

BRIGHTON & HOVE CITY COUNCIL

LICENSING COMMITTEE 2003 (Non Licensing Act 2003 Functions)

3.00PM – 8 FEBRUARY 2007

**COMMITTEE ROOM 2/3
BRIGHTON TOWN HALL**

Present: Councillors Lepper (Chair); Councillors Carden, Cobb, Hyde (Deputy Chair), Meegan, Older, Paskins, Pennington (Deputy Chair), Pidgeon, Simson, Turner, G Theobald and Williams.

Note: Councillor Pennington chaired item 25.

PART ONE

ACTION

20 PROCEDURAL BUSINESS

20A Declarations of Substitutes

20.1 There were no substitutes Members.

20B Declarations of Interest

20.2 The Chair declared a personal and prejudicial interest in Item 25 and left the room during the discussion and decision on this item, as she is a member of the Max Miller Appreciation Society. Councillor Older declared a personal and prejudicial interest in Item 25 and left the room during the discussion and decision on this item, as she is a member of the Max Miller Appreciation Society. Councillor Paskins declared a personal and prejudicial interest in Item 25 and left the room during the discussion and decision on this item, as she had made it clear that the statue is more than welcome in her ward. Councillor Hyde declared a personal but not prejudicial interest in Item 30 as she is a member of the Federation of Small Businesses.

20C Exclusion of Press and Public

20.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings

and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A(3) or 100 1 of the Local Government Act 1972.

- 20.4 **RESOLVED** - That the press and public not be excluded from the meeting during consideration of any items.

21. MINUTES

- 21.1 **RESOLVED** – That the minutes of the meeting held on 23 November 2006 be approved and signed by the Chair.

22. CALLOVER

- 22.1 **RESOLVED** – That all the items on the agenda be reserved for discussion.

23. CHAIR'S COMMUNICATIONS

- 23.1 There were none.

24. PUBLIC QUESTIONS

- 24.1 There were no public questions.

25. HIGHWAY PERMISSION: MAX MILLER STATUE, NEW ROAD BRIGHTON

- 25.1 Councillor Pennington took the chair for this item. Councillors Lepper, Older and Paskins withdrew from the room during the discussion and decision on this item (see paragraph 20.2 above). Councillor Turner left the meeting before the decision as he had another meeting to attend.

- 25.2 The Committee considered the report of the Director of Environment regarding an application for a permission under Section 115E of the Highways Act 1980 to erect upon the public highway a statue of the Brighton born comedian and national celebrity Max Miller. The statue had previously stood within the Pavilion Gardens in a position approved by Brighton & Hove City Council (for copy see minute book).

- 25.3 Mr Strutt of the Max Miller Appreciation Society, attended the Committee as the applicant. He was accompanied by Mr Henty, Chairman of the society. Mr Dodds, Chief Executive of Brighton Dome attended to make representations.

- 25.4 The Senior Highway Enforcement Officer informed the Panel that the main issues to consider were safety and access and whether the statue would enhance the public highway. He explained

that the New Road redevelopment would be a shared space concept. The area could be used by both pedestrians and cars.

25.5 Mr Strutt informed the Committee that when the statue was first placed in New Road there were no objections and all comments received were favourable. Following redevelopment of the site, there had been agreement in principle that the statue should be reinstated in New Road. The site requested had appeared the most suitable and would replace a semi mature tree intended to be placed in the same spot.

25.6 Mr Strutt stressed that Max Miller did have connections with the area and that the statue should stand in the heart of Brighton's cultural quarter. The quality of the statue was a matter of opinion. The Max Miller Appreciation Society would not have a problem in adapting the colour of the plinth of the statue to match materials being used in the New Road redevelopment.

25.7 Concern was expressed at the effect of the shared space in the New Road development on blind and partially sighted people. The Senior Highway Enforcement Officer replied that it was possible to provide tactile guides.

25.8 Mr Dodds addressed the Committee on safety and access issues. Mr Dodds objected to the proposed position of the statue as it would be outside the stage door of the Pavilion Theatre and would obstruct access for deliveries. Mr Dodds also objected on safety grounds as the statue would obstruct a fire exit for 300 persons at the Pavilion Theatre. Mr Dodds suggested that a new position for the statue should be found in the vicinity of New Road.

25.9 **RESOLVED** - That permission be granted subject to the exact location of the statue to be determined by the Director of Environment upon further negotiation between the parties, on the understanding that it would be within the frontage of the Pavilion Theatre.

Ian Denyer

**Paula
Murray**

26. HACKNEY CARRIAGE AND PRIVATE HIRE, DRIVERS, VEHICLES AND OPERATORS HANDBOOK (THE BLUE BOOK)

26.1 The Committee considered a report of the Assistant Director, Public Safety concerning the production of a handbook (The Blue Book) that combined bye laws, conditions advice and information for Hackney Carriage and Private Hire, Drivers, Vehicles and Operators (see minute book).

26.2 **RESOLVED** - That the handbook be approved.

**Martin
Seymour**

27. REMOVAL OF HACKNEY CARRIAGE WAITING LIST AGE RESTRICTIONS

- 27.1 The Committee considered a report of the Assistant Director, Public Safety concerning a proposal to remove the age restrictions applying to the Hackney Carriage Waiting List (for copy see minute book).
- 27.2 The Head of Environmental Health and Licensing explained that the current age restrictions were arbitrary and discriminatory. Meanwhile, older drivers were subject to more rigorous medical tests and younger drivers paid higher insurance premiums.
- 27.3 **RESOLVED** - That age restrictions applying to the Hackney Carriage Waiting List be removed.

**Martin
Seymour**

28. LITERACY SKILLS & CUSTOMER CARE TRAINING FOR NEW HACKNEY CARRIAGE/PRIVATE DRIVERS

- 28.1 The Committee considered a report of the Assistant Director, Public Safety recommending literacy and customer care training for new drivers which would raise the quality of service across the city provided by Hackney Carriage and Private Hire vehicles for the benefit of residents and visitors of Brighton & Hove (for copy see minute book).
- 28.2 **RESOLVED** - 1) That all new Hackney Carriage/ Private Hire Drivers be required to demonstrate that they have literacy or ESOL skills equivalent to Entry 2 or above from 1 April 2007.
- 2) That the process of certifying that an applicant meets the required standards, is to be carried out by the City Council Adult Skills & Learning Team.
- 3) That it be made a requirement that all new Hackney Carriage / Private Hire Drivers attend the Council's Customer Care Training.

**Martin
Seymour**

29. DVD: "NOT JUST A RAMP"

- 29.1 The Committee had before them a report of the Assistant Director, Public Safety which explained that Valerie Richards had been working with the Hackney Carriage Officer to provide disability training for drivers. Ms Richards had decided to produce a new DVD to compliment the training given (for copy

see minutes book). The DVD "Not Just a Ramp" gave examples of good practice for taxi drivers when transporting people using wheelchairs and illustrated how transport providers can easily adjust their behaviour and attitudes to enhance their business.

29.2 Ms Richards attended the Committee accompanied by Mr Turner, Managing Director of Brighton & Hove Radio Cabs. Ms Richards introduced the DVD and explained that it was now being sold around the country.

29.3 Members were shown the DVD "Not Just a Ramp".

29.4 The Committee thanked Ms Richards for attending the Committee.

29.5 **RESOLVED** – (1) That the use of the DVD "Not Just a Ramp" for the training Hackney Carriage/ Private Hire Drivers be supported.

**Martin
Seymour**

(2) That the report and DVD be referred to the Equalities Forum.

30. **APPLICATION FOR AN EXTENSION OF TRADING HOURS FOR UPPER GARDNER STREET MARKET**

30.1 The Committee considered a report of the Assistant Director of Public Safety regarding a request from the stall holders at Upper Gardner Street Market to change the trading hours to 07.00 - 17.00 hours on a Saturday. The current trading hours are 07.00 - 13.00 hours on a Saturday (for copy see minute book).

30.2 An Upper Gardner Street Market consultation summary was attached to the report. A letter from Mr Chipchase a local resident was also attached to the report.

30.3 Members noted that the consultation showed that the majority of residents supported the extension of hours; however, it was noted that the number of stall holders was decreasing; that there appeared to be little management of the market and that range of goods was limited. Concern was expressed about the number of cars parked in Upper Gardner Street on market days.

30.4 Members agreed that they would like to see better management to control both the market and cars parking in Upper Gardner Street. They also wished to see a variety of goods sold at the market, including fruit and vegetables.

30.5 The Head of Environmental Health and Licensing informed the Panel that it was not the Council's responsibility to market and manage the market; however he welcomed a suggestion that the Brighton & Hove Business Forum be approached to see if they would be interested in taking over the management of the

market.

- 30.6 **RESOLVED** - 1) That street trading consent shall be granted or renewed with conditions limiting trading periods for trading to be Saturdays between 0700 and 1700 hours dependent upon amending any relevant traffic orders.

Martin New

2) That the Director of Environment reviews the current street trading consent fee for Upper Gardner Street and sets it at a level that can reasonably be expected to recover costs, including street cleaning after the market closes each week.

3) That a further report be submitted to the Committee after six months, setting out the effect of the extended hours on the market.

4) That officers approach the Brighton & Hove Business Forum to see if they would be interested in taking over the management of the market. An approach might also be made to Common Cause, the cooperative that ran the George Street Farmers Market.

Note: Councillor G Theobald left the meeting before consideration of this item.

31. **ITEMS TO GO FORWARD TO COUNCIL**

- 31.1 There were none.

The meeting concluded at 5.45pm

Signed

Chair

Dated this

day of

2007

