

## **LICENSING POLICY COMMITTEE**

MINUTES OF A MEETING of the Licensing Policy Committee held on Friday 10 December 2010 at 9.30am in the executive meeting room, floor 3 of the Guildhall, Portsmouth.

### **Present**

Councillor Les Stevens (chair)  
David Fuller (vice-chair)  
Margaret Adair  
Andy Fraser  
Malcolm Hey  
Luke Stubbs  
April Windebank

#### **24. Apologies for Absence (AI 1)**

Apologies for absence were received from Councillors Lynne Stagg and James Williams.

#### **25. Declaration of Members' Interests (AI 2)**

There were no declarations of interests.

#### **26. Minutes of the Licensing Policy Committee meeting held on 13 October 2010 (AI 3)**

(TAKE IN MINUTES)

**RESOLVED** that the minutes of the Licensing Policy Committee meeting held on 13 October 2010 be agreed and signed by the chair as a correct record.

#### **27. Minutes of the Licensing Sub Committee meetings held on 13 October and 3 November 2010 (AI 4)**

(TAKE IN MINUTES)

**RESOLVED** that the minutes of the Licensing Sub Committee meetings held on 13 October and 3 November 2010 be agreed and signed by the relevant chair as a correct record.

#### **28. Consultation on Draft Statement of Licensing Policy (AI 5)**

(TAKE IN REPORT BY THE LICENSING MANAGER)

The Licensing Manager introduced the report and explained that a total of 5 representations had been received in response to the consultation process undertaken between 1 September and 26 November 2010. As a result of this, minor amendments are proposed to the original draft with suggested wording where appropriate. If the Policy Committee approves the amended Statement of Licensing Policy today, the final policy must then be approved and adopted by the full Council at its meeting on 14 December. The Licensing Act 2003 requires the Council to keep the policy under review throughout each 3-year period and to revise it as necessary. The first policy commenced on 7 January 2005.

A deputation was heard from Mr Roger Hearn, on behalf of Gunwharf Quays Residents Association, who made the following points during his representation:

- The Residents Association welcome the improved policy statement particularly paragraph 27.12 which relates to the prevention of public nuisance and good neighbourliness;
- This is a big issue in Gunwharf Quays due to the mix of residential and commercial use;

- The Policy is embracing for us as residents;
- At the hearing of a premises licence at Unit R20 at Gunwharf Quays, 21 conditions were imposed, partly due to representations from residents, and now the premises works well with no problems;
- From the resident's point of view, we completely support the Policy.

#### **RESOLVED**

- 1) That the Committee considered the responses to the draft policy statement and approved the amendments as detailed in the report.**
- 2) That the Committee recommended that the Council adopts the amended Statement of Licensing Policy with effect from 7 January 2011.**

#### **29. Local Government (Miscellaneous Provisions) Act 1976 – Proposed Variation of Hackney Carriage Table of Fares (AI 6)**

(TAKE IN REPORT BY THE LICENSING MANAGER)

The Licensing Manager introduced the report and explained that a number of objections had been received from hackney carriage drivers/proprietors in response to the public notice of the proposed variation to the existing Hackney Carriage Table of Fares. The objections consisted of a pre-printed statement saying "I object to the fare increase proposed" but the form did not set out any reasons for objecting. The Licensing Manager also explained that it would take a couple of days for the microchips in the meters to be adjusted and therefore she was proposing that the table of fares come into operation on 13 December 2010 and not the 10<sup>th</sup> as stated in the report.

Deputations were heard from Mr Ian Ogilvie and Mr Derek Payne (representing the Hackney Carriage Trade) spoke in support of the proposal and made the following points during their representations:

- Consulted with drivers regarding a fare rise, when consensus was in favour, then met and voted on the proposal;
- Handed out approximately 170 sheets to drivers asking for their opinions;
- 116 were received back;
- 100 of those were in support of an increase and 16 against;
- Some of the drivers objecting are amongst the list in Appendix B;
- Also lobbied some members of the public that regularly use taxis;
- General consensus was positive and they said they would continue to use taxis;
- There are a lot of outgoings for drivers most of which have gone up recently too, such as fuel;
- Several drivers approached us in August/September about a fare rise;
- We cannot get to every hackney carriage driver but do try;
- We do need a fare increase;
- Working 8-10hour day would mean £2-£3 extra;
- Can never catch up with what we have lost on other expenses, fuel etc;
- Feel it is a fair increase;
- We are not making huge sums of money, just getting by;
- Increase is sorely needed.

A deputation was also made by Viv Young (also representing the Hackney Carriage Trade) who spoke objecting to the proposal and made the following points:

- Endorse the point that this will only give a small amount extra for drivers;
- We are more expensive than most other taxis during the day;
- Have a huge private hire trade who are able to charge less;
- Passengers are only interested in the amount they are charged;
- The public are not interested in the cost for trade lights, licences etc;

- Private hire taxis are really cheap and I strongly oppose to any increase;
- We should be tightening our belts;
- Often work a 12 hour shift and only do 12 jobs.

The Licensing Manager reported that 'Genc Krasniqi' listed as number 28 on Appendix B had withdrawn his objection.

**RESOLVED:**

- 1) **That the committee approved the table of fares previously considered by the Licensing Committee on 13 October 2010 and as set out in the committee report.**
- 2) **That the varied table of fares shall come into operation on 13 December 2010.**

**30. Review of Sex Establishment Licence Fees (AI 7)**

(TAKE IN REPORT BY THE LICENSING MANAGER)

The Licensing Manager introduced the report and explained that the item had been considered at the Licensing Committee meeting on 13 October when members had asked for further information relating to the reduction in the renewal fee, the comparison to other local authorities and why the Licensing Manager was proposing a 50% saving for owners of sex establishments when all other areas were having to face an increase. The Licensing Manager also explained that it has always been the policy of the Committee to recover the cost of undertaking the licensing function and not to make money on the licensing fees.

A deputation was heard from Ms Charlie Dacke, on behalf of the Solent Feminist Network and made the following points:

- Represent a local community group and not here for moral reasons;
- Priority should not be given to sex shops/cinemas in this climate;
- Their premises encourage gender inequality;
- The licence fee for renewing is proposed to be decreased and yet policing is still needed to stop illegal trading at these type of premises;
- Why has this proposal been put forward before the sex establishment venues has been discussed?

During discussion of this item, members moved an amendment to the recommendation that the cost of the transfer fee be increased to £1000.

**RESOLVED:**

- 1) **That the Committee noted the contents of the report;**
- 2) **That the proposed table of licensing fees associated with the licensing of sex establishments be approved, subject to the amendment relating to the cost of the proposed transfer fee being increased to £1000, and implemented with immediate effect.**

The meeting concluded at 10.40am.

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Signed by the chair of the meeting  
Councillor Les Stevens