

Licensing Board 24 March 2015
**A MEETING OF THE LICENSING BOARD
WAS HELD ON 24 MARCH 2015**

The Mayor (Councillor Gill) (ex-officio), Chairman of the Policy and Organisation Board (Councillor Hook) (ex-officio), Councillors Allen (P), Ms Ballard (P), Mrs Batty (P), Beavis (P), Ms Diffey (P), Mrs Forder(P), Geddes (P), Mrs Morgan (P), Murphy , Ronayne (P), Scard (P), and Mrs Searle (P).

53. APOLOGIES

Apologies for inability to attend the meeting were submitted on behalf of the Mayor, Councillors Hook and Murphy.

54. DECLARATIONS OF INTEREST

There were none.

55. MINUTES

RESOLVED: That the Minutes of the meeting of the Licensing Board held on 27 January 2015 be approved and signed by the Chairman as a true and correct record.

56. DEPUTATIONS

There were no deputations.

57. PUBLIC QUESTIONS

There were no public questions.

PART II

58. APPLICATION FOR A NOVELTY VEHICLE

Consideration was given to a report of the Licensing Officer advising the Board of an application to License a novelty Vehicle which does not meet the current private hire vehicle conditions.

The Board were introduced to the UK Director and the franchise owner of Driving Miss Daisy.

The Board were advised that the reason the vehicle did not meet the current private hire conditions was that the rear seats of the vehicle used for the services were not quite wide enough.

The Board were advised that the service provided by the applicant was a prebookable service, for hospital appointments, taking pets to vets and would offer a more personal service than private hire services that took people from A to B.

Members were advised that the service was aimed at elderly residents that were older and often frail, as a result, they often required vehicles to be designed for them to back into the rear seats, using their walking aids for support. The Skoda Roomster vehicle was ideal for this, as larger cars

were often too high, and wider seats could not be reached by older passengers. The seats were also fitted with a height adjustment function and the boot space was tall enough to allow a walking frame to stand upright.

The Board were advised that the vehicle was 99% perfect for the duties it undertook and that a smaller vehicle was better suited to the customer base.

It was proposed that if the Board were minded to approved the application, that the following additional conditions be applied:

1. The vehicle is to be used to carry out pre booked accompanied journeys only.
2. The vehicle must only be used for pre booked accompanied services in accordance with the Driving Miss Daisy business.

In answer to a Member's question, the applicant advised that the proposed conditions would not present any difficulty to the business and welcomed them as they would further endorse that the company was not set up for conventional private hire use. In addition, an additional fee had been paid to allow the vehicle exemption from displaying external private hire plates.

In answer to a Member's question the Board were advised that the fleet was currently one car but that the franchise would allow for up to five to be licenced.

RESOLVED: That the application for a licence for novelty private hire vehicle in the Borough of Gosport be granted subject to the following additional conditions.

1. The vehicle is to be used to carry out pre booked accompanied journeys only.
2. The vehicle must only be used for pre booked accompanied services in accordance with the Driving Miss Daisy business.

CHAIRMAN'S URGENT ITEM

59. EXCLUSION OF THE PUBLIC

RESOLVED: That in relation to the following item the public be excluded from the meeting, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during this item there would be disclosure to them of exempt information within Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all circumstances of the case, the public interest in maintaining the exemptions outweighs the public interest in disclosing the information, for the reasons set out in the report.

60. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE

Consideration was given to an exempt report of the Head of Environmental Services requesting the

Board consider an application for the grant of a Private Hire Vehicle Driver's Licence.

RESOLVED: That the application for a Private Hire Vehicle Driver's Licence be approved.

61. PROPOSED CHANGES TO THE GOSPORT BOROUGH COUNCIL HACKNEY CARRIAGE AND PRIVATE HIRE CONDITIONS 'THE CONDITIONS'

Consideration was given to a report of the Housing Services Manager seeking approval from the Licensing Board to commence the consultation process on proposed changes to the conditions which were last revised in 2008.

Members were provided with an updated report and set of conditions. The Head of Environmental Services advised Members of the amendments to the report and the appendices and advised the Board that the revised conditions included the amendment of age restrictions on vehicles, acknowledgement of space saver tyres and acknowledgement that vehicles were no longer required to display a vehicle excise duty disk. In addition, the amended conditions recognised the need for potential drivers to be to a standard of conversational English and amended the appeal process in relation to the imposition of points under the Council's scheme to ensure that the Housing Services Manager was allocated to consider any such appeals

Members were advised that there was no longer a requirement to carry a fire extinguisher in vehicles and clarification was given on vehicles being left unattended at the taxi rank.

Members requested that investigation be made into legislation surrounding vehicles leaving engines running.

Members were advised that any legal requirements surrounding vehicles or drivers had not been included in conditions as they were not specific to vehicles in Gosport and were law.

Members were also advised that Licensing Officers were allowed to inspect vehicles up to three times a year by law, therefore this also did not need to be included in the conditions.

RESOLVED: That

- the amended proposed changes to the Conditions as summarise in Appendix A be sent to all taxi operators/plate holders and badge holders in the area 'the trade' and posted on the Council website inviting any representations to be made to the Head of Environmental Services within 6 weeks.
- The Head of Environmental Services be authorised to draft the conditions as amended after the consultation process; and
- If no representations are received to adopt the conditions as amended in the form of amended appendix B and to give notice to the Trade and publish notice on the Council website and the date they will take effect
- If representations are received these will be brought to the attention of the Licensing Board for consideration at its June meeting.

The Meeting concluded at 6.32pm

CHAIRMAN