

NORTH DEVON COUNCIL

Minutes of a meeting of the LICENSING COMMITTEE held at the Civic Centre, Barnstaple on Tuesday 14th October 2014 at 10.00 a.m.

PRESENT: Members:

Councillor Tucker (Chairman)

Councillors Barker, Biederman, Clark, Fowler, Haywood, Hunt, Lucas, Mathews, Moore, Webb and Wilkinson.

Officers:

Regulatory Services Manager, Lead Officer – Licensing, Service Lead – Community Safety Partnership, Assistant Solicitor (DH) and Senior Member Services Officer (BT).

28 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Lane.

29 MINUTES

RESOLVED that the minutes of the meeting held on 16th September 2014 (circulated previously) be approved as a correct record and signed by the Chairman.

30 ITEMS BROUGHT FORWARD BY THE CHAIRMAN

(a) Marking of taxi rank opposite Barnstaple Bus Station

Councillor Mathews advised that the taxi rank located opposite Barnstaple Bus Station had been marked incorrectly with the wrong times.

The Lead Officer – Licensing advised that she would investigate the matter and report back to Councillors Tucker and Mathews.

(b) Barnstaple Fair

Councillor Mathews reported that the issue regarding the supply of alcohol at the Barnstaple Fair had been raised at a meeting of the Barnstaple Town Centre Management. He stated that it was understood that no alcohol could be supplied. He referred to a stallholder that was offering alcohol as a prize. The Police had challenged the stallholder who provided a copy of a Temporary Events Notice.

The Lead Officer – Licensing advised the Committee of the outcomes of the Safety Advisory Group which had been held to discuss the safety arrangements for the Barnstaple Fair. Following this meeting, the Showman's

Guild had submitted a Temporary Events Notice, to which no representations from the Police or any other relevant person had been received.

31 DECLARATIONS OF INTEREST

There were no declarations of interest announced.

**32 RESPONSIBLE AUTHORITIES ATTENDING LICENSING
SUB-COMMITTEE MEETINGS**

Councillor Mathews expressed concern in relation to a recent Temporary Events Notice which the Police had objected to. The objection had been prepared by an officer located in Exeter and not by an officer located in North Devon.

The Lead Officer – Licensing advised that the Police Licensing Officer that was based in North Devon had now left and the duties had been passed on to the Licensing Officer who was based in Middlemoor. The Police were in the process of recruiting a replacement.

RESOLVED that a letter be sent to Responsible Authorities requesting that all representations made in relation to licensing matters are prepared by an officer with local knowledge and where a licensing matter was brought before a Licensing Sub-Committee that the same officer attend the meeting to present the Responsible Authorities representations.

33 OVERVIEW OF ROLE, LICENSING AND BUDGETS

The Committee received a verbal report by the Regulatory Services Manager regarding his role, the structure and budgets for his team. He explained that the Environmental Health and Housing Services consisted of three teams: Housing Services, Regulatory Services and Community Protection. The whole service would shortly be located in three different locations i.e. Brynsworthy Environment Centre, Woodlands and Ilfracombe Community office. He explained that it was difficult to control levels of income received, however the budgets were monitored on a monthly basis.

A copy of the structure chart for Environmental Health and Housing Services was tabled.

34 UPDATE ON LEGAL HIGHS

The Committee received an update by the Service Lead – Community Safety regarding legal highs. He advised that the Government had still not introduced legislation to prevent the sale of legal highs. The Government had previously announced that it would be producing a paper regarding the sale of legal highs, however this had now been delayed and no release date had been published. He stated that he was a member of a Legal Highs Group which consisted of representatives from the Community Safety Partnership,

Police and Health agencies which had been set up to establish the nature of the problem, identify who was using them and how to educate people to not use them.

RESOLVED that a meeting be arranged between Nick Harvey MP, the Chairman of the Committee, the Service Lead – Community Safety, Lead Officer – Licensing, Regulatory Services Manager and Police and Crime Commissioner as soon as possible regarding making representations to the Government on the need for appropriate legislation to be introduced as a matter of urgency to prevent the sale of legal highs and that the outcomes of the meeting be reported back to the Committee.

35 **BTEC AWARDS (OR EQUIVALENT) FOR DRIVERS ON GRANT OF A HACKNEY CARRIAGE OR PRIVATE HIRE DRIVERS LICENCE**

The Committee considered a report by the Lead Officer – Licensing (circulated previously) regarding comments received from applicants for Hackney Carriage and Private Hire Driver's licences in relation to the Council's policy requirement that drivers hold a BTEC Award (or equivalent) on the grant of a Hackney Carriage or Private Hire Drivers licence.

RECOMMENDED on consideration of the comments received from applicants for Hackney Carriage and Private Hire Driver's licences that the Executive not amend the requirement for drivers to hold a qualification as detailed in the Hackney Carriage and Private Hire Licensing Policy on the grant of a Hackney Carriage or Private Hire Driver's licence as the Council's priority was for the safety of passengers.

36 **INDEPENDENT INQUIRY INTO CHILD SEXUAL EXPLOITATION IN ROTHERHAM AND ASSOCIATED IMPACTS ON LICENSING**

The Lead Officer – Licensing advised the Committee of the Independent Inquiry that had been undertaken in relation to child sexual exploitation in Rotherham and the associated impacts on licensing.

A copy of the Executive Summary of the case and a paper produced by the Centre for Public Scrutiny following the inquiry were tabled.

The Lead Officer - Licensing advised that the Committee needed to consider the case as it highlighted the prominent role that taxi drivers had by being directly linked to children who were abused. She was awaiting the receipt of questions from Devon County Council's People's Scrutiny Committee for the Committee to consider and therefore recommended that consideration of this item be deferred pending the receipt of the questions.

The Lead Officer - Licensing confirmed that the Hackney Carriage and Private Hire Licensing Policy contained elements of safeguarding for example the requirement for DBS checks, but that this policy would need to be reviewed in response to the outcome of the inquiry.

RESOLVED that the consideration of the Independent Inquiry into child sexual exploitation in Rotherham and associated impacts on licensing be deferred pending the receipt of the questions from Devon County Council's People's Scrutiny Committee.

37 LICENSING SUB-COMMITTEE A

RESOLVED that the minutes of the meeting of the Licensing Sub-Committee A held on 30th September 2014 (circulated previously) be approved as a correct record and signed by the Chairman of the Sub-Committee.

38 LICENSING SUB-COMMITTEE B

RESOLVED that the minutes of the meeting of the Licensing Sub-Committee B held on 16th September 2014 (circulated previously) be approved as a correct record and signed by the Chairman of the Sub-Committee.

Chairman

The meeting ended at 11.10 a.m.

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