

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON 26TH AUGUST 2009

Present:

Councillors Wells (Chair), Baillie, Cunio, Drake, Galton, Letts (except items 3, 4, 5 and 6) Odgers (except items 4, 5 and 6), Osmond, Parnell (except items 4, 5 and 6), Thomas, and Willacy.

Apologies: Councillors Mrs Blatchford and Norris.

1. MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

RESOLVED that the minutes of the Licensing Committee held on 6th May 2009 be approved and signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

2. HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES AND DRIVER CONDITIONS

The Committee considered the report of the Solicitor to the Council setting out revised and additional Hackney Carriage and private hire vehicle and driver conditions. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

Mr S Paul, Southampton Hackney Association, Mr L Haynes, Mr C Johnson, Southampton Taxi Association, Mr D Griffiths, Mr P McKay, Mr Stringfellow, Mr S Fricker and Mr P McMillan, UNITE Southampton Cab Section SE 621 were present and with the consent of the Chair, addressed the meeting.

RESOLVED

- (l) that the following additional and revised conditions as set out in the report to the meeting held on 6th May 2009 as amended with a view to improving the quality of both vehicles and the service provided by drivers be implemented with immediate effect:-
 - (a) Basic Skills Assessment for all new drivers prior to the issue of any licence and the B Tech qualification for Transporting Passengers by Taxi and Private Hire to be passed within the first six months of being licensed for all new drivers;
 - (b) all existing drivers who have held a licence with the Council for less than three years be required to pass the B Tech qualification for Transporting Passengers by Taxi and Private Hire
 - (c) driving assessments for all new drivers and existing drivers in exceptional circumstances;
 - (d) amend the requirement for minimum engine size of 1598cc to minimum of 68bhp or equivalent power output;
 - (e) all vehicles over two years old, licensed by the Council be required to undergo a Vosa Mot test within the period one week either side of the date six months after the grant of the vehicle licence;
 - (f) all vehicles to be maintained in their original specification for the duration of any licence issued;

- (g) in line with Government and Council priorities on crime and disorder, public and driver safety all licensed vehicles be fitted with Council approved digital cameras as soon as possible and in any case at the time a current licensed vehicle is replaced with the cost to the proprietor/driver capped at £250 excluding VAT and fitting costs; and
- (ii) that the Solicitor to the Council approves the final wording of those conditions.

3. REVISED CONSULTATION ARRANGEMENTS FOR THE TAXI AND PRIVATE HIRE TRADE

The Committee considered the report of the Solicitor to the Council concerning the replacement of the current formal consultation arrangements scheme in the light of changes that have taken place in the trade and technology since the previous arrangements were agreed in 2002. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

Mr I Hall, Southampton Hackney Association, Mr L Haynes, and Mr C Johnson, Southampton Taxi Association were present and with the consent of the Chair, addressed the meeting.

RESOLVED

- (i) that formal consultation meetings take place with recognised trade representatives on any significant matter of licensing policy or changes to conditions at least every six months as set in the consultation criteria, in Appendix 1 of the report, subject to the following amendment:-
Meetings – last bullet point insert the words ‘at least’ after ‘and maybe attended by’; and
- (ii) that in addition to the above formal consultation arrangements all licensed drivers and operators be written to directly and notice be placed on be placed on the Licensing notice board at Southampton Online on any significant licensing matter.

4. PROPOSED VARIATION OF HACKNEY CARRIAGE FARES

The Committee considered the report of the Solicitor to the Council concerning a proposal for a varied table of fares received from the Southampton Hackney Association (Copy of the minutes circulated with the agenda and appended to the signed minutes).

Mr Hall, Southampton Hackney Association was present and with the consent of the Chair, addressed the meeting.

RESOLVED that the request for a variation of the table of fares for the hire of Hackney Carriages in Southampton be refused.

5. LICENSING ACT 2003 – MINOR VARIATION PROCEDURE

The Committee considered the report of the Solicitor to the Council concerning amendments to the Licensing Act 2003 (Section 41A -41C and 86A -86C) and the implementation of new procedures dealing with applications for minor variations to premises licenses and club premises certificates and seeking delegated authority to operate as intended by Parliament (Copy of the minutes circulated with the agenda and appended to the signed minutes).

RESOLVED

- (i) that the amendments to the Licensing Act 2003 and amended statutory guidance annexed to the report be noted; and
- (ii) that the functions relating to the new minor variations procedures be delegated to the Solicitor to the Council with the authority to further delegate to other officers as when the need arises.

6. BREEDING OF DOGS –SCHEME OF DELEGATION

The Committee considered the report of the Head of Environmental Health and Consumer Protection seeking delegated powers relating to licensing under the Breeding of Dogs Act 1973 and the Breeding and Sale of Dogs (Welfare) Act 1999 (Copy of the minutes circulated with the agenda and appended to the signed minutes).

RESOLVED

- (i) that all powers and duties under the Breeding of Dogs Act 1973 relating to licensing but not restricted to grant and revocation be delegated to the Head of Environmental Health and Consumer Protection; and
- (ii) that all powers and duties under the Breeding and Sale of Dogs (Welfare) Act 1999 relating to licensing but not restricted to grant and revocation be delegated to the Head of Environmental Health and Consumer Protection.