

minute book 7

Council

Mon 1st Feb
2010
7.00 pm

Council Chamber
Town Hall
Redditch



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Council

11th January 2010

MINUTES

Present:

Councillor Malcolm Hall (Mayor), Councillor Kath Banks (Deputy Mayor) and Councillors P Anderson, M Braley, J Brunner, M Chalk, A Clayton, B Clayton, J Cookson, D Enderby, A Fry, C Gandy, W Hartnett, N Hicks, G Hopkins, D Hunt, R King, W King, C MacMillan, P Mould, W Norton, J Pearce, B Quinney, D Smith, D Taylor and D Thomas

Also Present:

M Collins (Vice-Chair, Standards Committee), B Warwick (Independent Member, Standards Committee)

Officers:

A Marklew, T Kristunas, K Dicks, S Hanley and S Mullins and S Skinner

Committee Services Officer:

I Westmore

89. WELCOME

The Mayor opened the meeting and welcomed all present.

90. APOLOGIES

Apologies for absence were received on behalf of Councillors Field and Shurmer.

91. DECLARATIONS OF INTEREST

Councillor Fry declared a personal interest in Item 7 (Executive Committee) as detailed separately at Minute 95 below.

92. MINUTES

The Leader confirmed that a reply had been received to the letter sent on behalf of the Council regarding the provision of speech, language and communication therapy across the County following the meeting on 9th December 2009.

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MAYOR, as Chair

RESOLVED that

the minutes of the meeting of the Council held on 7th December 2009 be confirmed as a correct record and signed by the Chair.

93. COMMUNICATIONS AND MAYOR'S ANNOUNCEMENTS

The Mayor's communications and announcements were considered under the following headings:

a) Former Council Leader Albert Wharrad

The Mayor reported with deep regret the sad loss to the Borough of former Council Leader Albert Wharrad. Former Councillor Wharrad had passed away over the Christmas period after a short illness. The Mayor admired and saluted his commitment to the town and the people of Redditch and added that former Councillor Wharrad's contribution had been immeasurable during his half-century association with the Council.

The leader of the Labour Group echoed the Mayor's views and added more detail regarding the life and political career of former Councillor Wharrad. His long political career was profiled as was his devotion to the Borough and the people who lived here. His pre-eminent position in the local party over the course of many decades was highlighted, as was his interest in the local history and genealogy of Redditch.

The Leader of the Council and other Members then proceeded to add their own tributes to former Councillor Wharrad in recognition of his long and great service to the Council and the Borough, whereupon it was

RESOLVED that

- 1) the Council place on record its gratitude to Albert Wharrad for the long years of dedicated and exceptional service to the Borough, its residents and the Council; and**
 - 2) the Council respect a minute's silence in his memory.**
- b) Mayor's Announcements

The Mayor advised that, since the last meeting of the Council, he had attended various functions, including: the Pershore Community Christmas celebrations, turning on the lights for the Batchley Christmas tree, the Arrow Vale Singers' Christmas concert, the

Pantomime at the Palace Theatre, a meeting with local spring makers, the County Council Christmas Carol Concert, Bromsgrove's Carol Service and the Redditch Town Centre Carols, the Redditch Rotary Christmas lunch, a Citizenship Ceremony; and visiting various wards at the Alexandra Hospital on Christmas Day.

The Mayor thanked Councillor Banks for stepping in to take on engagements he had been unable to attend.

c) Forthcoming events

The Mayor advised that forthcoming events included: a Chinese New Year celebration in Worcester, the Annual Redditch Sports Partnership Awards evening, a Burns Night at Bromsgrove, a visit to the local Territorial Army, a Charity Cabaret in February that he was organising and the Council's Civic Dinner in March.

d) Urgent Business

The Mayor advised that he had accepted one item of Urgent Business, the referral from the meeting of the Shared Services Board on 7th January 2010 on voluntary compulsory redundancies.

94. LEADERS' QUESTIONS

No questions had been submitted to the Leader.

95. EXECUTIVE COMMITTEE

Members received the minutes of the meetings of the Executive Committee held on 2nd and 9th December 2009. A decision notice from the meeting on 6th January 2010 had not been forthcoming as that meeting had been cancelled because of the inclement weather.

Members agreed some rewording was required to accurately reflect a decision taken at the Executive Committee meeting of 9th December in respect of the Opt-in Chargeable Garden Waste Collection item. Members noted that the meeting scheduled for 6th January, which would normally have dealt with this, had been cancelled, as mentioned above. However the Committee, at its next meeting on 27th January 2010, would settle the issue of accuracy of the minutes.

RESOLVED that

- 1) the minutes of the meeting of the Executive Committee held on 2nd December 2009 be received and adopted; and**

- 2) the minutes of the meeting of the Executive Committee held on 9th December 2009 be received and all recommendations approved, subject to:

in respect of Minute 201 (Opt-in Chargeable Garden Waste Collection – Business Case – Amended Version) it being further RESOLVED that Recommendation 7 be amended to read

- 7) the Council's current collection policy relating to garden waste in grey bins be restated to coincide with the start of the new service to discourage through education garden waste being placed in grey bins; and

in respect of Minute 202 (Feckenham Allotments) it being noted that Officers were to provide an update to Councillor Hartnett on the future security of the Council's grant funding following the meeting.

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Fry declared a personal interest in view of the use by some of his clients of Matchborough Barn (Minute 211 – Community Centre Service – Options for Future Delivery)).

96. REGULATORY COMMITTEES

The Council received the minutes of the meetings of the Audit and Governance, Planning and Standards Committees.

RESOLVED that

- 1) the minutes of the meeting of the Audit and Governance Committee held on 29th September 2009 be received and adopted;
- 2) the minutes of the meeting of the Planning Committee held on 1st December 2009 be received and adopted; and
- 3) the minutes of the meeting of the Standards Committee on 8th December 2009 be received and adopted.

97. URGENT BUSINESS - RECORD OF DECISIONS

There were no Urgent Business decisions under Standing Order 36 for consideration at this meeting.

98. URGENT BUSINESS - SHARED SERVICES BOARD, 7TH JANUARY 2010

The Council received an item of Urgent Business in respect of the meeting of the Shared Services Board held on 7th January 2010. The business comprised a recommendation to both Councils regarding requests for voluntary compulsory redundancy.

RESOLVED that

the two applications for Voluntary Compulsory Redundancy proposed in Appendix 1 to the report be approved.

The Meeting commenced at 7.00pm
and closed at 8.51pm

.....
MAYOR, as Chair



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Licensing Committee

14th December 2009

MINUTES

Present:

Councillor Michael Braley (Chair), Councillor Kath Banks (Vice-Chair) and Councillors A Clayton, D Enderby, J Field, W Hartnett, D Hunt and J Pearce

Also Present:

Inspector Ian Joseph (West Mercia Police) and Simon Wilkes (Worcestershire County Council – Trading Standards)

Officers:

J Cooper, C Flanagan. S Garratt and G Revans

Committee Officers:

Denise Sunman

12. APOLOGIES

Apologies were received on behalf of Councillors Cookson, W King, Smith and Thomas.

13. DECLARATIONS OF INTEREST

There were no declarations of interest.

14. MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 2nd November 2009 be confirmed as a correct record and signed by the Chair.

15. PETITION - HACKNEY CARRIAGE FARE TARIFF

Mr Martin Meadows, representing the signatories of a petition (previously received) regarding the Hackney Carriage Fare Tariff for 2010 was invited to outline the issues raised in the petition.

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Chair

RESOLVED that

- 1) **Mr Meadows comments be noted; and**
- 2) **a meeting be arranged with the Portfolio Holder, Officers and Mr Meadows to discuss issues raised in the petition.**

16. LICENSING ACT - ANNUAL REPORT

The Licensing Manager presented her annual update report, which gave an overall view on the functions carried out by the Council under the Licensing Act 2003.

Members were informed that the Licensing Team had developed, and would continue to develop, working practices and procedures in partnership with the Responsible Authorities and Community Safety to ensure that the licence trade contribute to a safe and successful night time economy.

The Licensing Manager reported the following:

- 1) 22 complaints had been made to environmental health regarding noise issues from licensed premises. Some had been resolved quickly through mediations, letter or advice provided by Environmental Health Officers and Licensing Officers working together to address the issues. Others had been prolonged and had required evidence gathering.
- 2) 198 visits had been made to premises to ensure their compliance with legislation to control all smoking in enclosed public spaces, and workplaces (including shops, pubs, restaurants and public vehicles).
2 complaints had been investigated for smoking on licensed premises.
- 3) 1 complaint regarding Breach of Licensing Conditions together with 1 complaint regarding irresponsible drinks promotions had been investigated jointly by West Mercia Police and the Council.
- 4) 40 Temporary Event Notices had been served on the Council. No counter notices had been received from the Police. No premises had used their quota of temporary events and no advice had been required regarding the need for a Premises Licence and no problems with using the system had been reported to the Council.

Licensing

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- 5) Work had been carried out to integrate the Licensing Policy with other strategies adopted by the Council. Conditions attached to Premises Licences had reflected local crime prevention strategies, whenever possible and the Licensing Manager had regularly attended meetings of the Crime and Disorder Reduction Partnership.
- 6) Comment had been made on various Central Government transport strategies including consultation on Improving Access to Taxis.
- 7) A member of the Licensing Team had attended regular Pubwatch meetings and would continue to do so to discuss and keep under review matters relating to licensing.
- 8) The Statement of Licensing Policy would be reviewed and protocols would be established in partnership with the Responsible Authorities to enable more robust enforcement.
- 9) A Licensing Forum had been established to discuss the wider issues of licensing with the Responsible Authorities on a quarterly basis. A Sub Group had also been set up to target problem premises and co-ordinate enforcement action between the Responsible Authorities.
- 10) Out of Hours and Daytime Inspections had been carried out in partnership with the Police.
- 11) The Council's Community Safety Team, the Police and Trading Standards had carried out a joint risk assessment of a number of high risk premises. From this work a selection of premises were targeted through the Home Office funded 'Due Diligence Audit' programme.
- 12) An early intervention programme was commenced to address complaints or concerns at premises where there had been a failure of general management.
- 13) Following endorsement by this Committee on 2nd November to carry out inspections on behalf of the Security Industry Authority (SIA) a date has been agreed for the first inspection.
- 14) The Licensing Manager, currently Chair, has attended the County Licensing Officers Working Group to share information on services and assist in drafting common Licence Application Forms and Policy and Guidance Notes.

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- 15) A handbook, which included a copy of the Licensing Act 2003, guidance under Section 182, a jargon buster, Lacors guidance on the role of elected Members and the Council's Statement of Licensing Policy had been distributed to Members in August.

RESOLVED that

the report be noted.

(The Licensing Manager was asked to provide Councillors Braley and Hartnett with more detail on complaints received regarding Smoking on Licensed Premises, Breach of Licensing Conditions and irresponsible drinks promotions.)

17. WEST MERCIA POLICE

Members received a verbal report on policing activity during 2009 from Inspector Ian Joseph on behalf of West Mercia Police.

He reported that 2009 had proved to be challenging for the Police as new performance measures had been introduced relating to public confidence and satisfaction. Compliance with the Policing Pledge and closer attention to customer satisfaction levels arising from the Victim Code had required officers and staff to adjust to new methods of working.

This included, in addition to daily crime recording and providing value for money:

- 1) the ability to offer appointments to members of the public on request;
- 2) regular and appropriate updates are made to victims of crime;
- 3) that all enquiries be conducted in a timely manner;
- 4) higher visibility policing, and
- 5) that the community could identify and contact local policing teams, when required.

He reported that the loss of a dedicated Licensing Officer for Redditch had not detracted from effectiveness but through combined activities with the Bromsgrove Licensing Team had led to scrutiny of pub chains and door staff firms across both districts.

The Committee was informed that violent crime, much of which had been alcohol related continued to cause concern in the night time economy. However, better lighting on Unicorn Hill and Church Green West together with strategically placed planters, which had helped to break up larger groups congregating outside late night food outlets, had led to revellers feeling safer and more secure. Ongoing scrutiny of the management of local licensed premises together with interventions by local licensing agencies, working in partnership to address issues, had led to no reviews being required during 2009.

Inspector Joseph highlighted two examples where partners working together had addressed problems:

- a) school holiday teenage disco nights; and
- b) door staff violence.

Other agencies, as well as Redditch Borough Council, who had been involved in partnership working included Worcestershire County Council's Trading Standards Team and Customs and Excise.

Work for the coming year was outlined and included:

- i) drink banning orders;
- ii) Operation Staysafe – working with agencies such as Health and Social Services to address concerns regarding under-age drinking.

Inspector Joseph expressed concern regarding the availability of low cost alcohol and the adverse impact through increasing levels of alcohol abuse which can lead to health, crime and social issues. He highlighted recent discussions about fixing minimum prices for alcohol and suggested that tackling excessive alcohol consumption could be blamed for many social ills and would need to be addressed in the longer term to safeguard future generations from similar problems.

The Chair thanked Inspector Joseph for his report.

RESOLVED that

the report be noted.

18. WORCESTERSHIRE COUNTY COUNCIL - TRADING STANDARDS

Members received a verbal report from Simon Wilkes, Trading Standards Manager for Worcestershire County Council (WCC).

He reported that Trading Standards had carried out alcohol related work in Redditch over the last year.

This had included:

- 1) a project run in partnership with WCC's Youth Services to target areas of the town where there was relatively high levels of alcohol related youth disorder. Youth services had provided additional resources in Matchborough and Winyates to engage young people and attempt to divert them from drinking in public places. Trading Standards worked with local off-licenses to ensure that adequate preventative measures were in place to stop sales to underage customers.
- 2) Home Office funding had been received by the Community Safety Partnership to engage local businesses. Consultants were engaged to assess the performance of a number of pubs and off-licences in areas where alcohol related disorder was high. Several visits were made to premises to assess performance and produce an action plan to address any problem areas.
- 3) None of the premises tested during a exercise carried out during January 2009 sold to underage volunteers. However when the exercise was repeated in June 2009 it resulted in 2 sales being made. Fixed Penalty Notices were issued to the sellers and written warnings were given as there were improvements which could be made to their systems. The premises will be retested before the end of March 2010.
- 4) Five pubs were tested underage sales in July 2009 resulting in 1 which sold to the tester.
- 5) The Licensing Forum has proved a useful avenue for the Responsible Authorities to share intelligence and plan activities. Guidance notes have been prepared for those agencies involved in the prevention of underage sales. This will ensure that the business community is given a consistent message from all parties.
- 6) The Licensing Manager at Redditch has been compiling a booklet of advice and guidance for all premise licence holders and new applicants.

RESOLVED that

the report be noted.

19. PREMISES LICENSING - UPDATE

Members considered a report that provided an update on progress made in implementing recommendations made by Redditch Community Safety Partnership in the "Cardiff Report" to this Committee in December 2007.

Officers reported that progress had been made in the following areas:

- 1) a review of the Licensing Service had been carried out with new roles having been defined that included a dedicated member of staff for enforcement.
- 2) the Responsible Authorities had strengthened their enforcement practices, which had led premises to take action to reduce the risk their activities posed to licensing objectives.
- 3) a number of initiatives targeting Officer and Member knowledge of licensing law and review procedures had been delivered with others already being planned.
- 4) Discussion had been ongoing between Redditch Community Safety Partnership (RCSP), Worcestershire Drug and Alcohol Action Team (DAAT) and Worcestershire Acute Hospitals Trust to introduce a procedure to allow data collection from patients attending the Accident and Emergency Department who have been assaulted. This data would assist RCSP in identifying patterns of disorder and other unreported incidents. The Police had introduced a policy which allows them to collect information on where offenders under the influence of alcohol had been drinking.
- 5) Risk assessment procedures had been used to assist in premises engagement particularly on premises associated with high numbers of incidents and offences.
- 6) Formal risk assessments had been used to select venues to participate in the first licensed premises audit and award scheme in Redditch.
- 7) A multi-agency licensing monitoring forum had been operating since May 2008 to assist in the co-ordination of risk assessment, engagement and enforcement activity.

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RESOLVED that

the report be noted.

(Legal Services Manager to provide advice on the advisability of Members of Licensing Committee visiting premises on an ad hoc basis.)

20. WORK PROGRAMME 2009 - 2011

Members received an update on the Committee's work programme for 2009/11.

RESOLVED that

- 1) the report be noted.**
- 2) that the following reports be added to the programme:**
 - i) 25th January 2010 – Taxi Rank Report;**
 - ii) 26th April 2010 – Cardiff Report; and**
 - iii) 19th July 2010 – Half Yearly update on Licensing Act 2003 from RBC Licensing, West Mercia Police and Worcestershire County Council (Trading Standards)**

The Meeting commenced at 7pm
and closed at 8.55pm

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Chair