



# Licensing Committee

Mon 8 Jul  
2019  
7.00 pm

Council Chamber  
Town Hall  
Redditch

**REDDITCH** BOROUGH COUNCIL

*making  
a  
difference*

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

**If you have any queries on this Agenda please contact  
Sarah Sellers**

**Town Hall, Walter Stranz Square, Redditch, B98 8AH  
Tel: (01527) 64252 ext 2884**

**e.mail: / [sarah.sellers@bromsgroveandredditch.gov.uk](mailto:sarah.sellers@bromsgroveandredditch.gov.uk)**

## **GUIDANCE ON PUBLIC SPEAKING**

The Council has introduced public speaking at Licensing Committee which allows members of the public to comment on agenda items due to be considered at the meeting.

The total maximum time permitted for public speaking is 15 minutes and the time limit for individual speakers is 3 minutes.

Only those members of the public who have registered to speak in advance of the meeting will be permitted to do so.

To register to speak you must contact Democratic Services by phone on 01527 64252 ext 2884, or by email at [sarah.sellers@bromsgroveandredditch.gov.uk](mailto:sarah.sellers@bromsgroveandredditch.gov.uk) before 12 noon on the day of the meeting.

When registering to speak you must give your name and contact telephone number and indicate which agenda item you wish to speak about, and whether you are in support of or opposed to the officer recommendation.



# Licensing

COMMITTEE

Monday, 8th July, 2019

7.00 pm

Council Chamber - Town Hall  
Redditch

## Agenda

### Membership:

Cllrs:	Salman Akbar (Chair)	Pattie Hill
	Michael Chalk (Vice-Chair)	Ann Isherwood
	Joanne Beecham	Gareth Prosser
	Brandon Clayton	Mark Shurmer
	Andrew Fry	Yvonne Smith
	Julian Grubb	

### 1. Apologies

### 2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests and / or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

### 3. Minutes (Pages 1 - 10)

To confirm as a true record the minutes of the Licensing Committee held on Monday 4<sup>th</sup> March 2019.

### 4. Public Speaking

For any registered speakers to address the Committee regarding items on the agenda for the meeting.

(Maximum time 15 minutes)

### 5. Report re Medical Arrangements for Hackney Carriage and Private Hire Drivers (Pages 11 - 16)

### 6. Licensing Annual Report 2018 - 19 (Pages 17 - 22)

### 7. Work Programme (Pages 23 - 24)



# Licensing Committee

Monday, 4 March 2019

## MINUTES

### Present:

Councillor Anita Clayton (Chair), and Councillors Joanne Beecham, Andrew Fry, Julian Grubb, Pattie Hill, Antonia Pulsford, Yvonne Smith, Pat Witherspoon, Jennifer Wheeler, Tom Baker-Price and Matthew Dormer

### Also Present:

### Officers:

Jess Bayley, Sue Garratt and Vanessa Brown

### Democratic Services Officer:

Sarah Sellers

### 23. APOLOGIES

Apologies for absence were received from Councillors Roger Bennett and Gareth Prosser. Councillor Tom Baker-Price attended as substitute for Councillor Bennett and Councillor Matthew Dormer attended as substitute for Councillor Gareth Prosser.

### 24. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 25. MINUTES

#### RESOLVED that

the minutes of the meeting of the Licensing Committee held on 5<sup>th</sup> November 2018 be confirmed as a correct record and signed by the Chair.

.....  
Chair

**26. CONSULTATION ON AMENDMENTS TO LICENSED DRIVER TRAINING AND ASSESSMENT REQUIREMENTS - CONSIDERATION OF RESPONSES**

Members received a report setting out the outcome of the consultation exercise regarding the Council's Hackney Carriage and Private Hire Driver Licensing Policy, and the responses to the question asked about the option of removing the current requirements that drivers undertake refresher training in disability awareness and must pass a driving assessment test at least every three years.

The Licensing and Support Services Manager, Worcestershire Regulatory Service (WRS), presented the report and reminded Members of the background and the previous consideration of the policy by the Overview and Scrutiny Task Group, Improving Disabled People's Access to Redditch Taxi Fleet. The recommendations made by the Task Group had led to the Licensing Committee making changes to the policy to introduce the requirements that drivers undertake refresher training for disability awareness and a driving assessment, every three years. These new provisions came into effect from 1<sup>st</sup> December 2017.

Following the introduction of the new requirements, there was feedback from licensed drivers that the additional tests represented a disproportionate and unjustified burden on drivers, and that disability awareness refresher training should only be required of drivers in relation to whom a complaint had been made.

In light of the strength of feeling the issue was re-considered by the Licensing Committee at its meeting on 5<sup>th</sup> March 2018 when further information was requested. The Committee considered the issue again at its meeting on 5<sup>th</sup> November and resolved to carry out a consultation exercise on the option of removing the requirement that drivers undertake disability awareness training and a driving assessment every three years.

The consultation ran from 3<sup>rd</sup> December 2018 to 31<sup>st</sup> January 2019 and Members were referred to the list of consultees at paragraph 3.16 of the report and the responses as set out in Appendix 3.

It was noted that there were 186 responses to the consultation survey, of which 123 came from licence holders and 63 from other respondents. 138 of the 186 respondents (74.2%) agreed with the proposal to remove the requirement to undertake disability awareness training and driving assessments every three years. 48 respondents (25.8%) did not agree with the proposal. Further analysis of the results had indicated that the vast majority of respondents in favour of removing the requirements were licensed

drivers, whereas the majority of respondents from the “others” category were in favour of retaining the requirements.

The decision for Members in light of the consultation exercise was what amendments, if any, they would wish to make to the policy.

In discussing the report, Members made reference to various issues including:-

- The importance of providing disability awareness training in terms of promoting awareness of issues faced by disabled travellers.
- That the standards of Redditch drivers in this regard were very good and that this should be maintained.
- That it would be better to take a pro-active approach and positively reinforce high standards around disability awareness as opposed to only providing training in a reactive way in response to specific complaints.
- That whilst some drivers would prefer to see a reduction in the training requirements, this would need to be balanced against the importance of preserving the safety and comfort of disabled travellers.
- That overall the requirement for the tests to be repeated every three years seemed to be about right.
- That as the new requirements had only been introduced in December 2017 it would be premature to make changes, and the current requirements should remain in place for the time being.

Members were referred to the relevant part of the policy at page 21 of the main agenda and officers clarified that the two aspects under consideration were disability awareness and driving assessments.

**RESOLVED that**

**Having considered the outcome of the consultation exercise, that no changes be made to the Council’s current Hackney Carriage and Private Hire Driver Licensing Policy with regard to the requirement that holders of driver licence must undertake refresher training in disability awareness and must pass a driving assessment test at least every three years.**

- 27. CONSULTATION ON VEHICLE AGE LIMITS FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES - CONSIDERATION OF RESPONSES**

Members received a report setting out the outcome of the consultation exercise regarding the Councils Hackney Carriage and Private Hire Driver Licensing Policy, and the responses to the questions asked about amending the existing applicable age limits for vehicles.

The Licensing and Support Services Manager, Worcestershire Regulatory Service (WRS), presented the report and reminded Members that the consultation had been requested at the last Committee meeting in light of the volume of extension applications being received, and representations from the Redditch Taxi Association that the upper age limit for saloon type vehicles should be increased from nine years to ten years. Under existing arrangements it was necessary for all applications falling outside the set age criteria to be referred to a meeting of the Licensing Sub-Committee where Members would decide whether the individual vehicle was of an exceptional standard and could therefore be licenced even though it did not meet the policy requirements.

Members were referred to the current policy documents, namely the Hackney Carriage Vehicle Policy (Appendix 1) and the Private Hire Vehicle Policy (Appendix 2).

The consultation ran from 3<sup>rd</sup> December 2018 to 31<sup>st</sup> January 2019 and Members were referred to the list of consultees at paragraph 3.12 of the report and the responses as set out in Appendix 4.

It was noted that there were 186 responses to the consultation survey, of which 123 came from licence holders and the remaining 63 responses from other groups or individuals. Of the 186 respondents between 171 and 179 had answered each question relating to the proposals to amend the vehicle age limits.

The vast majority of respondents were in favour of making the proposed changes to the vehicle age limits although this had to be considered in the context that the majority of those who had replied to the consultation were licence holders.

Whilst on the subject of vehicle standards, the Licensing and Support Services Manager gave feedback to Members regarding a taxi enforcement evening that had taken place in Redditch on 22<sup>nd</sup> February 2019. A total of 31 vehicles had been checked, made up of 20 hackney carriage vehicles, and 11 private hire vehicles. There were 18 roadside checks and 13 vehicles checked at the Council garage at Crossgates. Four vehicles were suspended, although one was re-instated the same evening following the connection of his meter, and another was re-instated first thing on Monday morning following presentation of satisfactory documents.



# Licensing Committee

Monday, 4 March 2019

---

The evening had resulted in multiple drivers receiving penalty points, with a grand total of 80 points being issued in relation to the evening's inspections.

Examples of more minor issues encountered included roof signs that were not working, missing tariff cards, lack of no smoking signs and badges not being displayed. More serious matters recorded included faulty lights, a vehicle with no water in the screen wash dispenser, a vehicle with a damaged tyre and a meter that was not connected.

In response to questions from Members, it was established that the sample of vehicles that had been stopped on the enforcement evening represented just under 10% of the vehicles licensed by the Council.

In discussing the report, Members expressed a range of opinions including:-

- That the standard of vehicles falling outside the policy that came before the Licensing Sub-Committee was generally very high.
- In light of this, the upper age limit for renewal should be raised to 10 years.
- That the cost and time of holding Licensing Sub-Committee meetings, as referred to at paragraph 3.7 of the report, should not be a relevant factor; part of the role of the Licensing Sub-Committee was to make such determinations and it was not unreasonable to request drivers to bring their vehicles in for inspection if they wanted a licence for an additional year.
- That notwithstanding the excellent standard of the vehicles presented to the Licensing Sub-Committee, if the age limits were extended the volume of applications would not decrease as drivers would continue to seek extensions outside policy.
- That the current system of approving applications that were outside policy through the Licensing Sub-Committee worked well and should be allowed to continue without any changes.
- That the best approach would be to continue with the current age limits as assessed by the Licensing Sub-Committee carrying out a subjective examination of each individual vehicle.
- That the system as at present should continue but be kept under review.

Members were reminded by officers of the individual age limits in relation to which consultation had been carried out as summarised

in the table on page 11 of the main agenda. In light of the different changes that had been consulted on Members took a series of votes on the individual age limits and an overall vote on whether to make any changes to the two policies.

**RESOLVED that**

1. **On the issue of the age of new hackney carriage or private hire vehicles on first application, the age limit remain at 6 years.**
2. **On the issue of the age of replacement hackney carriage or private hire vehicles on first application, the age limit remain at 6 years.**
3. **On the issue of the upper age limit for renewal of hackney carriage or private hire vehicles, the age limit remain at 9 years.**
4. **Having considered the outcome of the consultation exercise, that no changes be made to the Council's current Hackney Carriage Vehicle Policy and Private Hire Vehicle Policy.**

**28. CONSULTATION ON REVISED STATEMENT OF POLICY UNDER LICENSING ACT 2003 - CONSIDERATION OF RESPONSES**

Members received a report setting out the outcome of the consultation exercise regarding the draft revised Statement of Licensing Policy.

The Licensing and Support Services Manager, Worcestershire Regulatory Service (WRS), presented the report and reminded Members that the Statement of Licensing Policy needed to be renewed every five years. The current policy had taken effect from 1<sup>st</sup> October 2014. Therefore a new Statement of Licensing Policy needed to be published by 1<sup>st</sup> October 2019.

On 16<sup>th</sup> July 2018 the Licensing Committee had approved a draft revised Statement of Licensing Policy for the purposes of consultation with the relevant parties.

The revised policy had been updated to reflect changes in legislation and guidance and Members were referred to the key changes which included:-

# Licensing Committee

Monday, 4 March 2019

---

- A new section to explain the implications of the Immigration Act 2006 on the Council's functions under the Licensing Act 2003.
- New wording around how the Council would deal with applications for, and suspension or revocation of, personal licences in accordance with new legislation in the Policing and Crime Act 2017 which gave Licensing Authorities the power to suspend or revoke personal licences.
- Updating of the section regarding the Live Music Act 2012 to reflect further deregulation of the licensing of entertainment.
- Updating of the section regarding powers of local authorities to adopt special policies on cumulative impact, as introduced by the Policing and Crime Act 2017.
- A new section regarding local powers to deregulate the licensing of late night refreshment under the Deregulation Act 2015.

The consultation ran from 2<sup>nd</sup> October 2018 to 11th January 2019 and Members were referred to the list of consultees at paragraph 3.16 of the report. It was noted that only one response was received on behalf of the Director of Public Health at Worcestershire County Council.

The Director of Public Health had requested that a section be added to the Statement of Licensing Policy in all districts recognising the contribution of public health to the licensing process. Such a section had been added into the draft revised Statement of Licensing Policy between paragraphs 7.21 and 7.23 the wording of which had been agreed in consultation with the Public Health Directorate.

With regard to the text of the draft revised Statement of Licensing Policy the only comments from Members related to the "Protection of Children from Harm", and specifically paragraph 6.42 on page 110 of the main agenda pack. A request was made that some additional information should be included to direct readers of the policy to more information about safeguarding procedures for children involved in entertainment productions, and the need for suitably qualified adults to be identified to supervise/ chaperon children performing in shows and productions.

Officers confirmed that suitable wording to cover this request would be added to the policy.

## **RESOLVED that**

**The Revised Statement of Licensing Policy at Appendix 1 be amended by the addition of extra wording at paragraph 6.42**

regarding the safeguarding of children involved in entertainment productions.

**RECOMMENDED that**

**Subject to the inclusion of the additional wording to paragraph 6.42, the Revised Statement of Licensing Policy at Appendix 1 be approved and published to take effect on 1<sup>st</sup> June 2019.**

**29. PUBLIC SPEAKING AT LICENSING COMMITTEE**

Members were asked to consider a report asking them to determine the arrangements for public speaking at meetings of the Licensing Committee.

The Senior Democratic Services Officer, presented the report, and reminded Members that at Council on 25<sup>th</sup> February, Members had agreed to introduce public speaking at certain Committee meetings, including meetings of the Licensing Committee (parent committee). It was noted that public speaking arrangements were already in place for some Committee meetings, including Council, the Executive Committee and Planning Committee. However, at other public meetings public speaking rights were not formalised and could only be exercised at the discretion of the Chair.

The background to this change was that a complaint had been received from a member of the public who had called for formal public speaking to be introduced at all public Committee meetings. The complaint had been considered by the Constitutional Review Working Party who had decided to recommend to Council that formal public speaking be introduced for those Committees where it was not currently in place.

The decision for Members was to consider what type of arrangements should be introduced for the Licensing Committee. It was noted that other Councils that permitted public speaking at Licensing Committee usually included it as an item at the start of the meeting. Locally, this was the practice at Worcester City Council. Members were advised that rules around public speaking should cover registering to speak by a certain cut off point, indicating the subject matter of the public speaking, setting a time limit for individual speakers and setting an overall time limit for all public speaking at a particular meeting.

# Licensing Committee

Monday, 4 March 2019

---

To ensure consistency, Members were invited to consider aligning the new rules for public speaking at Licensing Committee to mirror the rules currently in place for public speaking at Planning Committee. It was noted that the time limit for individual speakers at Planning Committee was three minutes per speaker, and that the cut off point for registering to speak was at noon on the day of the meeting.

It was further noted that the purpose of allowing the public speaking would be for Members to listen to the comments being made by the speakers; it was not intended that there should be any dialogue by Committee members with the speakers, although it would be open to Members to refer to the points made during consideration of the relevant item.

In discussing the report, Members commented that the change to introducing public speaking was a positive one which they welcomed. It would enable members of the public to pass on their comments on issues under consideration and it would be helpful to Members to be able to receive this type of information.

Members agreed with the suggestion to align the public speaking to the current rules for public speaking at Planning Committee, and were in support of a time limit of three minutes per speaker, a cut-off point for registration of noon on the day of the meeting and an overall time limit for public speaking of 15 minutes. In discussing the proposals Members did not identify any other additional aspects of public speaking not mentioned in the report that they felt needed to be defined.

In response to questions from Members it was clarified that if a member of the public was late in registering, or wanted to speak about issues that had only just come to light, the Chair of the meeting would still retain the discretion to allow speaking at the meeting notwithstanding that the procedure had not been complied with.

## **RESOLVED:**

**That the following arrangements for public speaking at Licensing Committee meetings be adopted:-**

- 1. That members of the public wishing to register to speak at Licensing Committee shall notify Democratic Services officers of their intention to do so and the subject on which they intend to speak by no later than 12 noon on the day of the meeting.**

# Licensing Committee

Monday, 4 March 2019

---

2. That the time limit for individual speakers exercising public speaking at Licensing Committee shall be three minutes.
3. That the maximum time limit devoted to public speaking at meetings of the Licensing Committee shall be 15 minutes.

## 30. WORK PROGRAMME

The Committee considered the Licensing Committee Work Programme for the 2018/2019 Municipal Year.

### **RESOLVED THAT**

**The Licensing Committee Work Programme 2018/2019 be noted**

Before the meeting closed, Councillor Fry invited the Committee to thank those Members who would be retiring from the Licensing Committee in May 2019 for their efforts, and in particular he thanked the Chair, Councillor Anita Clayton, for her hard work in chairing the Committee.

The Meeting commenced at 7.00 pm  
and closed at 8.15 pm

REDDITCH BOROUGH COUNCIL**LICENSING  
COMMITTEE**8<sup>th</sup> July 2019**ASSESSING THE MEDICAL FITNESS OF THOSE APPLYING AND  
HOLDING HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCES**

Relevant Portfolio Holder	Councillor Grubb
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

Members are asked to consider carrying out consultation in relation to potential amendments to the Council's current requirements in relation to licence holders and applicants demonstrating their medical fitness to drive hackney carriage and private hire vehicles.

**2. RECOMMENDATIONS**

**Members are asked to RESOLVE;**

**To direct officers to carry out consultation on potential options for amending the Council's current requirements in relation to licence holders and applicants demonstrating their medical fitness to drive hackney carriage and private hire vehicles.**

**3. KEY ISSUES****Financial Implications**

- 3.1 The costs of any consultation approved would be met from existing budgets held by Worcestershire Regulatory Services.

**Legal Implications**

- 3.2 A district council cannot grant a licence to someone to driver either hackney carriage or private hire vehicles unless they are satisfied that the applicant is a fit and proper person to hold a driver's licence.
- 3.3 Once licensed, a district council can suspend, revoke or refuse to renew a driver's licence on any of the following grounds:
- a) That he has since the grant of the licence:-

REDDITCH BOROUGH COUNCIL**LICENSING  
COMMITTEE****8<sup>th</sup> July 2019**

- 
- (i) been convicted of an offence involving, dishonesty or violence, or
- (ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this part of this act,
- aa) that he has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty, or
- b) any other reasonable cause.

**Service / Operational Implications**

- 3.4 The Council has a duty to ensure that all those that it licences to drive hackney carriage and / or private hire vehicles are “fit and proper” persons to hold such licences.
- 3.5 There is no definition of “fit and proper” provided in the relevant legislation, however Council’s usually consider the following sorts of matters when reaching a decision on an individual’s suitability:
- Criminal conviction history
  - Driving licence history
  - Geographic knowledge
  - Ability to communicate
  - Competency in basic mathematics
  - Ability to learn and follow rules and regulations
  - Medical fitness
- 3.6 In terms of judging medical fitness, the vast majority of Councils have adopted a requirement that those that it licences to drive hackney carriage and private hire vehicles must meet the “Group 2” medical standards described in the DVLA publication “Assessing fitness to drive – a guide for medical professionals.” A copy of this publication is attached at **Appendix 1**.
- 3.7 The “Group 2” standards are the standards that are applied to bus and lorry drivers and are a higher standard than is required generally by all those licensed by the DVLA to drive a car on UK roads.
- 3.8 Redditch Borough Council’s current policy on the licensing of individuals to drive hackney carriage and / or private hire vehicles imposes the following requirements:



REDDITCH BOROUGH COUNCIL**LICENSING  
COMMITTEE**8<sup>th</sup> July 2019

---

*Applicants should be medically fit to drive hackney carriages or private hire vehicles and shall give proof of their medical fitness by completing and submitting a medical certificate carried out by a registered medical practitioner authorised by this Council (to the Driver and Vehicle Licensing Agency's Group 2 medical standards). This medical will include a drugs test.*

- 3.9 Currently all those who hold licences to drive hackney carriage and / or private hire vehicles are required to undertake a medical examination on initial application and then every 5 years until they reach the age of 60. From the age of 60 – 65 the medical is required every 3 years and then those over 65 have to provide a medical certificate annually.
- 3.10 When these requirements were introduced, the Council had in place two authorised medical practitioners to undertake the medical examinations. One of these two medical practitioners has subsequently retired leaving just one in place.
- 3.11 Officers have a number of concerns about the current arrangements:
- Licence holders and applicants are reporting that it has become increasingly difficult to obtain appointments in a timely manner due to the limited availability of the approved medical practitioner.
  - The authorised medical practitioner's surgery is not located within the Borough of Redditch meaning applicants and licence holders having to travel a long distance to undertake their medical examinations.
  - The authorised medical practitioner effectively has a monopoly on providing this service, for which he is paid by the licence holder / applicant.
  - The frequency of medical examinations required is not consistent with the DVLA publication "Assessing fitness to drive – a guide for medical professionals."
- 3.12 Officers would like to carry out consultation on a number of potential changes to the current requirements in relation to licence holders and applicants demonstrating their medical fitness to drive hackney carriage and private hire vehicles.
- 3.13 This would include considering whether medical examinations could be carried out by the individuals own GP or any other registered medical practitioner, rather than by a medical practitioner authorised by the Council. This may help address some of the concerns listed above.

**LICENSING  
COMMITTEE****8<sup>th</sup> July 2019**

---

- 3.14 Officers would also like Members to consider amending the frequency at which medicals assessments are required. In the DVLA publication "Assessing fitness to drive – a guide for medical professionals" it states:

*"Group 2 entitlement to drive lorries (category C) or buses (category D) is normally given to people over 21 and is valid until the age of 45. Group 2 licences issued since 19th January 2013 are valid for a maximum of five years. Group 2 licences must be renewed every 5 years or at age 45 whichever is the earlier until the age of 65 when they are renewed annually without an upper age limit. Shorter licences may be issued for medical reasons."*

*"All initial Group 2 licence applications require a medical assessment by a registered medical practitioner. The same assessment is required again at 45 years of age and on any subsequent reapplication."*

- 3.15 This means that Redditch Borough Council is requiring those between the ages of 21 and 65 to undertake medical assessments more frequently than those who are licensed by DVLA to drive buses and lorries. Officers believe this could be imposing disproportionate financial burdens on licence holders.
- 3.16 Officers also believe the requirement for the completion of a drugs test as part of the medical could and should be revisited. Officers believe that the current arrangements are not effective at detecting licence holders who may be taking illegal drugs as the licence holder has prior notice of the medical assessment. Furthermore, no licence holders have failed a drugs test as part of their medical assessments for at least six years.
- 3.17 Officers believe that it would be far more effective to work in partnership with the Police to undertake roadside drug testing both randomly and on an intelligence-led basis.
- 3.18 Removing the requirement to undertake a drugs test as part of the medical assessment may also help to facilitate the Council in making some of the potential changes described above in relation to the frequency of medical assessments and who they are conducted by.
- 3.20 Members are therefore asked to resolve to direct officers to carry out consultation on potential options for amending the Council's current requirements in relation to licence holders and applicants demonstrating their medical fitness to drive hackney carriage and private hire vehicles.

REDDITCH BOROUGH COUNCIL**LICENSING  
COMMITTEE**8<sup>th</sup> July 2019

---

- 3.21 Consultation would take place with relevant stakeholders including licence holders, national and local trade associations, the Police, the Council's current approved medical practitioner. The consultation would also be open to contribution from the wider public who utilise taxi and private hire services in the Borough.
- 3.22 The results of this consultation would be brought back before the Licensing Committee at a future date for consideration before any decisions are taken about what amendments, if any, Member wish to make to the Council's current requirements in relation to licence holders and applicants demonstrating their medical fitness to drive hackney carriage and private hire vehicles.

**4. RISK MANAGEMENT**

- 4.1 None

**5. APPENDICES**

Appendix 1 – Assessing fitness to drive – a guide for medical professionals”

**AUTHOR OF REPORT**

Name: Dave Etheridge – Senior Licensing Practitioner  
Worcestershire Regulatory Services

E Mail: [dave.etheridge@worcsregservices.gov.uk](mailto:dave.etheridge@worcsregservices.gov.uk)

Tel: (01905) 822799

This page is intentionally left blank

REDDITCH BOROUGH COUNCIL**LICENSING  
COMMITTEE**8<sup>th</sup> July 2019**LICENSING ANNUAL REPORT**

Relevant Portfolio Holder	Councillor Grubb
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

To provide a report on the activities under the Licensing Act 2003, Gambling Act 2005 and other aspects of Licensing and to inform the Committee on any issues anticipated in the ensuing year as required under the Council's Licensing Act 2003 and Gambling Act 2005 Policies.

**2. RECOMMENDATIONS**

**Members are asked to RESOLVE;**

**The contents of the licensing Annual Report 2018/2019 be noted.**

**3. KEY ISSUES****Financial Implications**

3.1 None

**Legal Implications**

3.2 None

**Service / Operational Implications**

3.3 Since 1<sup>st</sup> June 2010 Worcestershire Regulatory Services Licensing Team has taken over operational delivery of the statutory functions of licensing and enforcement of regulated activities and businesses operating under the Licensing Act 2003 on behalf of Redditch Borough Council. These functions cover premises which sell and supply alcohol, provide regulated entertainment and late night refreshment, gambling premises, gaming machines and lotteries. The Licensing Team also deals with the operation and administration of Hackney Carriage/Private Hire vehicles, drivers and Operator's licenses, Street and House to House Collections. The Council retains full policy and statutory responsibility for all licensing functions.

REDDITCH BOROUGH COUNCIL**LICENSING  
COMMITTEE****8<sup>th</sup> July 2019**

- 3.4 Under the terms of the Licensing Act 2003 and the Gambling Act 2005, each local authority is required to prepare and publish a licensing policy which has to be reviewed periodically.
- 3.5 During the past twelve months, the Council's Statement of Principles under the Gambling Act 2005 has been reviewed and a revised Statement of Principles was approved by Council to take effect on 31<sup>st</sup> January 2019. The next scheduled review will need to be completed by 31<sup>st</sup> January 2022.
- 3.6 During the past twelve months, the Council's current Statement of Licensing Policy under the Licensing Act 2003 was also reviewed and a revised Statement of Licensing Policy was approved by council to take effect on 1<sup>st</sup> June 2019. The next scheduled review of the Statement of Licensing Policy will need to be completed no later than 1<sup>st</sup> June 2024.

**Licensing Act 2003**

- 3.7 The Licensing Act 2003 transferred the liquor licensing functions from the Magistrate's Court to the Local Authority and consolidated these activities with entertainment licensing legislation, the provision of late night refreshment, cinemas and theatres.
- 3.8 The number of new licenses issued and granted by Redditch Borough Council in the year 2018/19, together with the total number of licences issued, are:

Personal Licenses	New	41	Total	863
Premises Licenses	New	8	Total	203
Club Premises Certificates	New	0	Total	18
Temporary Event Notices			Total	77

- 3.9 The Licensing Sub-Committee created by the Licensing Act 2003 to deal with applications, variations and reviews of licensed premises, held three hearings during the year 2018/19. Two of these hearings were held to consider applications for the grant of new premises licences and one hearing was to determine an application for review of an existing premises licence.

**LICENSING  
COMMITTEE****8<sup>th</sup> July 2019****Gambling Act 2005**

3.10 Last year saw the Council continue its functions under the Gambling Act 2005. This legislation replaced most of the existing law relating to gambling in Great Britain and, much like the Licensing Act 2003, aimed to put in place an improved, more comprehensive structure of gambling regulation. Once implemented, the Act transferred the licensing of gambling premises from the local Magistrates Court to the Council. The Licensing Team now issue premises licenses for the following; bingo halls, betting shops, adult gaming centres, family entertainment centres and casinos.

3.11 The numbers of premises which have continued to be licensed by this Authority under the Gambling Act are:

Betting Premises	New	0	Total	8
Bingo Premises	New	0	Total	2
Adult Gaming Centres	New	1	Total	3
Family Entertainment Centres	New	0	Total	0
Casinos	New	0	Total	0

3.12 The new Adult Gaming Centre premises licence was granted by a hearing of the Licensing Sub-Committee following receipt of relevant representations from an interested party.

3.13 All yearly maintenance fees as set out in the Gambling Act 2003, which have been set by the Local Authority for the year ending 2018/2019, have been received by the Authority.

**Taxi Licensing**

3.14 The Licensing Team is also responsible for the operational function of the licensing and enforcement of Hackney Carriage and Private Hire Vehicles, drivers and Operators.

3.15 There has been an increase of around 8% in the number of driver licences issued. The number of licensed hackney carriages has increased by five but the number of vehicles licensed to be used as private hire vehicles has remained the same. The increase in the number of driver licences is broadly similar to the increases seen in the previous three years.

REDDITCH BOROUGH COUNCIL**LICENSING  
COMMITTEE****8<sup>th</sup> July 2019**

3.16 At present the following number of licences are valid.

	<u>17/18</u>	<u>18/19</u>
Hackney Carriage Vehicles	203	208
Private Hire Vehicles	274	274
Hackney Carriage / Private Hire Drivers	500	539
Private Hire Operators	20	20

3.17 On 5<sup>th</sup> November 2018 a revised table of fares for Hackney Carriages was approved by the Licensing Committee. The revised table of fares took effect on 16<sup>th</sup> November 2018. This was the first revision of the table of fares since 2011.

3.18 The Licensing Committee also approved consultation on potential amendments to the Council's driver and vehicle licensing policies in November 2018. The potential amendments related to the training and assessment requirements for drivers and the vehicle age limits for hackney carriage and private hire vehicles.

3.19 The results of this consultation were considered in March 2019 but the Licensing Committee ultimately resolved not to make and amendments to the policies concerned.

### **Animal Activity Licensing Implementation**

3.20 Over the past twelve months, an enormous amount of work has gone into implementing the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 which came into force on 1 October 2018.

3.21 These regulations were made under the Animal Welfare Act 2006 and replaced the licensing regimes and legislation in place for dealing with the following activities when conducted on a commercial basis:

- Selling animals as pets
- Providing boarding in kennels for dogs
- Providing home boarding for dogs
- Providing day-care for dogs
- Providing boarding for cats
- Hiring out horses



REDDITCH BOROUGH COUNCIL**LICENSING  
COMMITTEE**8<sup>th</sup> July 2019

- Breeding dogs
- Keeping or training animals for exhibition

**Street Trading Policy**

- 3.22 On 16<sup>th</sup> July 2018, the Licensing Committee approved a new Street Trading Policy, which took effect on 1<sup>st</sup> September 2018. This decision followed a period of consultation undertaken between January 2018 and March 2018.

**Scrap Metal Dealers**

- 3.23 In October 2013 the Scrap Metal Dealers Act 2013 came into force in the District. Under this new legislation the Council is responsible for issuing mobile scrap metal collector licences and scrap metal site licences. The number of licences currently in force is:

	<u>18/19</u>
Site Licences	4
Mobile Collector Licences	13

- 3.24 The Licensing Team is responsible for enforcing the legislation in partnership with the Police and Environment Agency.
- 3.25 Worcestershire Regulatory Services Licensing Team members regularly attend and represent Redditch Borough Council at a number of local and regional meetings, such as the Institute of Licensing meetings, the Regional Taxi Licensing Forums and other neighbouring authority groups, which continue to prove to be invaluable, on providing information on national and regional licensing matters including upcoming changes in any licensing legislation.
- 3.26 One of the Senior Licensing Practitioners is also a Member of the Local Government Association's Licensing Policy Forum.

**4. RISK MANAGEMENT**

- 4.1 None

**5. APPENDICES**

- 5.1 None

**LICENSING  
COMMITTEE**

**8<sup>th</sup> July 2019**

---

**AUTHOR OF REPORT**

Name: Dave Etheridge – Senior Licensing Practitioner  
Worcestershire Regulatory Services

E Mail: [dave.etheridge@worcsregservices.gov.uk](mailto:dave.etheridge@worcsregservices.gov.uk)

Tel: (01905) 822799

**LICENSING  
COMMITTEE****08<sup>th</sup> July 2019****LICENSING COMMITTEE WORK PROGRAMME 2019/20****8 July 2019**

Review of Arrangements for Medical Examinations of Hackney Carriage and Private Hire Drivers

Licensing annual report

**4 November 2019**

Review of penalty point scheme for hackney carriage and private hire drivers

Hackney carriage table of fares review

Policy on the suitability of applicants and licence holders in the hackney carriage and private hire trades – approval to consult

**To Be Allocated To Suitable Available Dates in 2019 / 2020**

Consultation on policy on the suitability of applicants and licence holders in the hackney carriage and private hire trades – consideration of responses

This page is intentionally left blank