF STATEMENT OF PRINCIPLES - CONSIDERATION OF CONSULTATION RESPONSES

The Principal Licensing Officer, Worcestershire Regulatory Services (WRS), presented the report to Members. The purpose of the report was for Members to consider the consultation responses and to resolve whether to recommend the DRAFT statement of licencing principles to full council for approval.

Officers detailed to Members that on 15th July 2024, the Licencing Committee approved the draft revised statement of principles, for the purpose of going out to consultation.

Chair

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Two responses to the consultation were received, one from the Operations Manager of the Lotteries Council who responded stating that they had no comment. The second response was from solicitors acting on behalf of the Betting and Gaming Council, the full response was outlined on pages 11 to 16 of the Public Reports pack.

Officers highlighted that although the majority of the response was positive, one amendment was requested which stated “**Paragraph 11.2 contains a bullet point list of factors that the council expects to be considered when conducting a local risk assessment. The bullet point list should be redrafted with the reference to whether the premises is in an area of deprivation being deleted.**” The reasoning for the request was that the affluency of the area did not impact on if a venue was able to meet the licencing objectives effectively.

Officers respected the position of the Betting and Gaming Council but stated that paragraph 11.2 detailed a number of factors to be considered during the risk assessment, and that it was the opinion of WRS that the demographic of the area should be considered during this process. All the risk factors, which included the affluency of the area, should be used to assess the potential risk to the application and surrounding residents.

Members discussed the stance of WRS and were in agreement that it was an important factor to consider along with all the other points raised in paragraph 11.2, therefore, Members did not recommend any alteration to the draft report.

It was clarified that should Members recommend the DRAFT statement of licencing principles to full council for approval, it would go to the meeting on 11th November 2024 and would come into effect on 31st January 2025.

Members were generally in agreement with the statement of principles and on being put to a vote it was:

Recommended to Council that

the draft Statement of Licencing Principles be approved and published with effect from 31st January 2025.

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15. MANDATORY SAFEGUARDING AWARENESS TRAINING FOR LICENSED HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

The Principal Licensing Officer, Worcestershire Regulatory Services (WRS), presented the report to Members. The purpose of the report was for members to consider if a consultation should be undertaken in regard to requiring mandatory safeguarding refresher training to be undertaken as part of the licence renewal process by all drivers.

Officers clarified that should the process ultimately be adopted, the training needed to be completed prior to the renewal of the driver's licence. It was further clarified that linking the training refresher to the renewal process would be the simplest solution, causing the least disruption to drivers.

In 2021 the council's hackney carriage and private hire licencing policies underwent a review, this was in response to the publication of guidance from the Department for Transport under section 177 of the Policing and Crime Act 2017. In response to the review, the council introduced a competency certificate which included a compulsory element on safeguarding.

The competency certificate was only a requirement for new drivers; therefore, any existing licence holders were not required to refresh/renew this training once they had been approved and any new drivers only needed to complete the course during the application process.

Officers proposed that as safeguarding the general public was an important part of a driver's role, and the ever-changing nature of safeguarding, especially those vulnerable in society, the training needed to be refreshed periodically to take account of new areas of concern in safeguarding.

Officers asked that Members resolved whether to instruct Officers to undertake a consultation process, the results of which would be brought back before members at the March Licencing Committee meeting. Should Members adopt the policy, Officers proposed a commencement date of 1st July 2025 to give drivers opportunity to complete the training prior to renewing their licence.

The following was clarified by Officers after questions from Members

- That the training would be undertaken by Worcestershire County Council (WCC), who currently do the competency certificate for new drivers.

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- The cost was expected to be approximately £20 but the figure could not be finalised as RBC would not be the training provider, however, Wyre Forest Council who were also under WRS, had rolled out the training at a cost of £20 to drivers.
- That's the consultation would be send to the Redditch Taxi Association (RTA), but other avenues of disseminating the consultation would include emailing, physical media and social media outlets.
- Other authorities, including large businesses, also required drivers to undertake refresher safeguarding training as part of their licencing process, therefore, Officers did not believe that it would have a big impact on drivers wishing to be licenced elsewhere.
- There had been safeguarding training in 2018 which was free to drivers, however, this was free due to there being funding available from the Police and Crime Commissioner at the time. As the funding was no longer available, the expense needed to be met by drivers.

Members were in support of the consultation, and wished to get the view of drivers on the matter to make an informed decision in March. However, some additional information was requested from Officers, to be brought to the same Committee meeting, on if equivalent refresher training was in place in surrounding authorities and the cost to drivers.

Upon being put to a vote it was

RESOLVED that

Officers were to undertake a consultation with relevant stakeholders and the public on whether to introduce a requirement that takes effect from 1 July 2025, that all those who hold a licence issued by the Council authorising them to drive hackney carriage and / or private hire vehicles have to undertake mandatory safeguarding awareness training before renewing their licences.

16. TERRORISM (PROTECTION OF PREMISES) BILL - VERBAL UPDATE

The Principal Licensing Officer, Worcestershire Regulatory Services (WRS), presented the verbal report to Members. The purpose of the report was to update Members on the Terrorism (Protection of Premises) Bill.

Officers detailed that on 12th September 2024 the first reading of the Terrorism (Protection of Premises) Bill was undertaken, during which, a few points were clarified:

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- There would be two tiers of venues which would require a terrorism risk assessment, these tiers were dictated by the number of persons on site during the event. Standard (200-799 people) and Enhanced (800+ people)
- The lower limit for the standard tier was raised from 100 to 200 people. It was felt that 100 people, would put disproportionate pressure on smaller venues. However, it was also noted that there is guidance for smaller venues which they could voluntarily enact, however it was not mandatory.
- The regulator was named as the security industry who regulate security personally and issue their licences. Local Authorities would have a role but were not named as the regulator.
- Premises owners would have the capability to restrict the publication of the floor layout of their premises either during the application process or retrospectively. This would not allow easy access to floor plans which could aid in planning attacks, this process was already present with Planning applications but was currently absent from Licencing.

Officers further commented that the next reading of the Bill would take place on 14th October 2024, after which there would be a number of additional steps involved.

It was clarified by Officers that although there were not a great deal of venues which fit into the enhanced tier in Redditch, some areas could be effected such as the football club and some large public events. The Bill was not designed as a barrier to putting on large events, and the risk assessment that would need to be undertaken would form part of the usual organisational process, this already included health and safety, fire emergency and first aid risk assessments, among others.

It was further commented that the majority of large venues already have procedures in place, such as bag searches and metal detectors wands. These were not mandated under the law but are universally seen as best practice to reduce the risk to the general public.

After question from Members, it was confirmed that large gatherings such as park events or Christmas light events, could fall under the enhanced tier which would necessitate a risk assessment being carried out and measures put in place. However, it was highlighted that as the Bill only had its first reading recently, there was still potential changes to come into effect.

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The Chair thanked the Principal Licensing Officer, WRS, for his report and it was

RESOLVED that

the update be noted.

17. WORK PROGRAMME

There were no changes or additions to the work programme.

18. MINUTES

The Public and Private minutes of the Licensing Committee of 15th July 2024 were presented to Members.

RESOLVED that

The minutes of the Licensing Committee held on the 15th July 2024 were approved as a true and accurate record and signed by the Chair.

The Meeting commenced at 7.02 pm
and closed at 7.53 pm