

**Minutes of the Licensing Committee
of the Test Valley Borough Council**
held in Conference Room 1, Beech Hurst, Weyhill Road, Andover
on Thursday 19 September 2013 at 5.30 pm

Attendance:

Councillor A Hope	(P)	Councillor J Anderdon	(P)
(Chairman)		(Vice-Chairman)	
Councillor I Andersen	(P)	Councillor K Hamilton	(P)
Councillor A Beesley	(A)	Councillor A Johnston	(A)
Councillor A Brook	(-)	Councillor P Lashbrook	(P)
Councillor J Budzynski	(P)	Councillor N Long	(P)
Councillor M Cooper	(P)	Councillor I Richards	(A)
Councillor B Few Brown	(A)	Councillor A Tupper	(A)
Councillor A Finlay	(A)		

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Declarations of Interest

In accordance with the Licensing Procedure Rules, Councillor Hamilton declared a code of conduct interest in item 7 as she had family members in the licensed taxi trade. She left the room while the matter was discussed.

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Public Participation

In accordance with the Council's scheme of public participation the following spoke on the items indicated:

Item No	Agenda Item	Name of Speaker
7	Hackney Carriage Licensing – Future Policy	Mrs Dunn

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Minutes

Resolved:

That the minutes of the meeting held on 18 July 2013 be confirmed and signed as a correct record.

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Minutes of the Licensing Sub-Committee

Resolved:

That the minutes of the Licensing Sub-Committee held on 29 July 2013 be received.

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Hackney Carriage Licensing – Future Policy

The Committee considered a report on the future policy for hackney carriage licensing in the Borough. The Council continued to be in a minority of authorities that restricts the number of hackney carriage licences it issues.

The Licensing Manager reminded the Committee that following consideration of the matter at a meeting on 17 January 2013, a consultation exercise was undertaken. There was a poor response and the results were inconclusive. However, the poor level of response indicated that there was no resistance to the proposals.

The Committee noted that the Test Valley residents were not well served by the number of hackney carriages available to them in comparison with the residents of neighbouring authorities.

The Licensing Manager outlined the four options available to the Committee as a result of the review of the current policy. He suggested that it was difficult to justify the current policy without the results of a recent survey and this was not possible because of the significant costs of undertaking such a survey.

Members considered whether continued restriction of licence numbers was viable. It was noted that whilst de-restriction was perfectly reasonable and lawful, concerns had been raised by existing proprietors and some Members. In addition, there were potential applicants who were interested in taking up an opportunity of applying for a hackney carriage licence if it became available.

The Licensing Manager recommend that a further five licences be issued subject to previously agreed quality control measures being in place as the best way forward. The Committee agreed that this proposal would allow for managed growth if demand required it and endorsed by the recommendation.

Resolved:

- 1. That with effect from 1 October 2013 the Head of Administration make available for grant five additional hackney carriage vehicle licences but only for vehicles which meet the conditions set out in Annex 2 attached to this report.**
- 2. That a further report on the matter is submitted to this Committee at such time as either all five licences have been issued or there is a change in legislation affecting the Council's ability to restrict licence numbers, whichever was soonest.**

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Licensing Sub-Committee Arrangements

The Committee considered a report concerning arrangements for Licensing Sub-Committees.

The Licencing Manager reported that the arrangements relating to the establishment and operation of Sub-Committees were in need of revision. When first established it was proposed that meetings would be held in the Guildhall, Andover and the Council Chamber, Duttons Road. With the closure of the Romsey offices it is necessary to amend the procedures to state that Romsey hearings will take place at the Crosfield Hall.

Now that the number of hearings had reduced significantly this was no longer appropriate. It was therefore suggested that Andover hearings be held at Beech Hurst where possible although the Guildhall will be retained as a hearings venue should Beech Hurst be unavailable. The recommendation includes the phrase “any other suitable accommodation” to take account of any occasions where the usual meeting venues are unavailable and thus officers may need to make use of other accessible meeting venues.

The legislation regarding political proportionality at Council meetings does not apply to Licensing Sub-Committees. However, from the outset it was agreed that proportionality would apply to Sub-Committees. To date, it had been possible to achieve this although on occasions it had proved difficult to do so. The present requirement for Sub-Committee membership to comprise one Liberal Democrat and two other members is on most occasions easy to achieve with the current political composition of the authority. However, if this were to change then that may no longer continue to be the case. Accordingly, it was recommended that in future political proportionality be applied, where possible, but that if it was not possible to do so then this should not prevent a meeting from taking place.

A Member suggested that numbers of Members sitting on Licensing Sub-Committees should be reviewed yearly in order to ensure fairness.

The Committee welcomed the proposals which supported the Council’s cost savings/efficiency agenda.

Resolved:

- 1. That the membership of the Licensing Sub-Committee be comprised of three members of the Licensing Committee determined in accordance with minute 466 of Licensing Committee 27/01/05, minute 583 of Licensing Committee 20/04/06 and minute 109 of Licensing Committee 26/06/07.**
- 2. As an alternative arrangement those members where possible being selected on the basis of one Liberal Democrat and two other members.**
- 3. That the Sub-Committee meets during the day and meetings be held in either: Beech Hurst, Andover; the Guildhall, Andover; Crosfield Hall, Romsey; or any other suitable accommodation.**

(Meeting terminated at 6. 17 pm)