

NOTICE OF MEETING

LICENSING COMMITTEE

FRIDAY, 24 FEBRUARY 2023 AT 3.00 PM

COUNCIL CHAMBER - THE GUILDHALL, PORTSMOUTH

Telephone enquiries to Anna Martyn, Local Democracy Officer - Tel 023 9283 4870
Email: democratic@portsmouthcc.gov.uk

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Public health guidance for staff and the public due to Winter coughs, colds and viruses, including Covid-19

- Following the government announcement 'Living with Covid-19' made on 21 February 2022 and the end of universal free testing from 1 April 2022, attendees are no longer required to undertake any asymptomatic/ lateral flow test within 48 hours of the meeting; however, we still encourage attendees to follow the public health precautions we have followed over the last two years to protect themselves and others including vaccination and taking a lateral flow test should they wish.
- We strongly recommend that attendees should be double vaccinated and have received any boosters they are eligible for.
- If unwell we encourage you not to attend the meeting but to stay at home. Updated government guidance from 1 April 2022 advises people with a respiratory infection, a high temperature and who feel unwell, to stay at home and avoid contact with other people, until they feel well enough to resume normal activities and they no longer have a high temperature. From 1 April 2022, anyone with a positive Covid-19 test result is still being advised to follow this guidance for five days, which is the period when you are most infectious.
- We encourage all attendees to wear a face covering while moving around crowded areas of the Guildhall.
- Although not a legal requirement, attendees are strongly encouraged to keep a social distance and take opportunities to prevent the spread of infection by following the 'hands, face, space' and 'catch it, kill it, bin it' advice that protects us from coughs, colds and winter viruses, including Covid-19.
- Hand sanitiser is provided at the entrance and throughout the Guildhall. All attendees are encouraged to make use of hand sanitiser on entry to the Guildhall.
- Those not participating in the meeting and wish to view proceedings are encouraged to do so remotely via the livestream link.

Licensing Committee Members:

Councillors Scott Payter-Harris (Chair), George Madgwick (Vice-Chair), Yinka Adeniran, Dave Ashmore, Kimberly Barrett, Stuart Brown, Tom Coles, Jason Fazackarley, Charlotte Gerada, Lewis Gosling, Ian Holder, Leo Madden, Linda Symes, Benedict Swann and Daniel Wemyss

Standing Deputies

Councillors Matthew Atkins, Lee Hunt, Abdul Kadir, Gemma New, Steve Pitt, Asghar Shah, John Smith and George Fielding

(NB This Agenda should be retained for future reference with the minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the relevant officer by 12 noon of the working day before the meeting, and must include the purpose of the deputation (eg. for or against the recommendations). Email requests are accepted. Contact: the Democratic Services Officer as listed above.

AGENDA

- 1 **Apologies for Absence**
- 2 **Declarations of Members' Interests**
- 3 **Minutes of the Previous Meeting (Pages 5 - 8)**

RECOMMENDED that the minutes of the Licensing Policy meeting held on 25 July 2022 be approved as a correct record.

- 4 **Town Police Clauses Act 1847 and Part II, Local Government (Miscellaneous Provisions) Act 1976 - Hackney Carriage and Private Hire Matters - Amendments to Adopted Statement of Licensing Policy (Pages 9 - 150)**

Purpose

1. To consider the responses to the public consultation which took place between the period 01 August and 31 October 2022.
2. To consider the proposed amendments to the adopted statement of licensing policy for the control and supervision of the hackney carriage and private hire trades within Portsmouth ("the PCC policy") as set out in Appendix A of this report, having regard to the statutory Taxi and Private Hire Vehicle Standards guidance issued by the Secretary of State for Transport in July 2020.

RECOMMENDED

1. **That the Licensing Committee considers the recommendations numbered (1) to (37) in the report attached as Appendix A and duly notes/determines amendments to the PCC policy as it considers appropriate.**
2. **That the amendments to the policy will come into effect on 1 April 2023.**

- 5 **Vehicle Specification Requirements - Salvaged Vehicles**

The 2016 adopted policy guidelines in respect of the general vehicle specifications (for both hackney carriages and private hire vehicles) state that vehicle licences will not be granted or renewed in circumstances where a vehicle has been "written off" for the purposes of the then industry recognised categories A, B, C and D. (Minute 9/2016 refers).

Since 2016 some proprietors have subsequently licensed vehicles which have been "written off/ salvaged" following technical examination by appropriately qualified persons. The council was initially unaware that a salvage marker had been placed on the V5 registration document issued by DVLA in respect of such vehicles. Affected proprietors have now asked for the committee to

consider this policy directive in relation to both category S (structural repairs) and category N (non-structural repairs). They say that vehicles are now routinely written off for relatively "minor" damage and repairs due to excessive third-party costs such as temporary vehicle hire pending insurance assessment and examination.

Accordingly, the committee are asked to consider the following recommendation:

The Licensing Committee notes the current policy on salvaged vehicles and instructs the Licensing Manager to carry out a period of formal consultation with all interested parties and to report back with recommended good practice advice and policy guidance on the suitability or otherwise of licensing vehicles with either a category S or category N marker recorded.

Members of the public are permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting nor records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

Whilst every effort will be made to webcast this meeting, should technical or other difficulties occur, the meeting will continue without being webcast via the Council's website.

This meeting is webcast (videoed), viewable via the Council's livestream account at <https://livestream.com/accounts/14063785>