

NORTH DEVON COUNCIL

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

PRESENT: Members:

Councillor Tucker (Chairman)

Councillors Barker, Biederman, Clark, Fowler, Hunt, Lane, Lucas, Moore, Turner, Webb, Wilkinson and J. Yabsley.

Officers:

Head of Contentious Law, Lead Officer – Licensing and Member Services Officer (JG).

59 MINUTES

The Lead Officer – Licensing advised that Devon County Council had agreed to reimburse the fee for re-advertisement to North Devon Council in respect of Minute 56 (b) regarding Barnstaple Taxi Ranks.

She updated the Committee on two proposed minor amendments in respect of the minutes of the last meeting of the Committee.

RESOLVED, that the minutes of the meeting held on 18th February 2014 (circulated previously) be approved as a correct record and signed by the Chairman subject to the following: -

- (a) Minute 55 – that reference to the stated increase in the price of diesel by 2.6 pence per litre be amended to reflect an actual decrease in the price by 2.6 pence per litre;
- (b) Minute 56 (a) – that the words ‘be adopted’ be replaced with ‘be advertised’; and
- (c) Minute 56 (a) – that reference to the “6m (24 hour) stand, located on the ‘north’ side of Butchers Row” be amended to read the “‘south’ side of Butchers Row”.

The Committee confirmed that the above amendments had no impact on the recommendations or resolutions of the Committee.

60 ITEM BROUGHT FORWARD WITH THE CONSENT OF THE CHAIRMAN

The Lead Officer – Licensing, reported that following a previous decision by the Licensing Committee with regard to changes to a delegation to the Head of Environmental Health and Housing, the Procedures Committee had

supported a recommendation to full Council to amend Appendix 6 of the Constitution by deleting the following paragraph: -

“2 (ii).....Subject to the Chairman or Vice-Chairman of the Licensing committee being consulted where practicable, or if not practicable to consult, being informed as soon as possible of any action in respect of the delegation.”

61 DECLARATIONS OF INTEREST

There were no declarations of interest announced.

62 REVIEW OF THE COUNCILS SEX ESTABLISHMENT LICENSING POLICY

The Committee considered a report by the Lead Officer – Licensing (circulated previously) regarding a review of the Council’s Sex Establishment Licensing Policy.

RESOLVED:

- (a) that the revised draft Licensing Policy and Conditions for Sex Establishments be noted for consultation; and
- (b) that a consultation be undertaken on the revised draft Policy for a period of eight weeks, and that the results be reported to the Licensing Committee in due course prior to any recommendation for approval being made to the Council’s Executive.

63 UPDATE ON BRAUNTON TAXI REVIEW

The Committee received an update from the Lead Officer – Licensing regarding the Braunton Taxi Review.

She advised that following a request from the Licensing Committee in January 2014, she had written to Braunton Parish Council to seek its views on a proposal to move one taxi rank currently located on Exeter Road to a location outside of the J & S Wensley Newsagent (Parish Council owned and Devon County Council maintained) and replace one taxi rank space on Exeter Road with a disabled bay.

Braunton Parish Council had considered and supported the proposal subject to public consultation and had no objection to North Devon Council now going out to public advertisement.

64 UPDATE ON IMPLEMENTATION OF THE SCRAP METAL DEALERS ACT 2013

The Committee received an update from the Lead Officer – Licensing regarding the implementation of the Scrap Metal Dealers Act 2013 which received royal assent last year.

She advised that 11 licences had been issued for five sites and six scrap metal collectors. The process had gone smoothly and no representations from the Police authority had been received to date.

The Committee was advised of a recent road side stop and search operation, led by the Police authority aimed at checking amongst other things, whether or not vehicles were carrying scrap metal without a licence.

The Committee expressed its disappointment at the lack of press coverage of the operation and requested that its views be passed onto the Communication Team together with a request for the release of a press statement in the interests of transparency.

65 HOME OFFICE – A CONSULTATION ON FEES UNDER THE LICENSING ACT 2003

The Lead Officer – Licensing outlined a Home Office consultation paper (circulated previously) in respect of fees under the Licensing Act 2003.

The Committee debated the consultation questions and concluded the following: -

RESOLVED:

- (a) that the views of the Lead Officer – Licensing be supported;
- (b) that in responding to the consultation paper on behalf of the Licensing Authority, the Lead Officer – Licensing would reflect the view of the Licensing Committee that there be no real need to change the fee structure other than as follows: -
 - (i) separation of Temporary Events Notices into two categories, one for low scale activities and another for larger events held during a longer period with late hours; and
 - (ii) a possible increase in the application of higher fees for events where the terminal hour of operation exceeded 11:00pm or midnight.

66 **CONSULTATION ON INCIDENTAL NON-COMMERCIAL,
PRIVATE SOCIETY, WORK AND RESIDENTS' LOTTERIES –
PROPOSALS FOR LIFTING RESTRICTIONS**

The Lead Officer – Licensing, briefly outlined a consultation paper (circulated previously) in respect of Incidental Non-Commercial, Private Society, Work and Residents' Lotteries – Proposals for Lifting Restrictions.

She advised that in her opinion, the proposals were sensible, had no significant impact on North Devon as an authority and enabled people to legitimately raise money at events.

RESOLVED, that the views expressed by the Lead Officer – Licensing be supported.

67 **LICENSING SUB-COMMITTEE D**

RESOLVED that the minutes of the meeting of the Licensing Sub-Committee D held on 6th March 2013 (circulated previously) be approved as a correct record and signed by the Chairman of the Sub-Committee.

Chairman

The meeting ended at 11.00 a.m.

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