

SPECIAL LICENSING AND SAFETY COMMITTEE

Wednesday, 16th October, 2013 at 6.00 p.m.

In a Conference Room at the Council House, Walsall

Present

Councillor Sears (Chairman)
Councillor Clarke (Vice-Chairman)
Councillor Anson
Councillor Cook
Councillor Douglas-Maul
Councillor S. Fitzpatrick
Councillor Harrison
Councillor Murray
Councillor Rochelle
Councillor Worrall

1535/13 Apologies

Apologies for non-attendance were submitted on behalf of Councillor's C. Bott, Sarohi and Whyte.

1536/13 Declarations of Interest

There were no declarations of interest.

1537/13 Minutes

Resolved

That the minutes of the meetings held on 4th September and 25th September, 2013, copies having previously been circulated to each Member of the Committee, be approved and signed by the Chairman as correct records.

1538/13 Local Government (Access to Information) Act, 1985 (as amended)

Resolved

That the public be excluded from the meeting during consideration of the item set out in the private agenda for the reason as set out therein and Section 100A of the Local Government Act, 1972.

Street Trading – Walsall Town Centre – Re-designation of all streets in Walsall Town Centre as licensed streets

The report of the Interim Regulatory Services Manager was submitted:-

(see annexed)

The Principal Trading Standards Officer (Lorraine Boothman) enlarged upon the report for the benefit of the Committee and drew Members' attention to the salient points. She reminded Members that this matter had been considered by Committee on 27th February, 2013 and that that minute needed amendment. She added that implementation of the scheme had been delayed because Network Rail had expressed concern over access to Station Street. This had now been resolved and Network Rail had given their approval to the proposals. She then drew the Committee's attention to section 4.2 of the report which explained the legal position regarding street trading.

Councillor Clarke asked how the scheme would be enforced. Lorraine Boothman replied that the Council's Enforcement Officers and the Police would enforce street trading in Walsall. She advised Members that peddlers with the appropriate licence would not be affected by the street trading regime.

Resolved

That minute 1486/13 of the meeting held on 27th February, 2013 be amended to read:-

1. That the re-designation of all the streets within Walsall Town Centre as licensed streets be approved;
2. That the draft resolution attached as Appendix 1 to the report now submitted be approved;
3. That the Regulatory Services Manager be authorised to publish a Prescribed Notice of Intention to pass the draft resolution referred to in (2) above and to implement the procedure under paragraph 2 of "Designation of Streets" under Schedule 4 to the Local Government (Miscellaneous Provisions) Act, 1982 including servicing a copy of the Notice and seeking consent as required;
4. That consultation be undertaken as outlined in paragraph 8.2 of the report dated 27th February, 2013;
5. That the resolution contained in Appendix 7 to the report now submitted be approved designating all streets in Walsall Town Centre as licensed streets;

6. That the Regulatory Services Manager be authorised to place the statutory advertisements and to deal with any other matters which may arise in respect of street trading.

1540/13 **Street Entertainment**

A report of the Interim Regulatory Services Manager was submitted:-

(see annexed)

The Principal Trading Standards Officer (Lorraine Boothman) enlarged upon the report for the benefit of the Committee. She reported that the Council had never had a policy of street entertainment before. She continued that some people felt that street entertainers added to the vibrancy and vitality of town and district centres whilst other people found them an annoyance. She drew the Committee's attention to page 3 of the report which contained examples of entertainment which would be permitted and which would not.

Lorraine Boothman then circulated photographs of sites in the town centre and plans of district centres where street entertainment would be permitted (see annexed). She indicated that once a street entertainer was licensed he/she would be able to move between sites. A provision would be included in the licence conditions to allow shop owners to request street entertainers to turn down the volume of music or ask them to move away from their premises so as not to cause annoyance and performance areas would have to be left in a clean and tidy condition. She added that entertainers would be vetted to ensure they were of acceptable standard and quiet entertainment would be provided near to residential areas. If the policy was agreed then a consultation exercise would be carried out and sites would be added or removed accordingly.

Councillor Rochelle asked if Aldridge Town Centre had been included in the proposals. Lorraine Boothman confirmed that it had and drew Members' attention to the appropriate plan.

Councillor Anson referred to the roundabout and other children's play equipment which was currently sited in Park Street and asked if they would be affected by these street entertainment proposals. Lorraine Boothman replied that they would not be affected by the proposals as they were not classed as street entertainment.

Councillor Murray referred to the time limit of one hour for performances and no return within one hour at any pitch as contained in the report. He asked what would happen if a shop owner or Police Officer asked the performer to move on before the hour was completed. Lorraine Boothman replied that the maximum period at any pitch was one hour.

If an entertainer was asked to move on during that hour then they should do so.

Councillor S. Fitzpatrick asked if street entertainers would be supplied with a badge, or similar, to show that they had been given approval by the Council to operate in the town and district centres. Lorraine Boothman confirmed that street entertainers would have some form of authorisation to show to Enforcement Officers, Police Officers etc.

Councillor Murray asked if shop owners would be included in the consultation exercise. Lorraine Boothman replied that shop owners would be consulted by the Regeneration Team as part of a wider consultation exercise.

Councillor Cook asked if approved sites had been selected so that entrances/exits to premises would not be obstructed. Lorraine Boothman confirmed that they had.

Councillor Clarke asked how the policy would be enforced. Lorraine Boothman replied that Council Enforcement Officers, Police and Fire Officers would be able to move street entertainers on as would shop owners.

Councillor Worrall asked if Officers had liaised with other Local Authorities in setting up the scheme. Lorraine Boothman replied that five or six other Authorities had been consulted and their best practices had been incorporated into the policy as proposed.

Councillor S. Fitzpatrick asked if Bloxwich market would be included in the scheme. Lorraine Boothman replied that market areas would not be included in the scheme.

After further discussion it was

Resolved

1. That the draft Code of Conduct for street entertainment attached to the report now submitted be approved;
2. That the consultation process for the proposals be endorsed.

1541/13

Private Session

Exclusion of Public

Resolved

That during consideration of the remaining item on the agenda, the Sub-Committee considers that the item for consideration is exempt

information for the reasons set out therein and Section 100A of the Local Government Act, 1972 and accordingly resolves to consider that item in private.

Summary of item considered in private session

Exceptional circumstances request for the renewal of a licence to drive private hire vehicles

The Committee considered the request and made a decision thereon.

Termination of meeting

There being no further business, the meeting terminated at 6.30 p.m.