

**NORTH DEVON COUNCIL**

Minutes of a meeting of the LICENSING COMMITTEE held at the Civic Centre, Barnstaple on Tuesday 18th February 2014 at 10.00 a.m.

PRESENT: Members:

Councillor Tucker (Chairman)

Councillors Biederman, Hunt, Lane, Lucas, Moore, Turner, Wilkinson and Yabsley.

Officers:

Head of Contentious Law, Lead Officer – Licensing and Member Services Co-ordinator (KS).

**52 MINUTES**

RESOLVED that the minutes of the meeting held on 21<sup>st</sup> January 2014 (circulated previously) be approved as a correct record and signed by the Chairman.

**53 ITEMS BROUGHT FORWARD BY THE CHAIRMAN**

The Lead Officer – Licensing advised that consultation from the Government in relation to locally set Licensing Fees under the Licensing Act 2003 would be coming forward to the next meeting of the Committee on 18<sup>th</sup> March 2014.

She provided a brief overview of the consultation, namely that its purpose was to enable local authorities to set fees based on cost recovery and seek the views in respect of a new proposed structure of fees.

The document would be emailed to the members of the Committee prior to the next meeting.

**54 DECLARATIONS OF INTEREST**

There were no declarations of interest announced.

**55 NORTH DEVON HACKNEY CARRIAGE TARIFF**

The Committee considered a report by the Lead Officer – Licensing (circulated previously) regarding the North Devon Hackney Carriage Tariff.

The Lead Officer – Licensing reported that the price of unleaded fuel had decreased from 133.7 pence per litre to 131 pence per litre in the period November 2011 to December 2013. She stated that whilst the price of diesel had risen, this had not been substantial and the increase was 2.6 pence per litre increase in the period from November 2011 to December 2013.

She further advised that the current tariff was higher in most respects than the south west average. Whilst the flag rate in North Devon was 11 pence lower, the running mile was significantly higher. As a result journeys over 10 miles were significantly more costly. For example, a journey of 10 miles in the day was £2.80 more expensive than the south west average, and at night £8.02 more expensive.

She also highlighted the position of the Council in the Private Hire Monthly Magazine, which produced a tariff league table based on a two mile journey on tariff one (day rate) and advised that North Devon Council's tariff was listed 125 out of 363 authorities.

RECOMMENDED to the Executive that no change be made to the current Hackney Carriage Tariff (last amended 4th November 2011) at this time and that a further review be undertaken in November 2014.

## **56 UPDATE ON BARNSTAPLE TAXI RANKS**

The Committee received an update from the Lead Officer – Licensing regarding Barnstaple Taxi Ranks.

The Lead Officer – Licensing advised that following the approval of a number of changes to taxi ranks in Barnstaple, Devon County Council had now advertised a proposed Traffic Regulation Order. She advised that as a result of this consultation a large number of objections had been received in relation to the proposal for changes to the loading bays in Butchers Row and therefore as a result a new proposal from Devon County Council was to make no changes to the road layout as it is currently marked on the highway. The Committee had previously approved a proposal led by Devon County Council to remove the 38m taxi bay, which allowed space for six taxis and make a 24 hour rank for one vehicle, and thus if adopting the latest proposal from Devon County Council the Licensing Authority would have to re-advertise the change.

### **RESOLVED**

- (a) that the 6m (24 hour) stand , located on the north side of Butcher's Row, 15m west of its junction with Boutport Street (not currently marked on the highway) be revoked and the 38.1m rank (between the hours of 6.00pm-4.00am), located on the south side of Butcher's Row, located from Market Street cut through to the disabled bay outside of the Queens Theatre (currently marked on the highway) be adopted; and
- (b) that as the proposal for one bay was recommended by Devon County Council and was being amended to reflect the current arrangement following representations, that

Devon County Council be requested to reimburse the fee for re-advertisement to North Devon Council.

Councillors Biederman and Yabsley declared personal interests as Members of the North Devon HATOC representing Devon County Council and North Devon Council respectively.

**57 UPDATE ON ANIMAL BOARDING AND PET SHOP LICENCES**

The Committee received an update from the Lead Officer – Licensing regarding animal boarding and pet shop Licences.

The Lead Officer – Licensing advised that the licences for animal boarding and pet shops expired by law on 31<sup>st</sup> December each year.

She stated that the Chartered Institute for Environmental Health (CIEH) alongside other bodies had released model condition documents and as a result the Councils licensing conditions for cat boarding establishments and pet shops had been updated in line with these documents. There had also been a condition split between home and commercial boarding for dogs and improvements had also been made to the standard letter that was sent to the establishments.

In response to a question, the Lead Officer – Licensing advised that premises were inspected on licence renewal annually following prior notice being given to the establishment, and revisits to premises with additional conditions were undertaken on either an unannounced or announced basis depending on the nature of the works.

In response to a question, she further advised that the licence fee was set locally and not prescribed by law, with the cost of a licence being in the region of £70.00 (actual fee £69.70). She acknowledged that the fees for this area and for others required review, and this had been highlighted to the Head of Environmental Health and Housing Services. She explained that fees would be reviewed across the board, adding that this was a major piece of work, which would come to the Committee in due course.

In response to a question, she confirmed that officers undertook a specific training course to enable them to inspect and assess establishments against the required standards.

**RESOLVED:**

- (a) that any licences that were being undercharged, should be brought to the Committee for consideration sooner rather than later; and

- (b) that the Regulatory Services Manager be invited to attend the next meeting of the Committee to present a report on the licensing budget and associated licensing fees.

**58 THE LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS) ORDER 2014**

The Lead Officer Licensing reported that The Licensing Act 2003 (Mandatory Licensing Conditions Order) 2014 was due to come into effect on the 6<sup>th</sup> April 2014, the result of which would be the imposition of the following new mandatory licensing condition:

“a relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price”.

She explained that the Order included a calculation in respect of the permitted price and provided an example of the impact of the order, citing that the minimum price for a 440ml can of 5% beer would be 50p, whilst a standard bottle of vodka would cost £10.16 and a 12.5% bottle of wine would cost no less than £2.24.

She explained that critics suggested that amending the prices did not address the issues of consumption saying that overall the effect was to increase the price of approximately 1.3% of alcohol sold. She further advised that the information would be emailed to Committee members

Chairman

The meeting ended at 11.15 a.m.

**NOTE:** These minutes will be confirmed as a correct record at the next meeting of the Committee.