

LICENSING (GENERAL) SUB – COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY 4TH JUNE 2008

Present: Councillors Blatchford, Cunio, Fuller, Galton, Norris, Wells

1. APPOINTMENT OF CHAIR AND VICE CHAIR

RESOLVED that Councillor Wells be appointed Chair of the Sub-Committee for the purposes of this meeting only.

2. MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

RESOLVED that the minutes from the meeting held on 9th April 2008, be approved and signed as a correct record.

3. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that in accordance with the Council's Constitution, specifically the Access to Information Rules contained within the Constitution, the press and public be excluded from the meeting at a predetermined point in the hearing in respect of any consideration of the following matters and specifically in respect of any consideration of Minute No. 4 on grounds based on Category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules because failing to do so would constitute a breach of the Data Protection Act 1998 as well as a breach of a Common Law duty of confidentiality

4. APPLICATION FOR GRANT OF PRIVATE HIRE DRIVER'S LICENCE

RESOLVED that in light of a change in circumstances and pending further information, consideration of this application be deferred to a future meeting.

5. APPLICATION FOR RENEWAL OF A SEX SHOP LICENCE – PRIVATE SHOP, 131 ABOVE BAR STREET

The Sub-Committee considered the report of the Solicitor to the Council detailing a request for the renewal of a sex shop licence in respect of Private Shop, 131 Above Bar, Southampton. (Copy of report circulated with agenda and appended to signed minutes).

Mr Sullivan, Mr Mason and Ms Francis were in attendance on behalf of the applicant, and, with the consent of the Chair, addressed the meeting.

RESOLVED that the application requesting a renewal of the Sex Shop Licence in respect of Private Shop, 131 Above Bar Street, be granted subject to the continuance of all the standard conditions.

REASON FOR THE DECISION

There was no compelling evidence presented to the Sub-Committee that would justify refusal of the application.

6. **APPLICATION FOR RENEWAL OF A SEX SHOP LICENCE – TASTE OF AMSTERDAM, 437 MILLBROOK ROAD WEST**

The Sub-Committee considered the report of the Solicitor to the Council detailing a request for the renewal of a sex shop licence (Copy of report circulated with agenda and appended to signed minutes).

Mr Castle (applicant) and Miss Longman (objector) were in attendance, and, with the consent of the Chair, addressed the meeting.

RESOLVED that the application requesting a renewal of the sex shop licence in respect of Taste of Amsterdam, 437 Millbrook Road West, be granted subject to the continuance of all the standard conditions.

REASON FOR THE DECISION

There was no compelling evidence presented to the Sub-Committee that would justify refusal of the application.

7. **APPLICATION FOR RENEWAL OF A SEX SHOP LICENCE – HIDDEN ASSETS, 439 MILLBROOK ROAD WEST**

The Sub-Committee considered the report of the Solicitor to the Council detailing a request for the renewal of a sex shop licence (Copy of report circulated with agenda and appended to signed minutes).

Mr Smith (applicant) and Miss Longman (objector) were in attendance, and, with the consent of the Chair, addressed the meeting.

RESOLVED:-

- (i) that the application requesting a renewal of the sex shop licence in respect of Hidden Assets, 439 Millbrook Road West, be granted subject to the continuance of all the standard conditions;
- (ii) that the further request to vary two conditions on the current licence regarding the window display and shop front at the premises be refused.

REASONS FOR THE DECISION

There was no compelling evidence presented to the Sub-Committee that would justify refusal of the application to renew the licence.

In addition, the Sub-Committee decided that the request to vary two conditions on the current licence was not acceptable for the following reasons:

- (a) the Sub-committee did not think the intended display was in keeping with the location;

- (b) products in a window display would not be a fair representation of the products sold inside the premises and may therefore mislead members of the public;
- (c) it was not accepted that customers were confused by the positioning of two separate sex shops next to one another and assume them to be part of the same business; and
- (d) the approval of a window display and change of colours to the shop front would breach the Sub-Committee's policy of ensuring that all such establishments remain uniform in appearance.

8. APPLICATION FOR RENEWAL OF A SEX SHOP LICENCE – HIDDEN DESIRES, 103 ST. MARYS STREET.

The Sub-Committee considered the report of the Solicitor to the Council detailing a request for the renewal of a sex shop licence (Copy of report circulated with agenda and appended to signed minutes).

Mr Smith (applicant) was in attendance, and, with the consent of the Chair, addressed the meeting.

RESOLVED that the application requesting a renewal of the sex shop licence in respect of Hidden Desires, 103 St. Marys Street, be granted subject to the continuance of all the standard conditions.

REASON FOR THE DECISION

There was no compelling evidence presented to the Sub-Committee that would justify refusal of the application.

9. PROPOSED VARIATION OF HACKNEY CARRIAGE FARES

The Sub-Committee considered the report of the Solicitor to the Council detailing a proposal for a varied table of fares for the hire of Hackney Carriages in Southampton (Copy of report circulated with agenda and appended to signed minutes).

Mr Johnson, Mr Griffiths, Mr Hall and Mr Macmillan, representatives of the taxi trade, were in attendance, and, with the consent of the Chair, addressed the meeting.

RESOLVED:-

- (i) that the proposed variation of Hackney Carriage Fares as detailed in the report be approved, subject to the deletion of item number 6 in the Table of Fares and the renumbering of item number 7 to become item number 6;
- (ii) that the Solicitor to the Council be authorised to advertise the proposed variation in the table of fares as detailed above;
- (iii) that subject to any objections received to the advertisement being received the variation be effective from 14th July 2008; and
- (iv) that any objections received be considered and determined by this Sub-Committee at its meeting on 2nd July 2008.