

NORTH DEVON COUNCIL

Minutes of a meeting of the LICENSING COMMITTEE held at the Civic Centre, Barnstaple on Tuesday 16th September 2014 at 10.00 a.m.

PRESENT: Members:

Councillor Hunt (in the Chair)

Councillors Barker, Biederman (minutes 16 to 19), Clark, Haywood, Lane, Lucas, Mathews, Moore, Turner and Wilkinson.

Councillor Brown attended the meeting in accordance with Standing Order 9 (4).

Officers:

Head of Contentious Law, Lead Officer – Licensing (KN) and Senior Member Services Officer (BT).

16 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Fowler, Tucker and Webb.

17 MINUTES

RESOLVED that the minutes of the meeting held on 10th June 2014 (circulated previously) be approved as a correct record and signed by the Chairman.

18 DECLARATIONS OF INTEREST

The following declarations of interest were announced:

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

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

19 PROPOSED AMENDMENTS TO HACKNEY CARRIAGE STANDS IN ILFRACOMBE

The Committee considered a report by the Lead Officer - Licensing (circulated previously) regarding proposed amendments to Hackney Carriage Stands in Ilfracombe.

The Lead Officer (Licensing) advised that no representations had been received following the advertisement placed in the North Devon Gazette, an

article in a newsletter sent to all licensed hackney carriage drivers and a letter sent to Combe Business with the exception of one comment made by a member of the taxi trade who highlighted the need for enforcement of the proposed ranks in the future. Representation was however received arising from consultation with Devon and Cornwall Police. As detailed in the report this representation regarded concerns over the proposed rank located outside of the Ilfracombe Yacht Club on the Quay. She advised that the Traffic Engineer Strategy from Devon County Council was unable to attend the meeting. The two Ward Members Councillors Fowler and Webb were also unable to attend but had submitted an email which was read to the Committee advising that they were supportive of the proposals and that a Traffic Study for the whole of Ilfracombe was currently being prepared.

PCSO Karen Grant from the Devon and Cornwall Police addressed the Committee and advised that the Police had no representations to make with respect of the proposed amendments to the stands with the exception of the creation of a stand to be located outside of the Ilfracombe Yacht Club, on the Quay.

RESOLVED on consideration of the representations received, that the proposed amendments to the hackney carriage stands in Ilfracombe be approved as advertised in the North Devon Gazette on the 13 August 2014, with the exception of the creation of a stand outside of the Ilfracombe Yacht Club and that it be deferred pending the outcomes of the Ilfracombe Traffic Study.

20 NORTH DEVON COUNCIL'S SEX ESTABLISHMENT POLICY

The Committee considered a report by the Lead Officer – Licensing (circulated previously) regarding North Devon Council's Sex Establishment Policy.

RECOMMENDED, on consideration of the representations received following consultation, that the Executive approve the draft revised Licensing Policy and Conditions for Sex Establishments subject to an additional condition being included to form part of the house rules alongside those relating to touching and participation, namely that "At all times the performer(s) will keep a minimum distance of one metre away from the customers".

21 LETTER TO LICENSING AUTHORITIES FROM MINISTER FOR CRIME PREVENTION

The Committee considered a letter sent to Licensing Authorities from the Minister for Crime Prevention (circulated previously) regarding proposals to address harms associated with alcohol.

The Lead Officer – Licensing advised the Committee of the impact on the Council as a licensing authority of the proposals contained within the Deregulation Bill, particularly in relation to the proposal to remove the need to renew a personal licence. Unfortunately it seemed there would be some personal licence holders who would need to renew their licences before the need for renewal was abolished.

Councillor Brown declared a personal interest as a personal licence holder. She addressed the Committee in relation to the Late Night Levy and expressed concerns that it may be imposed on the Council.

The Lead Officer – Licensing advised the Committee that the Late Night Levy could not be imposed as the decision rested with the Council. There was no evidence base to support implementing either a Late Night Levy or an Early Morning Alcohol Restriction Order.

In response to questions from the Committee, the Head of Contentious Law advised that as the personal licence fee was a statutory fee imposed by the Government, it would not be possible for the fee to be waived where personal licence holders were having to renew ahead of the change in the law.

RESOLVED that the letter sent to Licensing Authorities from the Minister for Crime Prevention be noted.

22 LICENSING UPDATE: LOCAL EVENTS

The Committee received an update by the Lead Officer – Licensing regarding local events that had been held during the summer period.

RESOLVED that the update provided by the Lead Officer – Licensing be noted.

23 LICENSING UPDATE: LEGISLATIVE CHANGES

The Committee received an update by the Lead Officer – Licensing regarding proposed legislative changes (circulated previously).

RESOLVED that the update on the proposed legislative changes be noted.

24 LICENSING SUB-COMMITTEE B

RESOLVED that the minutes of the meeting of the Licensing Sub-Committee B held on 10th June 2014 (circulated previously) be approved as a correct record and signed by the Chairman of the Sub-Committee.

25 LICENSING SUB-COMMITTEE C

RESOLVED that the minutes of the meeting of the Licensing Sub-Committee C held on 20th June 2014 (circulated previously) be approved as a correct record and signed by the Chairman of the Sub-Committee.

26 LICENSING SUB-COMMITTEE D

RESOLVED that the minutes of the meeting of the Licensing Sub-Committee D held on 18th July 2014 (circulated previously) be approved as a correct record and signed by the Chairman of the Sub-Committee.

27 LICENSING SUB-COMMITTEE E

RESOLVED that the minutes of the meeting of the Licensing Sub-Committee E held on 21st August 2014 (circulated previously) be approved as a correct record and signed by the Chairman of the Sub-Committee.

Chairman

The meeting ended at 11.08 a.m.

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