

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING COMMITTEE

Minutes of the Meeting held on 07 December 2023 at 10.00 am

Present:-

Cllr D A Flagg – Chair

Cllr S Moore – Vice-Chair

Present: Cllr B Castle, Cllr A Chapmanlaw, Cllr M Dower, Cllr G Farquhar,
Cllr E Harman, Cllr P Hilliard, Cllr M Howell, Cllr A Keddie and
Cllr L Williams

25. Apologies

Apologies were received from Cllr A Filer, Cllr C Matthews and Cllr J Richardson.

26. Substitute Members

There were no substitute members.

27. Declarations of Interests

There were no declarations of interest.

28. Confirmation of Minutes

RESOLVED that the minutes of the Licensing Committee on 14 September 2023 and the Licensing Sub Committees on 13 and 28 September and 11 and 26 October 2023 be signed by the Chair as an accurate record subject to the following corrections:

- **Licensing Committee, 14 September, minute number 24, Forward Plan: Review of Pricing Mechanism for Licensed Vehicles – It was noted that the item likely to be brought before the Committee was not this item, but an item on Fares.**
- **Licensing Sub Committee, 28 September: Delete Cllr D Flagg and insert Cllr L Williams in list of those present.**

29. Public Issues

There were no public questions, statements or petitions for this meeting.

30. Update on Provision and Positioning of Taxi Ranks

The Licensing Manager presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book. The report provided responses, where

available, to information previously requested by the Committee in March 2023 following an audit of all BCP taxi ranks. It was noted that the provision and maintenance of ranks was a matter for the Council's highways team and was not a licensing function.

The Committee was advised that the Traffic Team were visiting all the ranks identified and placing orders for maintenance where required. Although there was no specific schedule of works available, the traffic technician had now visited the Bournemouth zone ranks and scheduled the necessary works/maintenance. They were now in the process of visiting first Poole and then Christchurch ranks for the same purpose during the coming weeks. It was noted that the Traffic Team Leader had attended a taxi association meeting earlier in 2023 and would be happy to do so again in early 2024 to report on progress and discuss any issues.

The Committee had also asked for the number of Penalty Charge Notices (PCN) issued over the last year to people parking non-licensed vehicles on ranks. Parking services reported that for the year 31 October 2022 to 31 October 2023 there were 939 PCNs issued across all taxi bays/ranks within the BCP area. Members were assured by this level of enforcement and asked whether the money raised from these fines was ringfenced to invest in the taxi ranks, as this would send a positive message to the trade. It was agreed to contact the highways team to request this information and circulate it to members by email.

31. To agree a draft Pleasure Boat and Boatperson Policy for public consultation

The Licensing Manager presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

The Committee was advised that, in line with good practice, a draft Pleasure Boat and Boatperson Policy had been prepared, to set out the requirements for the licensing of pleasure boats and boatpersons by the Council as Licensing Authority, including how any such applications would be determined. Pleasure Boat licences applied to boats/vessels that operated within inland waters only, including Poole and Christchurch Harbours. The Council only issued such licences to Class B boats which were crewed by a bosun and took no more than 12 paying passengers and Class C boats which were 'self drive' vessels and hired out. The Council was responsible for ensuring these boats/vessels were safe for passengers and users. Boatperson licences were only issued once the Council was satisfied a person was competent and capable of operating the boat/vessel.

Although there had been no legacy policy on which to base the draft document, the Council had been working with the Harbour Master in Poole and Boat Inspectors in Christchurch where these licences had been previously issued to ensure the new policy was in accordance with their recommendations. The Committee was asked to consider the draft policy,

make any amendments as necessary and then agree to publish it for a six week public consultation in early 2024.

The Licensing Manager responded to questions and comments on the draft policy. Members felt that it would be helpful for the policy to include the minimum requirements/qualifications which must be met before a licence could be issued. The Committee was advised that there was nothing specified in legislation and that the Council relied on the knowledge and expertise of the Harbour Master and Boat Inspectors to endorse applications. Members agreed that as part of the consultation the Harbour Master and Boat Inspectors be asked to clarify the minimum requirements for them to be satisfied that a licence should be granted.

Members also felt that it would be helpful to add some text to the consultation page and to the introductory section of the policy to expand on and clarify which types of boats/vessels were included within the Council's remit to licence and which types of boats/vessels were not and to explain the role of the Maritime and Coastguard Agency (MCA). The Committee agreed to delegate authority to the Licensing Manager in consultation with the Chair and Vice Chair to agree the additional wording to include in the draft policy prior to the consultation, which was due to commence in February 2024.

The Licensing Manager was asked whether the mechanism and timescale for reviewing fees should be included as part of the policy. It was explained that these fees were reviewed on a more regular basis than the policy with no requirement to consult. The fees were next due to be considered by the Committee in March 2024 as part of a wider report on the review of non-statutory licensing fees.

RESOLVED that the draft Pleasure Boats and Boatperson Licensing Policy be agreed for a six week public consultation in 2024, subject to the inclusion of additional information in the introductory section to clarify what is in and out of scope with authority delegated to the Licensing Manager in consultation with the Chair and Vice Chair to agree the final wording.

Voting: Unanimous

32. Administrative Arrangements for Licensing Sub Committees

The Senior Democratic and Overview and Scrutiny Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these Minutes in the Minute Book. The report set out three issues for consideration in relation to administrative arrangements for licensing sub committees.

The Committee was asked to formally agree the arrangements for attending meetings as set out in paragraph 5 of the report. These arrangements had recently been introduced in response to feedback from members. They included an expectation that sub committee members attend hearings in

person for Licensing Act and Gambling Act business, in recognition of the benefits gained from members meeting together in person even when the legislation and regulations permitted them to convene remotely.

The Committee was also asked to consider whether to make any changes to arrangements for chairing sub committees, these currently required either the Chair or Vice Chair of the Committee or in their absence an experienced member to chair sub committees. Options for amending these arrangements were set out in paragraph 8 of the report.

The Committee was advised that reviewing these procedures had presented an opportunity to update the existing remote and in person protocols for public speaking at licensing meetings, to reflect current arrangements and bring everything together into one composite document for ease of reference. A copy of the revised protocol was provided at appendix 1 of the report for members to consider, amend as required and agree.

The Chair explained that while the current arrangements for chairing sub committees had worked well, he would like other members to have the opportunity to chair if they were interested in doing so. It was noted that training would be made available to anyone expressing an interest. Chairs were also provided with comprehensive procedural notes to assist in the running of hearings.

In terms of the revised protocol the Committee was advised that very little had changed. There had been an opportunity to streamline the previous protocols into a single document which set out more clearly the differences in hearing procedures and decision notifications depending on the type of licensing business being considered.

Members expressed dissatisfaction with the current accommodation for meetings in the Committee Room and it was noted that this was now being progressed at senior political/corporate level.

RESOLVED that:

- (a) The Committee confirms arrangements for attendance at Licensing Sub Committees as set out in Paragraphs 4 to 6 of the report;**
- (b) The Committee agrees to amend the arrangements for chairing sub committees to enable those members interested in chairing to put themselves forward, either now or at a later date;**
- (c) The Committee agrees the revised Protocol for Public Speaking at Licensing Hearings attached at Appendix 1 of the report.**

Voting: Unanimous

33. Forward Plan

The Licensing Manager took members through the committee's forward plan, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book.

Membership of the policy review working groups was noted as follows:

- Review of the statement of licensing policy – Cllr M Dower, Cllr E Harman, Cllr A Keddie, Cllr S Moore.
- Review of hackney carriage and private hire vehicle, driver and operator policies – Cllr A Chapmanlaw, Cllr G Farquhar, Cllr D Flagg.

The Committee agreed the following updates to the forward plan:

- Request from the trade to review hackney carriage fares – March 2024
- Review of hackney carriage and private hire and non statutory licensing fees – March 2024
- Review of Scrap Metal Policy – to commence in 2024.
- Correction of minor omission in hackney carriage and private hire vehicle policy regarding private hire livery compliance date.

The Committee discussed the process for formulating a sex establishment policy, should the Council decide to have one. Members noted that a briefing session on the night time economy was being arranged for the committee in early 2024. The aim of this session was to provide members with a more detailed understanding of the roles of the Council, the responsible authorities and other external agencies in the night time economy and an evidence base with which to inform policy development and review.

The meeting ended at 10.47 am

CHAIR