

Minutes of the **Licensing Committee**  
of the **Test Valley Borough Council**  
held in Conference Room 1, Beech Hurst, Weyhill Road, Andover  
on Tuesday 6 May 2014 at 5.30 p.m.

Attendance:

<b>Councillor A Hope</b> <b>(Chairman)</b>	(P)	<b>Councillor J Anderdon</b> <b>(Vice-Chairman)</b>	(P)
Councillor I Andersen	(P)	Councillor K Hamilton	(P)
Councillor A Beesley	(A)	Councillor A Johnston	(P)
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	(P)	Councillor A Tupper	(A)
Councillor A Finlay	(A)		

332 **Declarations of Interest**

In accordance with the Licensing Procedure Rules, Councillor Hamilton declared a code of conduct interest in item 8 as she had family members in the licensed taxi trade. She left the room while the matter was discussed.

333 **Minutes**

**Resolved:**

**That the minutes of the meeting held on 16 January 2014 be confirmed and signed as a correct record.**

334 **Minutes of the Licensing Sub-Committee**

**Resolved:**

**That the minutes of the Licensing Sub-Committee held on 15 April 2014 be received.**

335 **Sex Establishment Licensing Policy and Procedures**

The Committee received a report by the Licensing Manager regarding the sex establishment licensing policy and procedures.

The Licensing Manager explained that the Council is responsible for licensing sex establishments and currently licenses one sex shop and one sexual entertainment venue. The Council had received a request to revise its current policy and procedures regarding determination of applications so that uncontested applications do not need to be determined by the Licensing Committee. The request also suggested that the Council should set a numerical limit upon the number of licensed premises.

The Committee noted that since the report was written, the only licensed sexual entertainment venue in the Borough had ceased trading.

The Committee debated the possible consequences of adopting the revised procedure and on balance the majority of Members considered that the existing procedures should remain in place and there was no need to delegate the authority to the head of Administration for applications where there were not objections. The need to amend the fee was therefore not required.

**Resolved:**

- 1. That the fee for the grant/transfer/renewal of a sex establishment licence remained unchanged.**
- 2. That the Committee retain the responsibility for determining applications for the grant/transfer/renewal of a sex establishment licences.**
- 3. That the Council not set a limit on the number of sex establishments that may be licensed in the Borough and that the Council continue to consider applications on the merits of each individual case.**

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**Licensed Driver Medical Policy**

The Committee considered a report by the Licensing Manager concerning a revision to the Licensed Driver Medical policy.

The Licensing Manager informed the Committee that the rationale behind the licensing regimes that covered hackney carriages and private hire vehicles was that as an important part of the public transport network of this country, a service should be provided to the public that was safe, accessible and seen to be so. The current regimes worked well in ensuring that operators, vehicles and drivers were properly licensed and the requirement for drivers to provide a medical report at certain intervals was an important part of this. Following an internal audit undertaken last year it was necessary to alter the wording of the policy regarding provision of medical reports so that the policy reflected current practice.

The authority's policy was worded as follows: *The Council requires a new applicant for either a Hackney Carriage or Private Hire driver's licence to show proof of satisfactory medical fitness. Once licensed, the Council will continue to ask for proof of fitness at specified ages, or at any other reasonable time. Generally speaking, medicals must be produced on first application, and then at the age of 45, 50, 55, 60 until 65. After this age medicals will be required annually.*

In the view of the Licensing Manager the wording of the policy specifically the phrases "or at any other reasonable time" and "generally speaking" allows a degree of flexibility in how the policy was applied. It was therefore suggested that the policy be revised such that it will be worded as in the previous paragraph above except for penultimate sentence which will read as follows: *Generally speaking, medicals must be produced on first application, and then when a licence is renewed if the driver will within the term of that licence reach the age of 45, 50, 55, 60 or 65.*

**Resolved:**

**That the current policy regarding the requirement for licensed hackney carriage and private hire vehicle drivers to have a medical be amended as set out above.**

(Meeting terminated at 6.18 pm)