

10 JUNE 2011

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 10 June 2011.

p Cllr G C Beck (Chairman)
p Cllr M H Thierry (Vice-Chairman)

Councillors:

p S J Clarke
e W H Dow
p J D Heron
p Miss A J Hickman
p Mrs M McLean
p L R Puttock
A W Rice

Councillors:

e W S Rippon-Swaine
p R F Scrivens
e S S Wade
p Mrs C V Ward
e P R Woods
p Mrs P A Wyeth

Officers Attending:

Mrs R Rutins, P Weston and, for part of the meeting, Mrs L Battersby and S Stone

Also in attendance:

Mr N Garfoot, Totton & Eling Town Council (for Minute No. 10)

6. MINUTES.

RESOLVED:

That the minutes of the meetings held on 11 March and 16 May 2011 be signed by the Chairman as correct records.

7. DECLARATIONS OF INTEREST.

Cllr Scrivens declared a personal and prejudicial interest in Minute No 10.

8. PUBLIC PARTICIPATION.

No members of the public addressed the Committee during the public participation period.

9. TERMS OF REFERENCE (PAPER A).

The Committee noted its terms of reference, and dates of future meetings.

It was explained that the Committee was a decision-making body in its own right. Unlike Executive decisions, decisions of the Committee were not subject to call-in. It was, however, open to an Overview and Scrutiny Panel to review services which reported to the Committee.

The question of notifying or consulting parish and town councils on licensing applications was raised. Members of the Committee felt that it was important for parish and town councils, as representative bodies, to be informed of applications for licences in their areas. It was agreed that the officers would discuss this issue with the Chairman and the Vice-Chairman and report back to the Committee.

Action: Rosemary Rutins/Paul Weston/Annie Righton

10. STREET TRADING – PROPOSALS FOR WEEKLY MARKET OFF SALISBURY ROAD, TOTTON (REPORT B).

Cllr Scrivens declared a personal interest in this item as a member of Totton and Eling Town Council, which had applied for the necessary permission to run a street market on the highway. He considered that his interest was prejudicial and withdrew from the meeting for the consideration and voting.

Members discussed the request by Totton and Eling Town Council for the District Council to designate the Salisbury Road Service Road (west side), north of Water Lane junction, Totton, as a “consent street” to enable a street market to operate. The Committee had previously considered the initial proposal and, since that date, formal notice of the Council’s intention to designate the relevant part of the service road as a “consent street” under the relevant legislation had been published. In addition to initial consultations, details of which had been reported to the Committee on 11 March, Totton and Eling Town Council had written separately to surrounding businesses that would be affected by a road closure or market. It was noted that if the market went ahead, a Traffic Regulation Order (TRO) closing the road to traffic during market times would also need to be made. The TRO was not a matter for this Committee.

It was noted that no responses had been received to the formal notice published in the press, and that one response had been received to the Town Council’s direct approaches to businesses in the area. The matter raised in that response would be addressed by the Town Council.

Members expressed concern that the proposed market in Totton on Wednesdays might draw traders and shoppers away from the established Wednesday markets in Ringwood and New Milton, which were experiencing downturns in trade. Other members however felt that a market in Totton was unlikely to affect the Ringwood or New Milton markets and, further, that this was not an appropriate consideration when determining whether to designate a consent street. It was pointed out that Totton had traditionally had a market on Wednesdays, including, in recent times, one on private land.

RESOLVED:

That Salisbury Road Service Road (west side), north of Water Lane junction, Totton, be designated a consent street within the meaning of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, and that this designation comes into force on 13 July 2011.

RECOMMENDED:

- (a) That, subject to an agreement being entered into under recommendation (b) below, and the making of a Traffic Regulation Order, all the Council's functions under paragraphs 7 and 9 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 be delegated to Totton & Eling Town Council;**
- (b) That the Head of Legal and Democratic Services be authorised to enter into a written agreement with Totton & Eling Town Council concerning the terms on which the Town Council is to exercise this delegation; and**
- (c) That the Chief Executive, in consultation with the appropriate Head of Service and the Chairman of the General Purposes and Licensing Committee, be authorised to exercise the Council's powers under the terms of the agreement referred to in recommendation (b) above.**

Action: Lynne Battersby

11. HEALTH AND SAFETY INTERVENTION PLAN FOR 2011/12 (REPORT C).

The Committee considered the proposed Health and Safety Intervention Plan for the coming year. The plan reviewed the work of the service for the previous year and proposed a full range of work for the year ahead.

Members considered the various areas of the plan in detail and asked questions on some aspects.

Mr Stone was congratulated on the comprehensive report and the explanations provided.

RESOLVED:

That the Health and Safety Intervention Plan for 2011/12 as set out in Appendix 1 to Report C to the Committee be approved.

Action: Stephen Stone

12. REVIEW OF TAXI LICENSING POLICY (REPORT D).

Members noted that, unlike other areas of licensing such as those governed by the Licensing Act 2003 and the Gambling Act 2005, there was no legal requirement to adopt a taxi licensing policy. However, members supported the proposal to adopt

a formal policy. They noted that, depending on the responses received, it might be necessary to deal with the adoption of the policy on a topic by topic basis, rather than approving a comprehensive policy at one time.

RESOLVED:

That the principle of adopting a comprehensive policy on taxi and private hire licensing be supported and that the timetable set out in paragraph 3.3 be agreed, subject to amendment if the need arises.

CHAIRMAN

(GPL100611)