

Licensing Committee

Monday, 15th July, 2024

MINUTES

Present:

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

Officers:

Vanessa Brown and Dave Etheridge

Democratic Services Officers:

Gavin Day

1. APOLOGIES

Apologies for absence were received from Councillor Sid Khan.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

Councillors Harvey and Slim wished it noted that they were Ward Members for the Central Ward which Agenda item 4 (Minute No4) Fell under. However, they did not consider themselves prejudiced and would continue to sit for the item.

3. PUBLIC SPEAKING

There was no public speaking.

4. UNICORN HILL TAXI RANK

The Principal Licensing Officer, Worcestershire Regulatory Services (WRS), presented the report to Members. The purpose of the report was for Members to resolve whether to direct Officers to undertake the required legal process in respect of the hackney carriage stand orders along Unicorn Hill.

Officers detailed that at the November Licencing Committee, Members instructed Officers to undertake the required public consultation process. Officers clarified that as the plans had been out for consultation Members were invited to either accept or reject

Chair

the proposal, as amendments to the plan relating to the rank could not be made.

Officers detailed the changes which were proposed for the Unicorn Hill Taxi Rank in that:

- The Current 85m 24-hour taxi rank would be reduced to 36m (Approx 7 parking spaces) which would be at the bottom end of unicorn hill, the location was requested by the Taxi trade following consultation.
- There would be a further 36m section which would be designated as short stay parking between 8am to 6pm. This would revert to a taxi rank between 6pm and 8am. The total size of the taxi rank for this period of time would be 72m.
- There would then be a 13m disabled parking area for blue badge holders.
- There would be a 13m dedicated for delivery loading/offloading after the existing taxi rank area.

Following anecdotal observations, data was sought and provided by CCTV operations in the area over a 28day period, the information was detailed on page 35 of the public reports pack. The CCTV evidence showed that the maximum occupancy throughout the daytime was 6 vehicles, which increased to 8 during the evening.

Officers drew Members attention to objections raised by The Redditch Taxi Association (RTA) and a number of individuals, found on pages 17 to 33 of the Public Reports pack.

Officers highlighted that many of the complaints were in relation to enforcement matters, it was hoped that the reassigning of unicorn hill would reduce some of those concerns.

The following was clarified by Officers during questions from Members:

- That the law did not permit the ANPR Cameras to be used to enforce parking on Unicorn Hill.
- That there were 521 taxi vehicle licence holders (both Private and Hackney carriage) licenced by Redditch Borough Council. All had been invited to comment.
- Members were free to call a review at any point and making a decision had no impact on that.
- There was no similar data exercise undertaken during the summer months, to identify if there was a difference during time of year. The CCTV evidence was requested to corroborate the anecdotal observations.

- There would be appropriate signage in place to indicate the dual nature of the short stay parking area. The change would also be highlighted to the RTA and relevant licence holders.
- Officers detailed that Hackney Carriage vehicles also had the Bus station and Queens Street ranks. Both were also underused, although the Bus station appeared to be the busier location.
- Customer trends had gradually changed over the last 15 years with more customers using app-based taxi providers to collect from their location rather than walking to the closest taxi rank.
- That considering the consultation process, Members would not be able to amend the plans as that would require the process to be undertaken again, therefore Members would only be able to accept or refuse the proposal.

Members then debated the report.

Members noted that main issue identified was that of enforcement of the illegal parking which would need to be investigated, however it was accepted that this was beyond the Licencing Committee's remit.

Members had differing concerns with various aspects of the proposal including the space allocated as a 24hour taxi rank, the inclusion of the Delivery loading/unloading area and the Blue badge area, however, Members were reminded that due to the consultation process the decision for Members was to accept or refuse only.

Although Members did not agree on the specifics in places, there was broad agreement that the taxi Rank needed to be reviewed and that some short stay parking would be welcomed by local businesses.

On being put to a vote it was:

RESOLVED that

the Licensing Committee instructed Officers to undertake the required legal processes to make, alter or revoke any Hackney Carriage Stand Orders in respect of Unicorn Hill.

5. GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES REVIEW

The Principal Licensing Officer, Worcestershire Regulatory Services (WRS), presented the report to Members. The purpose of the report was for Members to approve the DRAFT statement of Principles, to go out for consultation.

Officers detailed that under the 2005 Gambling Act, the Council was required to publish a statement of principle which needed to be reviewed and updated every 3 years.

A new policy needed to be published before January 2025, therefore, Officers were asking Members to approve the DRAFT statement of principles for the purpose of going out for consultation.

The changes which were needed were detailed at paragraph 3.16 on Page 42 of the Public Documents pack.

Officers clarified that a review could be undertaken within the 3-year period and that due to a number of possible upcoming changes at a government level, the policy may need to come back to members before January 2028.

The following was clarified after questions from Members.

- The list of consultees could be found at paragraph 3.20 on page 42 of the Public Reports pack.
- That following the Licencing Committees approval, the matter would need to go to Full Council for determination.
- That it was not possible to delay the consultation pending the outcome of the governmental review as it was mandated under the 2005 Gambling act that an authority must have a policy in place and must review every 3 years.
- That although there was not a timescale, it was not expected that the policy would need to be reviewed within 12 months.

On being put to a vote it was

RESOLVED that

the draft revised Statement of Principles detailed on pages 45 to 79 of the Public Reports pack be approved for the purpose of consultation with relevant parties.

6. DRAFT PAVEMENT LICENSING POLICY

The Principal Licensing Officer, Worcestershire Regulatory Services (WRS), presented the report to Members. The purpose of the report was for Members to approve the DRAFT policy on Pavement Licencing, to go out for consultation.

Officers detailed that although the 1980 Highways act permitted pavement licencing, it was the responsibility of the County council to grant.

During the COVID-19 pandemic a temporary policy was put in place to allow businesses to put tables and chairs on the pavement to allow them to continue trading whilst maintaining social distancing guidance. This policy transferred the responsibility of granting licences to District Councils.

The temporary policy was highly successful and was extended beyond its original intended finish date, it was then decided to adopt the regime on a permanent basis.

When referring to the policy found on pages 87 to 110 of the Public Reports pack, Officers drew attention to the increase in consultation and decision-making time permitted from 7 days to 14 days and that there were also some new enforcement powers permitted under the policy.

Officers detailed that as it was a new policy, a longer consultation was proposed of 8 to 10 weeks which would give any interested party time to respond.

The following was clarified after questions from Members.

- That decisions would be made by WRS, who were delegated to act by Redditch Borough Council.
- Due to the short consultation and decision period of 14 days each it was not practical for decisions to be made by Members and would therefore be made by Officers.
- The list of consultees who would be contacted about individual applications was found at paragraph 4.3 on page 94 of the Public Reports pack, this included any relevant ward Members.

Members found no issues with the draft policy and were broadly in support of going out to consultation. Therefore, on being put to a vote it was

RESOLVED that

the draft Pavement Licencing Policy detailed on pages 87 to 110 of the Public Reports pack be approved for the purpose of consultation with relevant parties.

7. WORK PROGRAMME

The work programme was reviewed by Members with no changes or additions and was noted by the Committee.

8. MINUTES

The Public and Private minutes of the Licensing Committee of 4th March 2024 were presented to Members.

RESOLVED that

The minutes of the Licensing Committee held on the 4th March 2024 were approved as a true and accurate record and signed by the Chair.

9. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that

Under S100 A (4) of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public were excluded on the grounds of the disclosure of exempt information as defined in paragraphs 1, 2, 3 and 7 of Part 1 of Schedule 12 of the said act, as amended.

10. OFFICER UPDATE(S) - ENFORCEMENT AND APPEAL MATTERS

Restricted.

The Meeting commenced at 7.00 pm
and closed at 8.30 pm