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LICENSING COMMITTEE

18 July 2006 – 6.30 pm

PRESENT:

Councillor Jermany (Chairman); Councillors Barker, Cook, Easter, Hudson, Jeal, Peck, Reynolds, Robinson, M Thompson, Thrasher, B Walker, Watts, Wainright and Weymouth.

C Skinner (Head of Member and Legal Services), L Mockford (Licensing and Elections Manager) and J Gulliver (Member Services Officer).

1. MINUTES

The minutes of the meeting held on 21st November 2005 were confirmed.

2. FIRST CLASS HACKNEY CARRIAGE FARES

(a). The Licensing and Elections Manager explained that the Great Yarmouth Borough Taxi Association had requested a hackney carriage fare increase. The proposal would mean an increase over the first mile, of 36p to the day rate, 46p to the night rate, 21p to Sunday rate and 76p to the Christmas and New Year rate. Comparisons had also been made with several other Local Authorities to ensure that the proposed increase was not excessive.

Members considered the proposal and agreed that this was a fair request.

RESOLVED:

That the request to increase hackney carriage fares be approved, with effect from 1 August, 2006.

(b). A separate request had also been received by a taxi operator to adopt an additional tariff for scooters, wheelchairs and buggies.

Members discussed this request but agreed that it was not appropriate to increase fares as it was not considered legal under the Disability Discrimination Act.

RESOLVED:

That the request to increase fares for scooters, wheelchairs and buggies be refused.

(Councillors Wainright in his capacity as a member of *Integreat* declared a personal and non-prejudicial interest in the following item and subsequently stayed and took part in the debate).

3. **SECOND CLASS HACKNEY CARRIAGE - LANDAUS**

The Licensing and Elections Manager reminded Members that in 2003, it was reported that a purpose built landau station was to be built as part of the *integreat* scheme. The scheme now proposed that the existing rank be relocated along Marine Parade. Whilst the Head of Member and Legal Services had delegated power to de-designate the rank, she felt that Members needed to be aware of the current situation.

The proposals of the *Integreat* scheme, in respect of the implications for the landau rank, were discussed at some length. A particular area of concern was in relation to the welfare of the horses and appropriate shading in the summer months. Some members stressed that it was paramount that the horses had adequate shading from the heat and should be regularly inspected by the RSPCA. Concerns were further raised that it was not felt sufficient to have only one canopy and that the option for four canopies would be preferred.

The Licensing and Elections Manager agreed to contact the Council approved vet to request him to examine the horses as soon as possible, as currently the horses had no shade provided and the conditions had been extremely hot. She did point out, however, that all horses were inspected and certified fit at the start of the Season and a further certification was carried out in August.

RESOLVED:

- (i) That the report be noted.
- (ii) That the Licensing and Elections Manager contact the Council's vet to arrange an immediate inspection of the horses.

4. **APPLICATION FOR A LICENCE TO PLACE TABLES AND CHAIRS ON THE HIGHWAY OUTSIDE THE LONG BAR, MARINE PARADE**

Members considered an application for a Licence Under Part V11A of the Highways Act 1980 in respect of the above highway.

The applicant explained that he had applied for planning permission to have permanent tables and chairs outside his premises in April, which had been refused; therefore he would now be submitting a revised application to Planning but had brought it to the Licensing Committee initially, for their approval. The applicant was aware that planning permission would also be required prior to table and chairs being allowed on the highway.

Members then heard from an objector, Mr Rawstrom of the New Beach Hotel, who spoke about current noise disturbance problems that he believed would increase should the Licence be granted for tables and chairs to be allowed outside.

There was confusion in respect of the remit of the Committee in granting the Licence and the question was raised whether the application should have gone to planning, prior to coming before the Licensing Committee. It was explained that both planning permission and a Highways Act Licence were required before the proposal could proceed. Further clarification in respect of fees to be issued was also sought. Some members agreed that a temporary Licence would be the best option until a clearer remit had been received. A vote subsequently took place of which the majority agreed to the granting of a temporary Licence.

RESOLVED:

That a temporary Licence be approved until 30 September 2006 upon terms to be determined by the Head of Member and Legal Services.

5. LICENSING ACT 2003

The Head of Member and Legal Services spoke about the smooth transaction of the new Licensing regime, which had been very complex and required a considerable amount of work from staff within the Licensing Department. He confirmed that over 80 premises had so far gone before Sub-Committee hearings, with only one decision being overruled by Magistrates. Taking into consideration the changes that were now in place, members were asked to consider the following:-

(a). Delegating decisions on individual taxi and private hire matters to the three member Sub-Committees.

(b). Retaining the full Licensing Committee on a four monthly basis, to oversee the work of the Licensing Team and the Licensing Sub-Committees.

Members considered the above proposals but agreed that the issuing of taxi and private hire matters required the full Committee's endorsement. They also agreed to retain the main Licensing Committee hearings of six weekly.

RESOLVED:

(i) That the issuing of taxi and private hire matters continues to be heard by the full Licensing Committee'.

(ii) That the main six weekly Licensing Committee hearings be retained.

6. DRAFT GAMBLING POLICY

The Licensing and Elections Manager provided a presentation on the new Gambling Act 2005. Under the Act the Council would become the Licensing Authority for the licensing of premises for gambling purposes which would include casinos, bingo halls, bookmakers and amusement arcades. Members were provided with a comprehensive written report on the implications of the Act.

RESOLVED:

That the report be noted.

7. DATE, TIME OF NEXT MEETING

Members were advised that the next meeting was scheduled to take place on Tuesday 29 August. A special meeting may also be planned to discuss 'pavement seating' and the implications of the *Integreat* scheme on this.

8. CLOSURE OF MEETING

The meeting ended at 8.00 pm.

