

**BRIGHTON & HOVE CITY COUNCIL**  
**LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)**

**3.00PM 5 MARCH 2015**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Powell (Chair), A Kitcat (Deputy Chair), Simson (Opposition Spokesperson), Lepper (Opposition Spokesperson), Cobb, Hamilton, Hyde, Jones, Kennedy, Marsh, Rufus and C Theobald

**PART ONE**

**24 PROCEDURAL BUSINESS**

**24a Declaration of Substitutes**

24.1 Councillor Hamilton declared that he was substituting for Councillor Gilbey.

**24b Declarations of Interest**

24.2 There were none.

**24c Exclusion of the Press and Public**

24.3 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Committee considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I of the Act).

24.4 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of any item on the agenda.

**25 MINUTES OF THE PREVIOUS MEETING**

25.1 **RESOLVED** – That the minutes of the Licensing Committee (Non Licensing Act 2003 Functions) Meeting held on 20 November 2014 be agreed and signed as a correct record.

**26 CHAIR'S COMMUNICATIONS**

26.1 The Chair confirmed that since the last meeting of the Committee, suspensions, revocations and formal warnings had been issued as set out below:

7 Drivers had their licences revoked following motoring convictions;

5 Drivers had their applications to renew refused on medical grounds;

1 Driver had their application refused due to a previous conviction; and

1 Driver had their application to renew refused following a serious motoring offence.

26.2 **RESOLVED** - That the position be noted.

## **27 PUBLIC INVOLVEMENT**

### **27a Petitions**

27.1 There were none.

### **27b Written Questions**

27.2 There were none.

### **27c Deputations**

27.3 there were none.

## **28 MEMBER INVOLVEMENT**

### **28a Petitions**

28.1 There were none.

### **28b Written Questions**

28.2 There were none.

### **28c Letters**

28.3 There were none.

### **28d Notices of Motion**

28.4 There were none.

## **29 HIGHWAY LICENSING**

29.1 The Committee considered a report of the Executive Director of Environment, Development and Housing setting out the current status of licensing advertising boards,

outside seating and shop displays on the public highway. The Chair had requested this report due to the growing public debate and media interest in street clutter.

- 29.2 The Head of Highway Operations, Christina Liassides explained that in 2009 the council had reviewed the Highway Licensing policy, and in the light of extensive interest from local groups, as well as a potential challenge from the RNIB, it had been agreed to hold an in-depth scrutiny review. The scrutiny review had looked at street access as a whole and a number of recommendations had resulted and had been set out in their report published 2010. Some of those recommendations now formed part of the standard licensing conditions including maintaining a minimum pavement width around licenced items of 1.3m and only allowing one advertising board per elevation. However, some including the marking out of areas for example in relation to outside seating areas had proved harder to implement. After several years of trying to find a suitable marking material it was now hoped to have all outside seating areas, shop displays and advertising boards marked out by October 2015.
- 29.3 Councillor Kennedy commended the report which was very informative and detailed the progress which had been made across various areas of the departments activities. Councillor Kennedy cited an instance in her ward where prompt action had been taken deal with an overgrown hedge.
- 29.4 Councillor Lepper was pleased to note the progress that had been made in respect of addressing issues in relation to street furniture and the placement of tables and chairs adjacent to the highway. Councillor Lepper was also pleased to note that whilst supported where appropriate enforcement action was taken when it was not and in stances where repeated remedial action had not been taken and advice given had been ignored.
- 29.5 Councillor Simson asked for further details of joint initiatives which had been undertaken in concert with the Police. Councillor Simson also noted the measures being undertaken to source suitable materials to delineate areas where tables and chairs were to be placed on the highway.
- 29.6 **RESOLVED** - That Members note the contents of the report and associated policy.

### **30 HACKNEY CARRIAGE FARE REVIEW**

- 30.1 The Committee considered a report of the Director of Public Health seeking the Committee's approval and authority to advertise proposed fare increases following the hackney carriage trade's request for an increase in fares.
- 30.2 Councillor Marsh sought information regarding fares proposed to be charged in the city relative to comparable cities. Notwithstanding that she understood that these were within permitted limits, she considered these were high, particularly as fuel prices had reduced and bearing in mind that a number of those in the city who relied on taxis had fixed or limited incomes and would find it difficult to meet sustained increases.
- 30.3 The Hackney Carriage Officer, Martin Seymour explained that the proposed level of increases and fares were comparable to those levied elsewhere and were considered acceptable for the reasons set out in the report. The Trade had argued that although

fuel costs had reduced recently, operators had carried increased costs when there had been no fare increases and fuel costs had been higher.

- 30.4 Councillor A Kitcat stated that she had raised a number of concerns about the rationale for these proposed increases at the Chair's Briefing and was pleased to see that these issues had been addressed in the final version of the report. Whilst she had also expressed concerns regarding them she was satisfied that the case for increases had been increases were not acceptable.
- 30.5 Councillors C Theobald and Cobb considered that these increases were badly timed bearing in mind reductions in fuel costs. Councillor Simson stated that whilst noting that these figures had been put forward by the Taxi Forum she considered that the trade needed to be mindful that there should be a suitable time lapse before there were any further increases. Other Members of the Committee concurred in that view.
- 30.6 The Head of Regulatory Services, Tim Nichols stated that the proposed increases needed to be advertised and if objections were made and not withdrawn it was possible that an urgency sub committee would be required.
- 30.7 **RESOLVED** – (1) That the Committee approves the proposed fare increases and authorises the Head of Regulatory Services to advertise the proposed variation in fares, and invite any objections in accordance with the legal requirements;

### 31 ITEMS TO GO FORWARD TO COUNCIL

- 31.1 There were none.

The meeting concluded at 4.00pm

Signed

Chairman

Dated this

day of