

Agenda



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Date: 3 March 2023

Listening Learning Leading

A MEETING OF THE

General Licensing Panel

WILL BE HELD ON MONDAY 17 APRIL 2023 AT 10.00 AM

MEETING ROOM 1, ABBEY HOUSE, ABBEY CLOSE, ABINGDON, OX14 3JE

To consider the following matter:

Proposal to add White Lane into 7 property addresses in Bix where a street name plate exists but White Lane has not been recognised by Royal Mail.

The report of the Head of Corporate Services, containing information submitted by residents, council officers and copies of the relevant representations, is attached to this notice, available to view at www.southoxon.gov.uk

Any three members of the of the council's General Licensing Committee can form the Licensing Panel. The membership is expected to be:

Councillor Peter Dragonetti
Councillor Jo Robb
Councillor Ian Snowdon

Reserve member: Councillor David Bretherton

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Patrick Arran
Head of Legal and Democratic

1 Election of a chair

To elect a chair for this hearing.

2 Welcome and introductions and Chair's announcements

To welcome all parties to the hearing and receive any announcements and general housekeeping matters from the chair.

3 Apologies for absence

To record apologies for absence and the attendance of substitute members.

4 Declaration of interests

To receive declarations of disclosable pecuniary interests, other registrable interests and non-registrable interests or any conflicts of interest in respect of items on the agenda for this meeting.

5 Minutes (Pages 3 - 5)

To adopt and sign as a correct record the Street Naming Panel minutes of the meeting held on 4 December 2020.

6 Procedure (Pages 6 - 10)

To note the procedure for this meeting.

7 Proposal to add White Lane into 7 property addresses in Bix (Pages 11 - 15)

To consider the report by the Head of Corporate Services.

Minutes

of a meeting of the

General Licensing Committee



held on Friday, 4 December 2020 at
2.00 pm in A virtual meeting

Open to the public, including the press

Present in the meeting room:

Councillors: Peter Dragonetti (Chair), Kellie Hinton, and Leigh Rawlins
Officers: Paul Bateman (Democratic Services Officer), Lee Brown (IT Applications Manager), Sarah Commins (Litigation and Planning Lawyer), and Sally-Anne Worsley (Data Monitoring Manager)

6 Election of Chair

A motion, moved and seconded, to elect Councillor Peter Dragonetti as Chair of the panel was declared carried on being put to the vote.

RESOLVED: that Councillor Peter Dragonetti be appointed Chair of the panel.

7 Apologies for absence

Apologies for absence was received from Councillor Lorraine Hillier who was substituted for Councillor Leigh Rawlins.

8 Declarations of interest

There were no declarations of interest.

9 Urgent business and Chair's announcements

There was no urgent business. The chair outlined the procedure to be followed in a virtual meeting. He also advised the meeting of how the officers' report would be introduced and the point at which the objector could speak and make a statement.

10 Public participation

There was one public speaker, Mr. MB, at the meeting (named in the report) who had originally complained to officers regarding the street naming proposal.

11 Street Name Change, Didcot

The IT Applications Manager presented the report by the Head of Corporate Services to the Panel. The report and appendices had been shared with the panel and complainant in paper and electronic form.

The purpose of the report was to consider the relevant representations received in respect of a proposal to change the street name and number of 4 properties in Larch Drive to Birch Close, Didcot.

The panel noted the technical problem which had arisen, requiring a street name change; the district council was responsible for creating the first 2 lines of all addresses and Royal Mail were responsible for adding the locality, post town and post code. Each street could have one or many post codes associated with it. A post code could only apply to one street. Post codes were used in satellite navigation devices, which guided drivers to their destination following a route that took account of, inter alia, one way streets, laden vehicle weights and non-passable obstructions, such as bus gates.

The proposal recommended to the panel was to change the addresses of the 4 remaining properties addressed into Larch Drive, on the north side of the bus gate, to Birch Close. The proposal sought to rectify direct vehicle access to the 4 addresses, for the convenience of the households and safety of households south of the bus gate, whose drives had been blocked by delivery vehicles whilst deliveries were completed on foot to addresses on the north side of the bus gate.

Having reviewed all the evidence provided to the panel and taking into account the duties of the street naming and numbering authority under Section 13 of the Oxfordshire Act 1985 and the General Licensing Committee procedure rules (3) of the Constitution of South Oxfordshire District Council, officers considered that the panel should be requested to consider the road naming and number change.

Historically, the problem had arisen when two separate housing developments were completed. In the report they were referred to as phase SN03A and the Bloor Homes site. Both postal address schemes were agreed by the respective developers, with no mention of a proposed bus gate that would terminate the traffic flow from both directions.

The panel noted that in January 2020 the council's street naming and numbering service learned of a concrete boulder (placed in the position of the proposed bus gate) that was blocking off vehicular access to the last 9 properties in Larch Drive. A complaint had been received regarding abandoned delivery vehicles obstructing a driveway, whilst the drivers completed their journey on foot. It was immediately apparent that the established vehicular routing for the post code associated with the whole of Larch Drive was via Park Road, which now excluded the last 9 properties. The addresses of the 9 properties would need a new post code, or a different street name and post code where the post code was associated with routing via Diamond Drive.

Investigations into the bus gate proposal had led to the understanding that there was going to be a bus gate in the position of the boulder. There was no suggestion that a subsequent county council - led consultation might influence its repositioning. On this

basis a letter was written to the 9 affected properties with the three possible options for resolving the addressing issues at that time

The three options were:

1. seek a change of post code from Royal Mail for the last 9 properties,
2. rename that section of Larch Drive as Diamond Drive,
3. Rename that section of Larch Drive as a new street name.

5 out of the 9 affected properties were occupied at this time and the occupiers of those properties chose option 3, to rename the affected section of Larch Drive as Birch Close. However, before a street or part of a street could be formerly renamed, the council was required to carry out a consultation as required under Section 13(2) of the Oxfordshire Act 1985. This was duly carried out and Mr MB, who had since taken up occupation at XX Larch Drive, objected to the change.

It was decided by officers to request a panel of the general licensing committee to consider the matter. It was noted that Mr MB had ascertained from Oxfordshire County Council that the outcome of a public consultation on the bus gate could cause its current proposed location to change. The delay meant all the affected Larch Drive properties were left in a state of some uncertainty. It was therefore suggested by the street naming and numbering's service manager to proceed with renaming only the section of street serving Nos. 46 to 54 Larch Drive. Those households had already agreed to the renaming, most were in occupation, and would not be affected should the proposed location of the bus gate change.

Once the bus gate position had been confirmed in its original position, the remaining 4 property households in Larch Drive were again consulted as required under Section 13(2) of the Oxfordshire Act 1985. Three of the households agreed and Mr MB again objected.

Statement by member of the public

Mr. MB made a statement to the panel, alleging that consultees had been misled and that residents were inconvenienced by the positioning of the boulder and subsequent bus gate when it would be eventually installed. He considered that the proposed name changes were illogical and did not conform with the actual communities on the existing roads.

Decision of the Panel

The panel considered that as all residents affected, except Mr MB, had agreed to the name change proposal, it was reasonable to proceed with the change, including the post code alteration. They requested the IT Applications Manager and the street naming and numbering's Team Leader to proceed with the change of the street name and house numbers of 4 properties in Larch Drive to Birch Close, Didcot. This would include an appropriate post code change.

The meeting closed at 3.15 pm

SOUTH OXFORDSHIRE DISTRICT COUNCIL

LICENSING ACT 2003

LICENSING ACTS PANEL – PROTOCOL AND PROCEDURE

1.0 **Introduction**

- 1.1 This protocol and procedure has been adopted by the council's Licensing Acts Committee in order to ensure that all meetings are carried out in accordance with the law and all parties receive a fair hearing.
- 1.2 For the purposes of this protocol and procedure the following terms have the meanings assigned to them:-
- (a) "the Act" means the Licensing Act 2003.
 - (b) "the parties" means all persons to whom a notice of hearing has been given.
 - (c) "the regulations" means the Licensing Act 2003 (Hearings) Regulations 2005 as amended.
 - (d) "exempt information" means those categories of information set out in Schedule 12A to the Local Government Act 1972 as amended.
- 1.3 This document has been prepared having regard to the statutory provisions contained in the Act, the Regulations, the Guidance issued by the Secretary of State for Culture, Media and Sport (latest version issued June 2013) and the LACORS Guidance for Local Authorities dated March 2005.

2.0 **The licensing objectives and statement of policy**

- 2.1 The Act sets out four licensing objectives which are fundamental to the decision making of the panel. The licensing objectives are follows:-
- (a) The prevention of crime and disorder.
 - (b) Public safety.
 - (c) The prevention of public nuisance.
 - (d) The protection of children from harm.
- 2.2 Any application or licensing matter which comes before a panel will be treated on its own merits having regard to the following issues:-
- (a) The promotion of the four licensing objectives.
 - (b) The council's statement of licensing policy.
 - (c) The most recent guidance issued by the Secretary of State for Culture, Media and Sport.
 - (d) The merits of the application and the representations received from the parties.

3.0 Before the hearing

- 3.1 The council has a duty to hold a hearing within a timescale specified in the regulations. In most cases the timescale is 20 working days calculated from the end of the relevant representation period. However, there are other cases where the timescale is shorter ranging from between 5 and 10 working days depending on the nature of the case in question. The council will ensure adequate notice is given to the parties involved.
- 3.2 The council will send all parties a notice of hearing giving details of the date, time and venue for the panel meeting. This notice will normally be sent giving at least 10 working days' notice of the hearing, although in some cases a shorter notice period is required.
- 3.3 The council will use its reasonable endeavours to email the notice to any of the parties who consent to that approach.
- 3.4 The notice of hearing will normally be accompanied by an agenda, together with a report from the licensing officer which shall set out the details of the case.
- 3.5 The sub-committee will take into account the party response forms when considering the procedure to be adopted at the hearing.

4.0 The panel

- 4.1 The membership of the panel has been determined as set out in the decision of the Licensing Acts Committee.
- 4.2 Members will only be permitted to take part in determining a case if they have been present throughout the whole hearing and have no conflict of interest in the matter.
- 4.3 The quorum is 3 members who shall determine any issue by a simple majority of votes. If the votes are tied the chairman of the panel will have a second or casting vote.

5.0 Hearing - general principles

- 5.1 The parties have the right to attend the hearing and to be assisted or represented by any person (whether legally qualified or not) such as a relative, friend, their solicitor or counsel.
- 5.2 The parties will be entitled to address the members of the panel at the hearing and question any other party if given permission to do so by the panel. They will also be able to provide further information in support of their case on any points upon which the council has sought further clarification or explanation.
- 5.3 Each party will have a maximum of 20 minutes to make their representations and present their evidence unless there are some exceptional reasons to justify a longer period.
- 5.4 There is a presumption that any hearing will take place in public so that the sub-committee's decisions can be made in an accountable and transparent way, but on occasions it may be necessary to exclude the public and members of the press if the sub-committee considers that it is in the public interest to do so. Members will consider

that matter having regard to any exempt information which may need to be disclosed by any of the parties during the hearing.

- 5.5 If any party does not attend or are not represented at the hearing then the panel may take the following action:
- (a) When a party informs the council that they do not intend to attend or be represented at the hearing the panel will proceed in their absence unless it is in the public interest to adjourn the hearing to a new date. For example, if the council is informed a person cannot attend due to unforeseen personal circumstances such as illness, then the panel may adjourn the hearing to a new date.
 - (b) If any party fails to inform the council whether they intend to attend or be represented at a hearing then it is likely the panel will proceed in their absence unless there are exceptional circumstances making it necessary in the public interest to adjourn the hearing to a new date.
 - (c) Where the hearing proceeds in the absence of any party the panel will consider their representations or documentation contained in the list of documents.
- 5.6 If for any reason the hearing is adjourned to a new date the council will notify all parties of the new date, time and place of the adjourned hearing.
- 5.7 Late representations and evidence will only be considered by the panel with the agreement of all the parties present at the hearing.
- 5.8 The panel has the right to exclude any parties disrupting the hearing but will allow any excluded party to submit any information in writing which they would have given to the panel had they not been required to leave.
- 5.9 The panel will be assisted and advised by one of the council's solicitors or legal advisers and a democratic services officer will also be present to assist the members in providing a record of proceedings.
- 5.10 The licensing officer from the council will also be at the hearing to present a report and to offer advice and expertise based upon their professional knowledge of the application but without making any recommendations.

6.0 **Hearing procedure**

- 6.1 Election of chair - the panel will elect a chairman for the hearing (if not previously appointed) in the presence of the parties.
- 6.2 Welcome and introductions - the chairman will open the meeting, introducing the members of the panel and officers to the parties and then invite the parties or their respective representatives to introduce themselves.
- 6.3 Outlining the procedure – the chairman will then outline the nature of the application, the decisions to be taken and the procedure to be followed. If there are any preliminary issues made in any of the party response forms, those issues will be addressed and determined at this stage.
- 6.4 Licensing officer's report – the hearing will begin with a presentation by the council's licensing officer who will outline the application, any relevant representations received and deal with all policy and statutory guidance matters by reference to their report. members of the panel may then ask any relevant questions of the licensing officer.
- 6.5 The parties' cases – the chairman will invite the respective parties to present their cases in the following order:

- (a) the applicant
- (b) each responsible authority
- (c) each interested party
- (d) the licence holder if not the applicant

and on each occasion the cases will be dealt with in the following way:

- (a) the relevant party shall address the panel and present any witnesses within the time limit allowed by the panel
- (b) members can then ask relevant questions
- (c) the licensing officer may also ask relevant questions through the chairman of the panel
- (d) although there is no intention to allow parties to cross-examine others, they may ask relevant questions through the chairman.

- 6.6 Final submissions – each party will be given the opportunity by the chairman to summarise their respective cases if they wish for a maximum period of 5 minutes each. Final submission shall be made in the following order:

- (a) interested parties

- (b) each responsible authority
- (c) the applicant
- (d) the licence holder if not the applicant

6.7 Chairman's final comments – the chair will invite the parties to state they have had a fair opportunity to put their respective cases. The panel will deal with any issues arising prior to retiring to make their decision.

7.0 **After the hearing**

7.1 At the end of the hearing, the panel will retire or ask everyone apart from its legal adviser and democratic services officer to leave the room while the panel considers its decision. The panel may call upon its solicitor or legal adviser, and the democratic services officer, if it needs legal or procedural advice.

7.2 If the panel wishes to clarify any point which arose during the hearing, it will recall all parties even if only one is asked for further explanation.

7.3 When the panel has made its decision, members will return to the room or invite the parties back into the room and the chairman will report the decision of the panel to those present.

7.4 The chairman will also inform them that a written decision notice explaining the reasons behind their decision will be sent to all parties.

8.0 **Record of proceedings**

8.1 The democratic services officer shall prepare a record of the panel's proceedings which shall be signed by the chairman of the panel.

8.2 The record of the proceedings shall be retained by the council for a period of at least 6 years from the date of determination or the disposal of any appeal.

Updated December 2016

Panel of the General Licensing Committee



Report of Head of Corporate Services

Author: Sally Worsley, Street Naming and Numbering Officer

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To: Licensing Acts Panel

DATE: 20 February 2023

Proposal to add White Lane into 7 property addresses in Bix where a street name plate exists but White Lane has not been recognised by Royal Mail

Recommendation(s)

Proposal to add White Lane into 5 residential addresses and 2 commercial addresses in Bix, to uphold a previous attempt made in 1999 that was not acknowledged by Royal Mail. However, the district council installed a street name plate at the time as required by the Oxfordshire Act 1985 that now doesn't accord with the addresses in the street.

- (i) Uphold naming of street as White Lane and as a consequence add White Lane into 7 addresses and leave street name plate in situ.

Purpose of Report

To decide whether the street should be formally named as originally intended and the street name added to the 7 addresses affected, or to leave the addresses as they are and remove the existing White Lane street name plate.

Background

In January 2023 a resident of one of the properties affected requested that the district council add White Lane to their address. This meant White Lane would

have to be added to all the addresses with the same post code to satisfy Royal Mail's requirements. The official naming of White Lane and two other unnamed roads in Bix had been successfully carried out in 1999. However, due to an oversight on Royal Mail's behalf they failed to add the street name to any of the affected addresses. Street name plates may be installed once a street has been named under the appropriate enactment and as a result of the 1999 successful street naming, street name plates were duly installed. As Royal Mail's addresses in White Lane had not been updated with the street name it was necessary to carry out the process again under Section 13 of the Oxfordshire Act 1985. A 28-day public consultation ran between 12 January and 10 February 2023 and two objections from the same household were received.

Financial Implications

4. Should the panel find in favour of the council's recommendation then those affected by the amendment to their addresses may insist on compensation to update all their personal documents.

Legal Implications

5. None.

Risks

- 6.

Other Implications

- 7.

Conclusion

8. Royal Mail addresses are sold on a commercial basis and appear on all manner of web site address dropdowns. There is also an increasing number of organisations referring to Royal Mail as the benchmark for official addresses and post codes. It's therefore crucial that the district council and Royal Mail addresses are in step. Street name plates should only be present where the street name is part of any corresponding address and may cause confusion if the expected street name is missing. To rationalise the situation on the ground either, the street name is added to the seven addresses to accord with the street name plates, or the addresses are left as they are and the street name plates removed.

If the name plate is left in situ and the street name not added to the addresses then it's reasonable to assume that there will be a further attempt in the future to rationalise this situation.

Background Papers

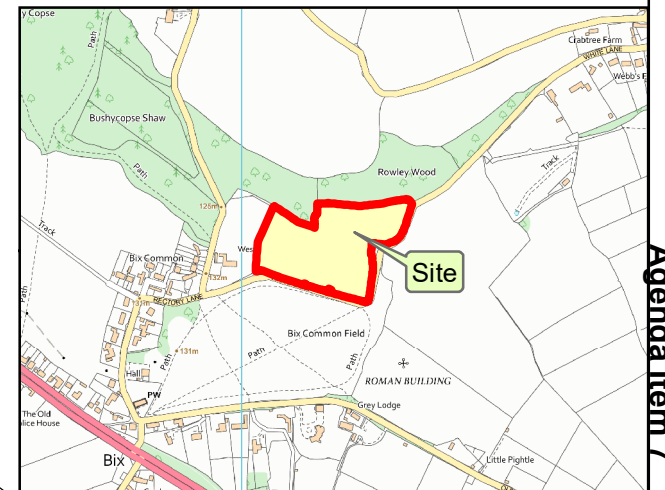
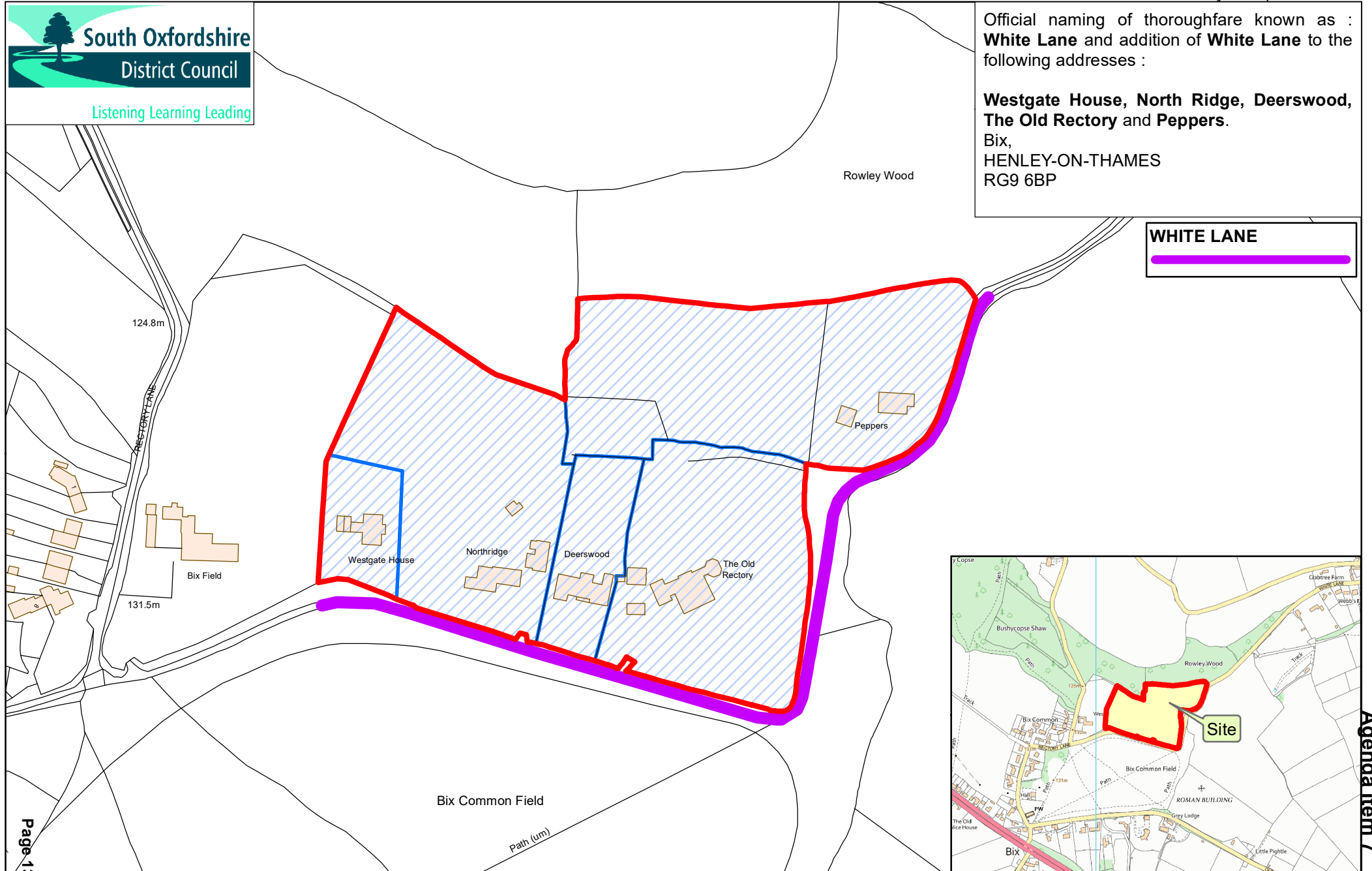
- Plan showing the extent of White Lane and the properties involved.



Official naming of thoroughfare known as :
White Lane and addition of **White Lane** to the following addresses :

Westgate House, North Ridge, Deerswood, The Old Rectory and Peppers.
Bix,
HENLEY-ON-THAMES
RG9 6BP

WHITE LANE

BNN/23/0000004

Thu 12/01/2023 18:58

To: BISSNN <BISSNN@southandvale.gov.uk>

EXTERNAL

Dear SODC

I write with reference to changing the addresses of properties along 'white lane' to include 'white lane' in the address. I object to this on the basis of disruption to financial affairs, including credit rating, that changing the address would cause as well as disruption to business owners along the road needing to re register their business address.

Kind regards

Sent from my iPhone

This email originates from outside of the council.

Keep this in mind before responding, opening attachments or clicking any links, unless you recognise the sender and know the content is safe.

If in any doubt, the grammar and spelling are poor, or the name doesn't match the email address then please contact the sender via an alternate known method.

BNN/23/0000004

Sat 14/01/2023 08:25

To: BISSNN <BISSNN@southandvale.gov.uk>

EXTERNAL

Dear Sir / Madam,

I am writing to formally object to the proposal of officially naming White Lane, Bix, Henley-on-Thames, RG9 6BP. This change of address will likely have a significant negative impact to my business registered at the address and my personal financial situation. In terms of legal administration and credit rating. In addition to my objection on these grounds given the postcode covers relatively small number of addresses it is not necessary from the perspective of those trying to find the address. It is easy to locate for deliveries and visitors.

Yours faithfully,

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