

NORTH DEVON COUNCIL

Minutes of a meeting of the LICENSING COMMITTEE held at the Civic Centre, Barnstaple on Tuesday 10th June 2014 at 10.00 a.m.

PRESENT: Members:

Councillor Tucker (Chairman)

Councillors Fowler, Hunt, Haywood, Lucas, Mathews, Moore and Webb.

Officers:

Assistant Solicitor (DH), Lead Officer – Licensing (KN) and Senior Member Services Officer (BT).

7 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Barker, Biederman, Clark, Turner, Wilkinson and J. Yabsley

8 MINUTES

RESOLVED that the minutes of the meeting held on 15th April 2014 (circulated previously) be approved as a correct record and signed by the Chairman.

9 ITEMS BROUGHT FORWARD BY THE CHAIRMAN

(a) **Licensing News**

The Chairman congratulated the Lead Officer – Licensing on producing the latest “Licensing News” newsletter, which had been circulated to all holders of premises licences and club premises certificates

The Lead Officer – Licensing advised the Committee that a FIFA World Cup Licensing Hours Order had been issued which permitted the extension of licensing hours for England’s world cup games.

She stated that the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014 was now in force which imposes new conditions on premises licences and club premises to prevent alcohol being sold or supplied for consumption on or off premises at a price which is less than the “permitted price”. A copy of the new conditions had been circulated to all holders of premises licences and club premises certificates.

She further stated that following consultation on the “Personal Alcohol Licences: Enabling Targeted, Local Alternatives”, the Government had decided not to proceed with plans to abolish the system of personal licences.

The "Taxi and Private Hire Newsletter" had been circulated to all drivers which advised that the Committee on 10th June 2014 would be considering the provision of taxi ranks at Ilfracombe, Braunton and Barnstaple.

(b) **Torrige District Council - Stop the Strength Scheme**

The Chairman advised the Committee that Torrige District Council had recently introduced a discretionary scheme with local businesses to stop selling beer, cider and lager of above 6.5%ABV strength. This had been implemented to improve anti-social behaviour in the area.

The Committee viewed a DVD, which had been produced on the Scheme.

The Lead Officer – Licensing advised that whilst the provisions had yet to be commenced legislation (Anti-Social Behaviour, Crime and Policing Act 2014) had been enacted which will see the removal of designated public place orders.

10 DECLARATIONS OF INTEREST

The following declaration of interest was announced:

Councillor Mathews Item 6: Personal interest as a Member of Devon County Council.

11 REVIEW OF ILFRACOMBE TAXI STANDS

The Committee received an update by the Lead Officer – Licensing and Traffic Engineer Strategy, Devon County Council regarding the outcomes of a recent meeting with Councillor Webb and Town Councillor Gear to review the current location of taxi stands in Ilfracombe. The Council has a policy of ensuring that taxi stands are provided in the most appropriate locations to ensure that they were used. As a result of the review, four potential locations had been identified for the provision of taxi stands in Ilfracombe.

Plans showing the location of the proposed taxi stands were tabled.

The Committee noted that one of the plans identified as "Site 4" which detailed The Quay and Broad Street areas should have stated "Site 2".

The Lead Officer – Licensing and Traffic Engineer Strategy, Devon County Council outlined the four proposed locations as identified on the plans to the Committee.

RESOLVED that the Lead Officer – Licensing be requested to advertise the proposals under the Local Government (Miscellaneous Provisions) Act 1976 for a 28 day period and consult with all Hackney Carriage/Private Hire drivers, Ilfracombe Town Council and Combe Business on the following proposals for taxi rank stands in Ilfracombe and that the results

be brought to a future meeting of the Committee for consideration:

- (a) that the existing taxi rank on Ropery Road be revoked and replaced with a bus stop clearway to deter parking close to the car park exit as identified on the Site 1 plan;
- (b) that a 24 hour taxi rank stand for two vehicles be provided near to the Pier Tavern, The Quay as identified on the Site 2 plan;
- (c) that a 24 hour taxi rank stand for two vehicles be provided on Broad Street as identified on the Site 2 plan;
- (d) that a 24 hour taxi rank stand be provided for a minimum of three vehicles in front of the former Collingwood Hotel subject to further exploration by Devon County Council regarding the creation of a larger taxi rank than detailed on the Site 3 plan;
- (e) that the proposed taxi rank stand as detailed on the Site 4 plan not be pursued.

12 PROPOSED AMENDMENTS TO HACKNEY CARRIAGE STAND IN BUTCHERS ROW, BARNSTAPLE

The Committee considered a report by the Lead Officer – Licensing (circulated previously) regarding proposed amendments to the Hackney Carriage stand in Butchers Row, Barnstaple.

RESOLVED that the 6m (24 hour) stand for one vehicle located on the north side of Butchers Row, 15m west of its junction with Boutport Street (this recent adoption has yet to be marked on the highway) be revoked and a 38.1m stand be created (between the hours of 6.00 pm and 4.00 am) for a maximum of six vehicles, located on the north side of Butchers Row from the Market Street cut through to the disabled bay outside of the Queens Theatre (currently marked on the highway).

13 PROPOSED AMENDMENTS TO HACKNEY CARRIAGE STANDS IN BRAUNTON

The Committee considered a report by the Lead Officer – Licensing (circulated previously) regarding proposed amendments to the Hackney Carriage stand in Braunton.

RESOLVED that the two vehicle taxi stand located on the west side of Exeter Road, Braunton be reduced to a 24 hour stand for one vehicle, and a new 24 hour stand be created for one vehicle in the layby located outside J & S Wensley Newsagent,

Braunton from a point 34m south east of its junction with Caen Street for a distance of 6.5m.

14 DEREGULATION BILL

The Lead Officer – Licensing advised the Committee that the Government’s Deregulation Bill recently had the following three measures added which are of relevance to hackney carriage and private hire drivers:

- (i) Allowing private hire operators to sub-contract bookings to operators licensed in a different district.
- (ii) Allowing anyone with an ordinary driver's licence to drive a private hire vehicle when it is "off-duty".
- (iii) Making the standard duration for all taxi and PHV driver licences three years; and five years for all PHV operator licences.

She further advised that the Deregulation Bill also included a new Community and Ancillary Seller’s Notice. This followed the Government’s response to last year’s Alcohol Strategy where it confirmed its intention to introduce this form of notice. In essence it formed a light touch provision enabling ancillary sellers and community groups to sell alcohol without the need to go through the formal process of applying for a Premises Licence or using Temporary Events Notices. A summary produced by the Home Office was tabled.

She stated that she would update the Committee on any further developments on this Bill.

15 LICENSING SUB-COMMITTEE A

RESOLVED that the minutes of the meetings of the Licensing Sub-Committee A held on 15th April 2014 and 13th May 2014 (circulated previously) be approved as correct records and signed by the Chairman of the Sub-Committee subject to minutes (a) for both meetings being amended to:

“Apologies for absence were received from Councillor Tucker as he was unable to attend due to the premises being located within his ward.”

Chairman

The meeting ended at 11.03 a.m.

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