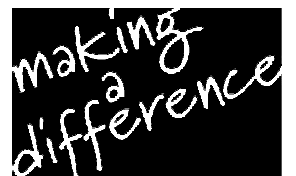


Licensing Committee

Thu 3 Jun
2010
7.00 pm

Committee Room 2
Town Hall
Redditch



www.redditchbc.gov.uk

Access to Information - Your Rights

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agenda and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees (or summaries of business undertaken in private) for up to six years following a meeting.
- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, upon request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.
- A reasonable number of copies of agenda and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its Committees etc.
- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, all items of business before the Executive Committee are Key Decisions.
- (Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:
www.redditchbc.gov.uk

If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact

**Denise Sunman
Committee Support Services**

Town Hall, Walter Stranz Square, Redditch, B98 8AH

Tel: Fax: (01527) 65216

e.mail: (meeting contact)[@redditchbc.gov.uk](mailto:redditchbc.gov.uk)

Minicom: 595528

Welcome to today's meeting.

Guidance for the Public

Agenda Papers

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

Chair

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

Running Order

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

Refreshments : tea, coffee and water are normally available at meetings - please serve yourself.

Decisions

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

Members of the Public

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

Special Arrangements

If you have any particular needs, please contact the Committee Support Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

Further Information

If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

Fire/ Emergency instructions

If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.

If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.

Do Not stop to collect personal belongings.

Do Not use lifts.

Do Not re-enter the building until told to do so.

The emergency Assembly Area is on Walter Stranz Square.

Declaration of Interests: Guidance for Councillors

DO I HAVE A "PERSONAL INTEREST" ?

- Where the item relates or is likely to affect your **registered interests** (what you have declared on the formal Register of Interests)

OR

- Where a decision in relation to the item might reasonably be regarded as affecting **your own** well-being or financial position, or that of your **family**, or your **close associates** more than most other people affected by the issue,

you have a personal interest.

WHAT MUST I DO? **Declare the existence, and nature, of your interest and stay**

- The declaration must relate to specific business being decided - a general scattergun approach is not needed
- **Exception** - where interest arises only because of your membership of another **public body**, there is no need to declare unless you **speak** on the matter.
- You **can vote** on the matter.

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these groups)

and

- A member of public, with knowledge of the relevant facts, would reasonably believe the interest was likely to **prejudice** your judgement of the public interest.

WHAT MUST I DO? **Declare and Withdraw**

BUT you may make representations to the meeting before withdrawing, **if** the public have similar rights (such as the right to speak at Planning Committee).



Licensing

3rd June 2010

7.00 pm

Committee

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs:	M Braley (Chair)	A Griffin
	A Clayton (Vice-Chair)	W Hartnett
	K Banks	N Hicks
	M Chalk	R King
	S Chalk	W King
	J Cookson	J Pearce
	A Fry	B Quinney
	C Gandy	

<p>1. Apologies</p>	<p>To receive the apologies of any Member who is unable to attend this meeting.</p>
<p>2. Declarations of Interest</p>	<p>To invite Councillors to declare any interests they may have in items on the agenda.</p>
<p>3. Minutes Chief Executive</p>	<p>To confirm as a correct record the minutes of the meeting of the Licensing Committee held on 17th May 2010. (Minutes to follow)</p>
<p>4. Taxi Rank, Evesham Road - Objections (Pages 1 - 12) S Jordan, Head of Regulatory Services</p>	<p>To consider objections received to the proposals to site an additional and an alternative taxi rank on Evesham Road, Headless Cross. (Report attached) (Headless Cross & Oakenshaw Ward)</p>
<p>5. Exclusion of the Public</p>	<p>It may be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting in relation to the following items of business on the grounds that exempt information is likely to be divulged. It may be necessary, therefore, to move the following resolution:</p> <p>“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information (Variation) Order 2006, the public may be excluded from the meeting for the following matters(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs (to be specified) of Part 1 of Schedule 12 (A) of the said Act, as amended.”</p>

REDDITCH BOROUGH COUNCIL**LICENSING
COMMITTEE**

3rd June 2010

TAXI RANK, EVESHAM ROAD - OBJECTIONS

Relevant Portfolio Holder	Cllr Juliet Brunner, Portfolio Holder for Community Safety and Regulatory Services
Relevant Head of Service	Steve Jorden, Head of Regulatory Services
Non-Key Decision	
This report contains exempt information as defined in Paragraph(s) of Part I of Schedule 12A to the Local Government Act 1972, as amended.	

1. SUMMARY OF PROPOSALS

Further to minute 25 of the Committee's 25th January 2010 meeting, to site an additional and an alternative rank on Evesham Road, Headless Cross with an increase of 6/7 rank spaces, the Committee is asked to consider objections received to the proposals following the publication of the statutory notice as required by the Local Government (Miscellaneous Provisions) Act 1976.

2. RECOMMENDATIONS**2.1 The Committee is asked to RESOLVE that**

in light of the objections received during the consultation process for an additional and alternative ranks on Evesham Road, Headless Cross the Committee is asked whether to;

- a) **confirm the Committee's decision of the 25th January 2010 and approve the additional and alternative ranks.**

OR

- b) **amend the decision.**

3. BACKGROUND

- 3.1 At its meeting on the 25th January 2010 the Licensing Committee approved the provision of an additional Hackney Carriage rank for 6/7 spaces outside Steps Bistro and to re-site the current provision of 3 spaces situated outside the White Hart on the pavement; to the roadside opposite the White Hart public house.

REDDITCH BOROUGH COUNCIL

**LICENSING
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- 3.2 The licensed premises on Evesham Road have a thriving night time economy and the lack of rank spaces has been a problem and has helped to create congestion issues which are un-enforceable under the current rank arrangements.
- 3.3 A site visit was undertaken with the Leader of the Council, West Mercia Police and the Licensing Manager to discuss the issues and try to find a solution to the problems.
- 3.4 The allocation of a proper rank outside Steps night club and the moving of the rank off the pavement and onto the road opposite the White Heart where the bus stop is situated were felt to be a part solution to the problems.
- 3.5 The siting of the new ranks will be in opposite directions and at bus stops which are not used between the hours of 8pm and 6am.
- 3.6 The Highways Authority will cover the cost of any required amendments to the Traffic Regulation Orders (TRO's).
- 3.7 The Highways Authority have to apply to the Department for Transport for special authorisation to have bus/taxi & taxi/loading facilities sharing the same carriageway space, as these are non standard arrangements. This shouldn't pose a problem but the Highways Authority needs to do this before the start of formal consultation on the Traffic Regulation Orders (TRO's) from their side.
- 3.8 When the Highways Authority have resolved this issue they will forward the relevant information to the Local Authority to enable the advertisement of the new ranks. This is expected to be early in this new financial year.
- 3.9 It is expected that there will be 6/7 rank spaces available outside steps night club and 3 spaces opposite the White Heart. This will be an increase of 6 to 7 spaces on the current arrangements.
- 3.10 West Mercia Police alongside Civil Parking Enforcement Officers and Licensing Officers can then enforce the appropriate legislation which in turn may help the heavily congested areas.
- 3.11 The Redditch Taxi Association, Highways Agency, West Mercia Traffic Police and West Mercia Police Officers (beat officer) have been consulted on this proposal between 1st October 2009 and 31st December 2009 and are in agreement with the suggestions.

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4. KEY ISSUES

4.1 The Ward Councillor has now withdrawn her support for these proposals and raises the following points:

- a) There are 30-40 taxis in the area on a Thursday, Friday and Saturday night, we would only be increasing rank space by 6 bays. Therefore for most of the evening there would be 30 plus vehicles parked in exactly the same places as at present or cruising up and down the road waiting for a taxi rank space to become available.
- b) There is a big parking problem in this area already as the Dog and Pheasant has no parking, our own sheltered scheme has parking for residents only and that is already over subscribed. Local residents fronting onto that part of Evesham Road have no garages or drives and it is obviously an issue for some of the shops, particularly the hair dresser. At the moment the situation is not ideal but they are able to park on the road.

and suggests:

- c) That the rank could be replaced by a bay but it would require the Borough, the Police and the County Council to agree.

4.2 Further consultation with the Highways Authority has been conducted and their response is as follows:

“The intention of the proposal from a traffic management/road safety perspective is to remove the inappropriate taxi rank from the footway, which is deemed a safety hazard. The loss of this facility would be offset by the utilisation of the bus stop clearway areas for taxis during the evening and also the additional provision of taxi facilities outside Steps public house. There will actually be a net increase in taxi ranks spaces available, which will help to formalise taxi parking and therefore minimise indiscriminate parking which currently takes place.

4.3 Regardless of these proposals going forward, we are obliged to remove the unofficial marking from the pavement area, and we would encourage Redditch Borough Council to remove any formal Hackney Carriage Stand Order that may exist.

4.4 We wouldn't support the general principle of a lay-by when facilities can be accommodated within existing highway arrangements as proposed. I

REDDITCH BOROUGH COUNCIL**LICENSING
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would also say that a lay-by at this location would leave a substandard footway width and interfere with visibility from the pub accesses”.

- 4.5 The Redditch Taxi Association have responded to this consultation stating that they feel the implementation of these new and revised ranks would improve the congestion problems and that noise and anti social behaviour problems would increase if no rank provision in that area was provided.
- 4.6 Following the publication of the statutory notice objections have been received; these are available as background papers and the results of which are reported below:

REASON	NUMBER OF OBJECTIONS		
	PETITION 1	PETITION 2	LETTERS OF OBJECTION
Parking spaces needed for staff and customers	35		1
Resident and visitor parking needs	14	11	11
Unspecified parking needs	19	2	
Window cleaning	1		
Noise	9	1	
No requirement for change	4	1	
No taxis	13		
No parking	17		
Dangerous		5	
Blocking the church		1	
Taxis obstructing access and parking on double yellow lines		1	1
Too many taxis		2	
Taxis turning in driveway		1	
Road congestion		4	
Nuisance		1	
Not discussed		1	
Vomit, urine and damage to business premises			2

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4.7 A letter has been received supporting the new ranks stating that taxis take away drunks from area and this alleviates anti-social behaviour incidents.

4.8 A map of the proposals can be found at Appendix 1

5. FINANCIAL IMPLICATIONS

5.1 The cost of installing new ranks by the County Council Highways Department, to include any necessary signs, road markings and road works is:-

5.2 £1500 – This cost is an estimate by the County Council and has not been included in the current year's budget, however, in consultation with finance the money can be found from the existing budget.

6. LEGAL IMPLICATIONS

6.1 Under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976, the Borough Council may from time to time appoint stands (ranks) for Hackney Carriage for the whole or any part of a day in any highway in the district which is maintainable at the public expense and, with the consent of the owner, on any land in the district which does not form part of a highway so maintainable and may from time to time vary the number of Hackney Carriages permitted to be at each stand.

6.2 Before appointing any stand or varying the numbers to be at each stand, the Council is required to notify the Police for the areas in which the stands will be situated.

6.3 The Council is required to give public notice of the proposals by advertising in at least 1 local newspaper and take into consideration any objections or representations in respect of such proposals which may be made to them in writing within 28 days of the first publication of the notice.

6.4 A District Council may not appoint a stand:

- a) so as unreasonably to prevent access to any premises;
- b) so as to impeded the use of bus stops, or in such a position to interfere with access to any station or depot of any passenger road transport operations, except with the consent of those operators;

REDDITCH BOROUGH COUNCIL

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- c) on any highway except with the consent of the Highways Authority.
- 6.5 It is necessary for ranks to be signed and the road marked out accordingly.

7. POLICY IMPLICATIONS

See legal implications

8. COUNCIL OBJECTIVES

This item links with the Council Priority – Safe

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY
CONSIDERATIONS**

- 9.1 The current provision of rank space on Evesham Road is for three spaces. This rank is situated on a pavement close to a licensed premise “The White Heart”. There is some doubt as to the legalities of this rank; the problem of encouragement by the Local Authorities of Hackney Carriages parking on the narrow pavement and issues around enforcement for both the Local Authority, Civil Parking Enforcement Officers and West Mercia Police.
- 9.2 There is also major traffic congestion on Evesham Road especially during the evening with Hackney Carriages and privately owned vehicles parking both sides of the road. This new proposal will help legalise Hackney Carriages ranking up on Evesham Road and enable responsible authorities to enforce the new order, discourage Hackney Carriages parking on pavements and reduce the risk of accidents and road blockages.

10. CUSTOMER IMPLICATIONS

None

11. EQUALITIES AND DIVERSITY IMPLICATIONS

None

**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET
MANAGEMENT**

None

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13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

The provision of the additional rank and the alternative rank could have a possible impact on carbon emissions if enforced as it may cut down on the congestion issues and the number of vehicles in that location at any one time.

14. HUMAN RESOURCES IMPLICATIONS

None

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

None

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

Provision of the new ranks will improve the safety of residents and users of the licensed premises by reducing to a minimum the walking distance of those enjoying the night time economy of Evesham Road whilst also having, if enforced, a reduction impact on the congestion within the area.

17. HEALTH INEQUALITIES IMPLICATIONS

None

18. LESSONS LEARNT

18.1 The area of Evesham Road has a vibrant night time economy and is densely populated. There are a number of licensed premises in the area which are very popular. The current provision of 3 rank spaces has proved to be inadequate for the area and has had an adverse impact; Hackney Carriages, when the rank is full are currently parking half on and half off the pavements, u – turning in the street and generally adding to the already heavily congested areas. At the closing time of these licensed premises the area becomes extremely busy and it is essential to get these visitors away from the area safely and as quickly as possible to help reduce any noise, litter and other related issues.

18.2 The provision of two ranks each facing opposite directions will cut down on u-turns; provide adequate transport for visitors leaving the area and help ease the congestion problems.

REDDITCH BOROUGH COUNCIL**LICENSING
COMMITTEE****3rd June 2010****19. COMMUNITY AND STAKEHOLDER ENGAGEMENT**

- 19.1 This report has been prepared in consultation with relevant Borough Council Officers.
- 19.2 Other consultees were Redditch Taxi Association; West Mercia Traffic Police, West Mercia Police, the Ward Councillor and Leader of the Council and the Highways Agency.

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	yes
Chief Executive	yes
Executive Director (S151 Officer)	No
Executive Director – Leisure, Cultural, Environmental and Community Services	No
Executive Director – Planning & Regeneration, Regulatory and Housing Services	yes
Director of Policy, Performance and Partnerships	No
Head of Service	yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	no

21. WARDS AFFECTED

The Wards of Headless Cross and Crabbs Cross are affected by this report.

22. APPENDICES

REDDITCH BOROUGH COUNCIL

**LICENSING
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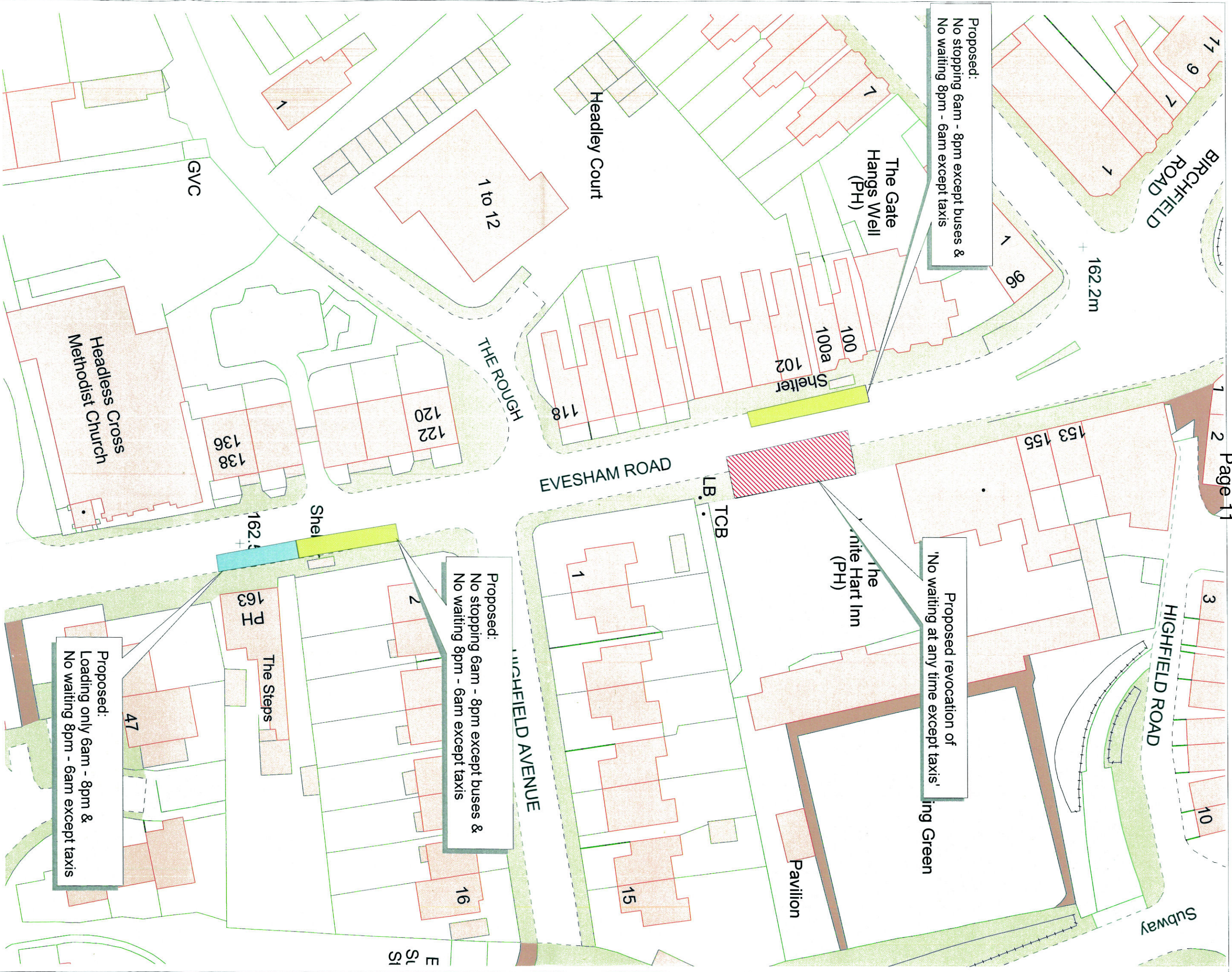
Appendix 1 - Map of Evesham Road showing new rank details.

23. BACKGROUND PAPERS

Previous report
Details of previous rank allocation on Evesham Road.
Emails from Highways Authority
Email from Redditch Taxi Association

AUTHOR OF REPORT

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Tel: (01527) 534100



Proposed:
 No stopping 6am - 8pm except buses &
 No waiting 8pm - 6am except taxis

Proposed revocation of
 'No waiting at any time except taxis'
 King Green

Proposed:
 No stopping 6am - 8pm except buses &
 No waiting 8pm - 6am except taxis

Proposed:
 Loading only 6am - 8pm &
 No waiting 8pm - 6am except taxis

