

## LICENSING COMMITTEE

MINUTES OF A MEETING of the Licensing Committee held on Friday 20 January 2006 at 9.30am in Civic Offices, Portsmouth.

### Present

Councillors: David Stephen Butler (Chair)  
Deborah Tomes  
Margaret Foster  
Jacqui Hancock  
Tom Blair  
Mike Blake  
Fred Charlton  
Alan Langford  
Lee Mason  
Eleanor Scott (Standing Deputy)

#### 1. Apologies

Apologies were received from Councillors Gerald Vernon-Jackson, Jason Fazackerley, Lee Hunt, Geoff Goble, Frank Worley and Leo Madden.

#### 2. Declaration of Members' Interests in accordance with Standing Order 14 (AI 1)

No interests were declared.

#### Minutes of Licensing Committee Meetings held on 24 June 2005 (AI 2)

(TAKE IN MINUTES)

Resolved that the minutes of the meetings held on 24 June 2005 be confirmed and signed by the Chair as a correct record.

#### 3. Matters arising from the Minutes (AI 3)

None

#### 4. Application for the grant of a Private Hire Vehicle Licence – Volvo – Fire Engine – G821 TSP (AI 5)

(TAKE IN REPORT)

Mr Paul James Houghton, the applicant was in attendance.

Mrs Nickii Humphreys, the Licensing Manager, briefed the Committee on the report.

The Committee adjourned to view and inspect the vehicle and on their return a number of concerns were raised, these included:

- Entrance into the side of the vehicle, could a better set of steps be arranged
- Where was vehicle kept
- Will lights be used.
- Policy on the sale of alcohol in the vehicle
- How the operators would deal with problem passengers
- Safety issues involving parties of children, what's to stop them from opening doors while vehicle is in motion.

In response to the concerns raised by members of the Committee, Mr Houghton the applicant agreed to look into providing a more solid set of steps or step for entrance into and egress from the vehicle. He also informed the Committee that the vehicle was parked in a 24hr security area when not in use and that the lights were not used when on the road. The colour of the lights had also been changed to yellow. In respect of passengers that may get out of hand, in the contract for hire of the vehicle it stated that if passengers got out of hand then the ride ceases and they are asked to leave provided it was a safe location.

In response to the concerns about sales of alcohol Mrs Humphreys told the Committee that alcohol could not be sold whilst the vehicle was moving, Mr Houghton informed the Committee that currently he did not intend to sell alcohol, however if parties brought their own alcohol on to the vehicle he would provide the ice and a refridgerator.

In reply to a question about mechanical suitability of the vehicle Mr Houghton confirmed that the vehicle had done 33,000k or about 25,000 miles. Adams Morey carried out servicing of the vehicle and the vehicle would have regular servicing approximately every 6 weeks.

There was some discussion on CRB checks being carried out on adults who worked for Mr Houghton accompanying children in the rear of the fire engine. In response to members wishing to attach conditions, Mrs Humphreys advised the Committee that they were only being asked to look at the suitability of the vehicle and that it was safe and comfortable, not on how passengers may be supervised.

**Resolved that (1) A Private Hire Vehicle Licence be granted to Mr Paul James Houghton, the proprietor of a Volvo Fire Engine registration number G821 TSP.**

**(2) the Committee waive their normal policy requirement for the vehicle to be under 6 years old at the time of first licensing.**

**(3) the vehicle licence be granted subject to a Private Hire Operators Licensing being granted to Mr Paul James Houghton operating under the trade name of 'A Fireman's Lift' pursuant to Section 55 of the 1976 Act.**

**Reason: The Committee took account of its policy guidelines that any private hire vehicle, on first licensing, be under 6 years old. However because of the unique type, nature and proposed use of the vehicle, this policy requirement was waived on this particular occasion.**

**5. Licensing Act 2003 – Consideration of the Implementation of a Neighbourhood Notification Scheme in Respect of Applications for the Grant and Major Variations of Premises Licences and Club Premises Certificates.**

Mrs Nickii Humphreys briefed the Committee on her report.

Ms Sue Page, from Financial Services advised the Committee on funding and said that the costs could not be met from income and the City Council would have to fund it separately. The costs if the scheme were agreed would have to be set out in a report to the Council.

The Committee looked at the two options set out in the report. Committee Members comments included:

- Time taken to reach this stage;
- Issues with government legislation – good intentions but no detail in the writing;
- Could notices when distributed have information on ward councillors;
- Budget - could all three group leaders give their support
- 50 metre radius for notification

**Resolved that having regard to the legal advice provided and after having considered the Council's powers under Section 2 of the Local Government Act 2000, a licensing neighbourhood notification scheme should be adopted:**

- 1. As a policy guide, notification should be sent to those within a radius of 50 metres of the application site;**
- 2. Provision be made for the financial costs of the implementation of the scheme being met by the Council and**
- 3. The Director of Corporate Resources and Services to be given delegated authority to implement and administer such a scheme in line with the legal advice obtained.**

**Reasons: The Committee was satisfied that it is likely to achieve the promotion or improvement of the economic, social and or environmental well-being of the areas of the city affected by licensing applications.**

**6. Minutes of Licensing Sub Committee Meetings (AI 6)**

(TAKE IN MINUTES)

Resolved that the minutes of the meetings held since 24 June 2005 (40 sets of minutes) be confirmed and signed by the Chair as a correct record.

**7. Matters arising from the Minutes**

**Minutes – Thursday 28 July 05**

Para 43 the last sentence to be amended to read: “The Chair, Councillor Lee Mason would not allow Councillor Vernon-Jackson to speak.”

**8. Composition of Licensing Sub Committee Due to Sit After the Full Licensing Committee**

The Chair was advised that only one member of the Sub Committee due to sit after the cessation of the Full Licensing Committee was present. After consulting the Committee and ascertaining the availability of members it was agreed that Councillor Lee Mason would sit on the Sub Committee with Councillor Mike Blake.

The Chair thanked all members of staff to the Committee for the wonderful way they had carried out the workload to the Licensing Sub Committees over the last few months.

The Chair thanked Cynthia Haveron, Democratic Services for her efficient and helpful work in the last year and wished her well in her new job at East Hants District Council.

The meeting concluded at 10:50

Chair