

16 MARCH 2007

NEW FOREST DISTRICT COUNCIL

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of a meeting of the General Purposes and Licensing Committee held at Appletree Court, Lyndhurst on Friday 16 March 2007.

- p Cllr W H Dow (Chairman)
- p Cllr J A G Hutchins (Vice-Chairman)

Councillors:

- p G C Beck
- p M H G Fidler
- p R C H Hale
- p L Harris
- e J M Hoy
- p J Penwarden
- p L R Puttock

Councillors:

- p Mrs B Smith
- p A R Tinsley
- p M S Wade
- p S S Wade
- e G M Walmsley
- p P R Woods

Officers Attending:

Mrs M Dunsmore and Miss G O'Rourke, and for part of the meeting M Powell.

Also in attendance:

Mr G Flexman – Town Clerk, New Milton Town Council

37. MINUTES.

RESOLVED:

That the minutes of the meeting held on 12 January 2007, having been circulated, be signed by the Chairman as a correct record.

38. DECLARATIONS OF INTEREST.

Cllrs Beck, Hutchins and Woods - Minute No 41.

39. PUBLIC PARTICIPATION.

Mr G Flexman, Town Clerk of New Milton Town Council addressed the Committee on the temporary relocation of New Milton street market. He advised that the request for temporary relocation was to allow major repair works to be carried out on Station Road. He commented that the only alternative to relocation was the closure of the market. He therefore requested that the Committee agree to the temporary relocation of the market.

40. GAMBLING ACT 2005 – DEMOCRATIC PROCESS (REPORT A).

The Committee considered the democratic processes that would be necessary to facilitate decision-making under the 2005 Act.

RECOMMENDED:

That, the delegation of powers to officers listed at Appendix 2 to Report A be approved in respect of those functions that are for the Licensing Authority, but are not delegated to the Committee by law under Parts 8 & 9 of the Act.

RESOLVED:

- (a) That the amendments to the Licensing Sub-Committee's Terms of Reference as set out in Appendix 1 to Report A be approved;
- (b) That the Head of Legal and Democratic Services be authorised to prepare a procedure for hearings under the Gambling Act 2005 before the Licensing Sub-Committee, in consultation with the Chairman of the General Purposes and Licensing Committee and the Opposition Group Spokesperson; and
- (c) That the delegation of powers to officers listed at Appendix 2 to Report A, in respect of those functions delegated to the Committee by law under Parts 8 & 9 of the Act, be approved.

41. NEW MILTON STREET MARKET – TEMPORARY RELOCATION (REPORT B).

Cllrs Beck, Hutchins and Woods declared personal interests in this item as members of New Milton Town Council. They considered that such interest were prejudicial and left the meeting prior to discussion of the item.

The Committee had decided at its meeting in February 2004 to recommend to the Council that part of the east side of Station Road south, New Milton be designated a consent street under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 for the purpose of enabling trading to take place. The Council agreed this recommendation and the New Milton 'Wednesday' Market had taken place since April 2004.

In order to allow maintenance work to the B3058 Station Road South to be carried out during July 2007, and the continuation of the street market, the Committee considered the temporary relocation of the market to the eastern side of the northern part of Station Road.

In accordance with its statutory duty, the Committee would publish a notice of intent and would consider any representations made in response to that notice before making a recommendation to the Council.

Members were informed that Highway Authority Officers were currently discussing traffic issues with the District and Town Councils, and it was likely that a temporary traffic regulation order would be introduced to aid the flow of traffic.

In response to questions, the Committee were informed that the Council could at any time in the future revoke a consent order.

RESOLVED:

That, in accordance with Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, notice be published in a local newspaper of the Council's intention to pass the following draft resolution on 25 June 2007:

"That the area of Station Road, New Milton, north of the junction with Ashley Road and south of the junction with Osborne Road/Whitefield Road, be designated a consent street within the meaning of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, and that this designation come into force on 25 July 2007".

42. DELEGATIONS.

The Committee considered the recent amendments to Section 52 of the Road Safety Act 2006 (which amends Part 2 of the Local Government (Miscellaneous Provision) Act 1976) which gives power to suspend or revoke a Hackney Carriage/Private Hire vehicle driver's licence, with immediate effect, where it is in the interest of public safety to do so.

RESOLVED:

That the following delegations be agreed: -

- (i) That the Assistant Director (Environmental Health) and the CCTV and Licensing Manager be authorised to suspend a taxi or private hire vehicle driver's licence with immediate effect where they are of the opinion that the interests of public safety require such a course of action; and
- (ii) That the Assistant Director (Environmental Health) and the CCTV and Licensing Manager be authorised, in consultation with the Chairman and Vice-Chairman of the Committee, to revoke a taxi or private hire vehicle drivers' licence with immediate effect where they are of the opinion that the interests of public safety require such a course of action.

43. THANKS TO COMMITTEE

The Chairman thanked the Committee for all their hard work during the last year, particularly when dealing with the workload created by the liquor Licensing Hearings.

CHAIRMAN