

NORTH DEVON COUNCIL

Minutes of a meeting of the LICENSING COMMITTEE held at the Barum Room, Brynsworthy Environment Centre, Barnstaple on Tuesday 18th July 2017 at 10.00 a.m.

PRESENT: Members:

Councillor Chesters (in the Chair)

Councillors Biederman, Campbell, J. Cann, Haywood, Jones, Mathews, Meadlarkin, Moore, Roome, Wilkinson and Yabsley.

Officers:

Public Protection Manager (KS), Lead Officer – Licensing (HB), Head of Contentious Law (TJB), and Corporate and Community Services Officers (KS) and (AD).

20 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Barker and Gubb.

21 MINUTES

RESOLVED, that the minutes of the meeting held on 20th June 2017 (circulated previously) be approved as a correct record and signed by the Chairman.

22 CHAIRMAN'S ANNOUNCEMENTS

The Chairman addressed the Committee and advised that she had spoken with an Ilfracombe hackney carriage driver prior to the meeting in relation to the ongoing works at Oxford Grove in Ilfracombe. She provided an update to the Committee in relation to the impact of the works upon the road and taxi ranks. She added that a temporary road closure had impacted on the availability of the bottom two taxi parking bays resulting in taxis having to reverse into oncoming traffic. There had been a request that the temporary rank which was originally proposed for the high street be re-assessed for its viability.

The Lead Officer Licensing advised that he had a telephone conversation with the site foreman to discuss the current situation and subsequent road closure the requirement for which was due to the removal of the internal props, which were not fit for purpose and would require a re- design. He added that the delivery of new props would take up to two weeks and that there was currently no final completion date for the works.

The Public Protection Manager sought clarification from the Committee following the proposal of a meeting with the owner and whether or not such a meeting would be beneficial.

The Committee and Officers considered the issues and raised the following points:

- That concerns had been made by Members of the Committee following initial discussions and the potential impact upon the rank.
- That contact be made with the Highways department at Devon County Council to ascertain whether they had been correctly informed of the requirement to close the road and Members requested that sufficient checks be made to ensure that the correct licence had been obtained for such a closure.
- That the Ward Members for the area be kept fully engaged in the ongoing discussions with the owner of building.
- The request to temporarily locate an additional taxi rank on the high street would only be permissible as a permanent rank and would involve the usual consultation process.
- The costs associated with re-lining the road were £1000 and there was no funding currently available to meet that cost.
- A suggestion was made that in future costs could be met by the owners of unsafe buildings via their application fee.

The Chairman advised that she would arrange for a meeting to be held with herself, together with the owner of the building, the Public Protection Manager and the Lead Officer Licensing to discuss the ongoing works. She added that following this meeting Local Ward Members together with the Devon County Council Member and Devon County Council Highways would be fully briefed upon the latest position.

The Chairman welcomed Councillor Biederman to the Committee.

23 DECLARATIONS OF INTEREST

There were no declarations of interest announced.

24 PUBLIC FUNDRAISING AUTHORITY SITE MANAGEMENT AGREEMENT REVIEW

The Committee considered a report by the Public Protection Manager (circulated previously) regarding the Public Fundraising Authority Site Management Agreement review.

The Public Protection Manager advised that the report was being presented following queries raised at the previous meeting. She drew the Committee's attention to the map detailed in appendix 1 of the report, which indicated the designated area on Barnstaple High Street where street collectors, collecting by debit card, were permitted to fundraise. This map included the whole length of Barnstaple High Street from Boutport Street and Maiden Street, to

the North Walk end. The hatched lines on the map from Holland Walk to Cross Street indicated the area that was limited to two fundraisers only.

In response to a query regarding the designated area indicated on the map not being as agreed, the Public Protection Manager confirmed that minutes from Licensing Committee, Executive and Council meetings had been checked and no amendments were made to the designated area.

RESOLVED:

- (a) that the report be noted; and
- (b) that an annual performance report be submitted to the Committee in December of each year.

25 INSPECTION, COMPLIANCE AND ENFORCEMENT **TIMETABLE - REVISED**

The Committee considered a revised timetable by the Lead Officer Licensing (circulated previously) in relation to Inspection, Compliance and Enforcement.

The Lead Officer Licensing provided an update to the Committee in relation to the amendments, which had been made following the previous meeting.

He added that he had been out with the Gambling Commission to undertake inspections of unlicensed family entertainment premises, of those three were now shut and the remaining 15 had excellent compliance. An adult gambling centre was visited at Ilfracombe Harbour and was rated as excellent with the owner being very knowledgeable. A holiday park in Croyde was also visited where they were found to be compliant and knowledgeable. A similar exercise was also planned for later in the year to inspect betting shops, bingo, and adult gambling premises.

The Committee discussed the value of a review of street trading across the region and agreed that Town and Parish Council involvement would be beneficial.

Following a request for the licensing of street trading to be explained the Head of Contentious law said he would be happy to provide a powerpoint presentation on this.

RESOLVED:

- (a) that street trading be added to the work programme for discussion at a future meeting;
- (b) that a review across North Devon be undertaken with a view to developing a new policy for consideration in due course, with a progress report being made to the

Licensing Committee scheduled to be held in October 2017; and

- (c) that local Town and Parish Councils be contacted to seek their feedback in relation to any issues experienced in their areas.

26 LICENSING SUB-COMMITTEES

RESOLVED that the minutes of the meeting of the following Licensing Sub-Committee (circulated previously) be approved as a correct record and signed by the Chairman of the Committee:

- (a) Licensing Sub-Committee D: 13th June 2017.

27 WORK PROGRAMME/FORWARD PLAN

RESOLVED, that the item in relation to the review of Street Trading be added to the work programme for consideration at the meeting in October 2017.

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 Licensing Committee.