



Minutes of the Licensing and Regulatory Affairs Committee

*Minutes of a meeting held on 10 July 2012
at the Civic Offices, Fareham*

PRESENT:

Councillor Mrs P M Bryant
(Chairman)

Councillors: Mrs S M Bayford, Miss S M Bell, M J Ford, JP, L Keeble, Mrs K Mandry, D J Norris, R H Price, JP and P W Whittle, JP

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from the Vice-Chairman, Councillor T M Cartwright and from Councillors Mrs M E Ellerton and T J Howard.

2. MINUTES

The Chairman advised members that the minutes of the last meeting of the Committee would be submitted to the meeting of the Council on 26 July 2012.

RESOLVED that the minutes of the meeting of the Licensing and Regulatory Affairs Committee held on 29 May 2012 be confirmed and signed as a correct record (attached - [lc-120529-m](#)).

3. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements made at this meeting.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

5. DEPUTATIONS

There were no deputations made at this meeting.

DECISIONS UNDER DELEGATED POWERS

6. ANNUAL TAXI VEHICLE RENEWALS

The Committee considered a report by the Director of Regulatory and Democratic Services on the annual renewal of hackney carriage vehicle licences (copy of report [lc-120710-r02-hsp](#) circulated with agenda).

RESOLVED that:-

- (a) the content of the report and the work involved with the annual Hackney Carriage and Private Hire Vehicle Renewals be noted;
- (b) the officers be requested to inform Hampshire County Council that the Committee had again raised the question of vouchers issued to some residents and that some taxi companies would not accept them because of the need to take them or send them to Winchester to cash them in; and
- (c) consideration be given at the Committee meeting on 18 September 2012, as part of the Review of the Hackney Carriage Tariff item, to whether acceptance of the vouchers should be included in the conditions for taxi companies operating in the Borough and whether arrangements for cashing them in should be extended to those companies outside the Borough that provided specific services to patients at Queen Alexandra Hospital, Portsmouth and the Gosport War Memorial Hospital.

7. ACTUAL REVENUE EXPENDITURE 2011/12

The Committee considered a report by the Director of Finance and Resources on the Committee's actual revenue expenditure for 2011/12 (copy of report [lc-120710-r03-nwo](#) circulated with agenda).

RESOLVED that:-

- (a) the report be noted; and
- (b) the officers be requested to review the figures in Appendix A to the report with regard to hackney carriage and private hire vehicles to ensure that in future they include reference to the cost of Members attending the various licensing meetings and training sessions.

8. REVISED STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005

The Committee considered a report by the Director of Regulatory and Democratic Services on the revised Statement of Principles under the Gambling Act 2005 (copy of report [lc-120710-r04-mho](#) circulated with agenda).

It was noted that there was a requirement for the Statement of Principles to be revised and published (following consultation) every three years. It was also noted that the Statement could be revised within the three years if necessary. The consultation process included publishing the Draft Statement on the Council's web site.

RESOLVED that:-

- (a) paragraphs 8 and 12 on pages 7 and 8 of the Revised Statement of Principles (Appendix A to the report) be amended by deleting the word 'approximately' and inserting a date when the number of establishments applied to;
- (b) subject to (a) above, the draft revised statement of principles be approved for the purposes of statutory consultation;
- (c) a further report be presented to the meeting on 20 November 2012 setting out the feedback and responses from the consultation for consideration by the Committee prior to the revised Statement of Principles being recommended to Council for adoption; and
- (d) it be noted that, at the meeting on 20 November 2012, the Committee could submit its view to the Council about whether the "No Casino" policy should be renewed.

9. ENFORCEMENT POLICY

The Committee considered a report by the Director of Regulatory and Democratic Services on the review of the Council's Enforcement Policy (copy of report [lc-120710-r05-iri](#) circulated with agenda).

It was noted that the draft revised policy would go through a consultation process, the results of which would be reported to the meeting of the Committee on 20 November 2012. It was further noted that the same draft policy was also being submitted to the Public Protection Policy Development and Review Panel and the Executive in respect of those functions delegated to the Executive.

RESOLVED that:-

- (a) it be noted that paragraphs 46.0 and 47.0 on page 14 of the draft policy were the same and that the officers be requested to amend the draft policy accordingly;

- (b) the officers be requested to take into consideration the comments made in relation to the phrase 'minor breach of the law' in paragraph 27 of the revised policy;
- (c) the officers be requested to include a reference in the policy to the joint working between Environmental Health and other agencies, such as the Hampshire Fire and Rescue Service and Hampshire County Council Trading Standards;
- (d) the officers be requested to advise the Public Protection Policy Development and Review Panel of (c) above;
- (e) the written answer to Councillor Whittle in respect of the officers' powers under the Housing Act be forwarded to other members of the Committee for information;
- (f) subject to (a), (b) and (c) above, the revised Regulatory Services Environmental Health Enforcement Policy attached as Appendix A to the report be approved for consultation insofar as it relates to the functions of this Committee; and
- (g) the results of the consultation be considered at the November meeting of the Committee prior to it being considered by the Executive in respect of those functions that fall within its responsibility.

10. LICENSING AND REGULATORY AFFAIRS COMMITTEE WORK PROGRAMME 2012/13

The Committee considered a report by the Director of Regulatory and Democratic Services on the Committee's work programme for 2012/13 (copy of report [lc-120710-r01-gwh](#) circulated with agenda).

RESOLVED that:-

- (a) *Gambling Policy - Results of Consultation* be added to the work programme on 20 November 2012 (minute 8 above refers);
- (b) *Health and Safety Enforcement* on 20 November 2012 be re-named *Health and Safety Enforcement Feedback* (minute 9 above refers);
- (c) *Review of Hackney Carriage Tariff* on 18 September 2012 be re-named to take into account that Hampshire County Council Vouchers and Drivers' Conditions would also be considered (minute 6 above refers);
- (d) It be noted that a Law Commission consultation was currently taking place on hackney carriage licensing laws, which would lead to proposed legislation in November 2013 that would include reference to taxi provision for people with disabilities;
- (e) *Review of Parliamentary Boundaries and Constituencies* be added to the work programme as an unallocated item;

- (f) Subject to (a), (b), (c) and (e) above, the Licensing and Regulatory Affairs Committee Work Programme for 2012/13, as shown in Appendix A to the report, be agreed; and
- (g) the information contained in the progress report, as shown in Appendix B to the report, be noted.

(The meeting started at 6:00pm
and ended at 7:15 pm)