

LICENSING POLICY COMMITTEE

MINUTES OF A MEETING of the Licensing Policy Committee held on Wednesday 13 October 2010 at 9.30am in the executive meeting room, floor 3 of the Guildhall, Portsmouth.

Present

Councillor David Fuller (in the chair)
Margaret Adair
Jason Fazackarley
Lee Mason (for part, from 10.05am)
Lynne Stagg
Luke Stubbs
April Windebank

18. Apologies for Absence (AI 1)

Apologies for absence were received from Councillors Margaret Foster, Jacqui Hancock, Les Stevens and James Williams.

19. Declaration of Members' Interests (AI 2)

There were no declarations of interests.

20. Minutes of the Licensing Policy Committee meeting held on 25 August 2010 (AI 3)

(TAKE IN MINUTES)

RESOLVED that the minutes of the Licensing Policy Committee meeting held on 25 August 2010 be agreed and signed by the chair as a correct record.

21. Minutes of the Licensing Sub Committee meetings held on 18 & 25 August and 10 & 21 September 2010 (AI 4)

(TAKE IN MINUTES)

RESOLVED that the minutes of the Licensing Sub Committee meetings held on 18 & 25 August and 10 & 21 September 2010 be agreed and signed by the relevant chair as a correct record.

22. Annual Review of Licensing Fees (AI 5)

(TAKE IN REPORT BY THE LICENSING MANAGER)

The Deputy Licensing Manager introduced the report and explained that the proposed fee increase equates to a 3% increase in line with the current rate of inflation, for various types of licences/registrations, some of which have not incurred an increase in charges for some considerable period of time. It is also proposed to decrease the renewal fee payable in respect of sex establishment licences and to adopt new fees in relation to the variation and transfer of such licences, as well as the giving of and issuing of replacement notices relating to Temporary Use Notices under the Gambling Act 2005.

The legal advisor reported that whilst the report of the Licensing Manager does not refer to an Equalities Impact Assessment, preliminary assessments were carried out and the conclusion was that there would be no impact, therefore there was no requirement for full assessments to be carried out.

During consideration of this item, members questioned why the renewal fee in respect of sex establishment licences had been reduced, where Portsmouth stood in comparison to other local authorities in terms of their licensing fees and why the Licensing Manager was proposing a '50% saving' for the owners of sex establishments when all other areas were having to face an increase in fees?

Mr Ross Lee, the senior enforcement officer, responded to members questions by saying that the council must ensure that full cost recovery is achieved in relation to the administration and enforcement of the various licences and functions. With regard to the reduction of the sex establishment licence fee, the licensing authority can no longer justify charging £8000. Sex establishments in the city are currently run by established companies and therefore there is far less work involved in the administration and the fee must reflect that. In previous years the sex establishments were always changing hands and the licensing authority spent a considerable amount of time administering the licences.

In commenting on the report members requested deferral of the proposed change in sex establishment licences to enable the Licensing Manager to gather further information from neighbouring local authorities as to their fee charges and to report back at the next meeting in December.

RESOLVED

- 1) That the proposed table of licensing fees be approved and implemented with immediate effect, except for 'Sex Establishment Licences' which was deferred for further information, until the next meeting; and**
- 2) That the City Solicitor be given authority to advertise, (where appropriate), such fees and charges that are subject to any formal public statutory consultation.**

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

(TAKE IN REPORT BY THE LICENSING MANAGER)

The Deputy Licensing Manager introduced the report and explained that representations had been made to the Licensing Manager by recognised hackney carriage trade representatives for an increase to the current table of fares.

The legal advisor reported that whilst the report of the Licensing Manager does not refer to an Equalities Impact Assessment, preliminary assessments were carried out and the conclusion was that there would be no impact, therefore there was no requirement for full assessments to be carried out.

A deputation was heard from Mr Ian Ogilvie, speaking on behalf of the Hackney Carriage trade and made the following comments:

- Representations had been made to the Licensing Manager requesting an increase in fares;
- The last fare increase was in 2008;
- The cost of living, fuel prices, car prices and the licence fee have all increased since then;
- Trade feel we shouldn't leave it too long to apply for an increase because otherwise the rise would be too high for the public;
- Have canvassed hackney carriage drivers regarding an increase in fares. 15 were against and over 90 were in support;
- General feeling from trade was supportive;

Mr Ross Lee, the senior enforcement officer, explained that the fares increase was a modest increase. The additional 'excessive loads/luggage' fare proposed was due to the increase of the use of taxis, particularly by students, as a mini removals service.

RESOLVED:

- 1) That the committee approved for publication the proposed variations to the table of fares shown in paragraph 5.7 of the report;**
- 2) That the Licensing Manager be authorised to give public notice of the variations pursuant to section 65 Local Government (Miscellaneous Provisions) Act 1976;**
- 3) That, subject to no objections being received, the varied table of fares shall come into operation on Monday 15 November 2010; and**
- 4) That the Licensing Manager be authorised to amend the standard terms and conditions relating to private hire and hackney carriage vehicles so as to require the display of a notice on the licensed vehicle advising that additional charges will apply when payment is made by way of credit/debit card payment.**

The meeting concluded at 10.30am.

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Signed by the chair of the meeting
Councillor David Fuller, vice-chair