

LICENSING POLICY COMMITTEE

MINUTES OF A MEETING of the Licensing Policy Committee held on Friday 30 July 2010 at 12.30pm in the Executive Meeting Room of the Guildhall, Portsmouth.

Present

Councillors Les Stevens (chair)
David Fuller (vice chair)
Margaret Adair
Jason Fazackarley
Eleanor Scott (Standing Deputy)
Luke Stubbs
James Williams

Also in attendance

Councillor Lee Hunt

9. Apologies (AI 1)

Apologies had been received from Councillors Mike Blake, Sarah Dinenage, Jacqui Hancock, Malcolm Hey, Lee Mason and April Windebank.

10. Declaration of Members' Interests (AI 2)

None.

11. A Change in the Scheme of Delegation for officers in respect of Licensing Matters in relation to Street Performers (AI 3)

Ms Humphreys, Licensing Manager, introduced the item stating that the current system for regulating the provision of street entertainment in certain areas of the City had been introduced by the Transportation Committee in June 1990 and that licensed pitches were currently only available in Commercial Road, Palmerston Road and Cosham High Street pedestrian precincts. She added that there was no requirement for a permit to be obtained by persons busking outside of these pedestrianised areas and that each of the precinct areas were subject to a premises licence. To use a pitch in the pedestrianised areas, a street entertainer currently requires a permit and public liability insurance. She added that there were currently 19 buskers licensed by Portsmouth City Council (PCC) to perform in the City and that these generated income of approximately £200 per annum.

Ms Humphreys stated that the proposal was to deregulate the system so that street performers are permitted to use agreed performance pitches across the city free of charge, without the need for public liability insurance and that the current scheme of issuing permits be rescinded and replaced with authorisations subject to compliance with PCC's written terms and conditions.

Mr Humphreys added that although the town centre managers and seafront manager would determine the number and location of pitches, ultimate responsibility for this would lie with the City Solicitor. She also explained that although the licensing section would administer and enforce the scheme in Commercial Road, Palmerston Road and Cosham High Street pedestrianised areas, the seafront manager would administer and enforce the seafront area in consultation with the licensing service. Ms Humphreys also added that this initiative offered an important opportunity to develop and improve street performance across the city.

Mr Lawther, the City Solicitor, stated that a written deputation had been received from Hampshire Constabulary and that this sought to add a time limit of 2100 hours to the proposal in order that the impact on the crime and disorder of the City at night time be limited. He added that the Cabinet Member for Culture Leisure & Sport in his meeting immediately preceding the Committee meeting had agreed to this proposal.

Councillor Lee Hunt, speaking as Cabinet Member for Culture Leisure & Sport, stated that the deregulation aimed to encourage good quality street performance in the city and district centres and the seafront. He stated that the proposals supported the Seafront Strategy and added that he hoped the Committee would accept the change to the Scheme of Delegation for officers in respect of Licensing Matters in relation to Street Performers.

Members sought further information on the administration and enforcement of street performers on the seafront, police concerns relating to Guildhall Walk, the current number of street performance with permits and the income from these, the powers to regulate street performance if the recommendations were adopted, the number of pitches likely to result from deregulation and how aggressive charging or begging would be controlled.

Councillor Margaret Adair gave her support to the proposals adding that a time limit of 2100 hours seemed sensible.

Councillor Jason Fazackarley proposed that a time limit of 1800 hours in the high density entertainment area of Guildhall Walk be added to the decisions made by the Cabinet Member for Culture Leisure & Sport.

Councillor Eleanor Scott supported this proposal adding that by 2100 hours there were already a number of people in drink in the area, that a time limit of 1800 would tie in with the road closure and that it would support initiatives to 'normalise' Guildhall Walk.

Councillor David Fuller sought advice about whether the Committee needed to take account of the history of street performance and stated that he believed that a time limit of 2100 hours city-wide would be sufficient. The City Solicitor stated that there were no significant known problems in relation to street performance and that should difficulties arise from the proposals to de-regularise, a further report would be brought back to the Committee.

Councillor Jason Fazackarley reiterated his view that Guildhall Walk was a special case and that a time limit in this area only of 1800 hours would be appropriate.

RESOLVED that the Committee supported the decisions made by the Cabinet Member for Culture Leisure & Sport at his special decision meeting held at 12.00 noon on 30 July 2010 in the Guildhall, Portsmouth that:

- a. That the current scheme be amended so that street performers are permitted to utilise agreed performance pitches across the city free of charge;
- b. That the current scheme of issuing permits be rescinded and replaced with authorisations subject to compliance with PCC's written terms and conditions;
- c. That the proposal to increase the number of pitches across the city be agreed and that the City Solicitor be authorised to finalise exact numbers and locations;
- d. That providing performers agree to and comply with PCC's written terms and conditions, that the requirement for them to provide Public Liability Insurance be waived;
- e. That the City Solicitor be authorised to prepare appropriate terms and conditions subject to which authorisations will be granted to street entertainers;
- f. That street entertainment across the city shall not be permitted after 2100 hours daily.

And that a further condition be added:

- g. That street entertainment shall not be permitted after 1800 hours daily in the high density entertainment area of Guildhall Walk.

The meeting concluded at 12.50pm.

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Signed by the chair
Councillor Les Stevens.