

NORTH DEVON COUNCIL

Minutes of a meeting of Licensing and Community Safety Committee held in the Barum Room - Brynsworthy on Tuesday, 4th July, 2023 at 10.00 am

PRESENT: Members:

Councillor York (Chair)

Councillors Haworth-Booth, Hunt, Maskell, Norman, Quinn, Whitehead and Williams

Officers:

Solicitor and Public Protection Manager, Solicitor and Licensing Case Officer

8. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Biederman, Denton, Josef, Lethaby, Milton and Renshaw.

9. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 13 JUNE 2023

RESOLVED that the minutes of the meeting held on 13 June 2023 (circulated previously) be approved as a correct record and signed by the Chair.

10. DECLARATIONS OF INTERESTS

There were no declarations of interest announced.

11. LICENSING ACT 2003 POLICY REVIEW

The Committee considered a report on the Licensing Act 2003 Policy Review (circulated previously) by the Public Protection Manager.

The Public Protection Manager introduced a new team member, Mr C Northcott, and invited him to give a summary of his background to the Committee. Until recently, he had worked as a Police Officer. The last four years working in Community Safety, liaising across North Devon and Torridge areas, he was very partnership focussed. He was recently recruited by North Devon Council as a Licensing Case Officer.

The Public Protection Manager highlighted the following:

- The Council was legally obligated to have a policy in place which was reviewed every 5 years.
- Appendix A of the report showed a tracked changes document which highlighted the changes.

- The Licensing Act 2003 prescribed a list of persons to be sent the consultation.
- There was an additional initiative to be added under paragraph 18.0. The Licensing Authority was supportive of Designated Driver Schemes, whereby licensed premises supply a designated driver soft drinks.
- Paragraph 4.4.1 of Appendix A, the preference for events to apply for a premises licence instead of multiple Temporary Event Notices (TENs) had been added.
- At paragraph 4.5.5 clarifications had been added in terms of events where live music was being played or premises playing recorded music.
- At paragraph 4.5.6 a link to the Home Office right-to-work page on the GOV.UK website had been added.
- At paragraph 5.1.6 learned experience had been incorporated into the Policy in terms of the issues experienced by the Licensing Authority whereby a premises was being run 'behind the scenes' by a person unable to hold a licence. The Licensing Authority was proposing to fully support and consider Police information for example in exceptional circumstances pertaining to a change of Designated Premises Supervisor.
- At paragraph 5.4 the addition of suggested conditions pertaining to alcohol deliveries.
- At paragraph 9.4 the addition of the Licensing Authority's stance on the sale of age restricted products to children will be robust with the revocation/refusal of a premises licence whereby relevant evidence was presented.
- At paragraph 11.0 the misuse of psychoactive substances had been added to the Policy.
- Paragraph 15.0 added mitigations to noise disturbance from beer gardens.
- Paragraph 16.0 amendments to Temporary Activities had been added in relation to the introduction of pavement licences during the pandemic.
- Paragraph 17.0 had been updated to reflect that a 'Pub Watch' scheme was in operation in Barnstaple.
- Paragraph 18.0 had been updated to include initiatives, tackling violence and harm to women in pubs and during the night time economy, supported by the Licensing Authority.
- Paragraph 23.0 expansion of the Local Authority's recognition of its responsibilities under the Equalities Act 2010.
- Paragraph 24.0 added the aspiration that all licensed premises would keep their contact details up-to-date.

The Public Protection Manager advised the Committee that Martyn's Law (the Protection of Terrorism Bill) was awaiting Royal Assent so had not at this time been included in the Policy but an amendment would be made as soon as the Bill had received Royal Assent. Information regarding the obligations on licensed premises would be made fully available on the Council's website in the intervening period.

In response to questions, the Public Protection Manager replied with the following:

- The Ask Angela initiative was not used in every pub in North Devon but the Police had visited most establishments giving out literature and materials for publicising in the premises.

- It was proposed that a link to a list of premises that had signed up to Ask for Angela would be added to the Policy.
- As part of the funding received from the Safer Streets scheme an accreditation scheme would be developed for premises to be rated a bronze, silver or gold standard and part of this accreditation scheme would include whether a premises had signed up for an initiative to tackle violence against women and girls. An accredited premises would ensure its staff were trained on dealing with a request for “Angela” from a customer.

The Licensing Case Officer added that the Pubs were aware of the Ask for Angela Initiative but that the wider public needed to be made aware of the initiative. He was not aware of the Ask for Clive initiative, which was set up by a Charity to help men who felt unsafe during a night out.

The Chair updated the Committee that she had been made aware recently that some of the Safer Streets funding was to be used to set up a Safe Space Scheme in Barnstaple whereby someone who was needing assistance and/or to seek safe harbour could go to get help at a location set up for this purpose. More information on this could be found on the following website: [Safe Space Scheme](#)

The Vice-Chair advised members to visit pubs in their own wards to speak with the Landlord’s promoting the initiative of Ask for Angela.

RESOLVED:

- (a) That the revised Licensing Act 2003 Statement of Licensing Policy as detailed at Appendix A of the report be noted and
- (b) That the Public Protection Manager conduct a public consultation on the revised Licensing Act 2003 Statement of Licensing Policy as detailed at Appendix A of the report.

Chair

The meeting ended at 10.52 am

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