

South Somerset District Council

Minutes of a meeting of the **Licensing Committee** held at the **Council Chamber B, Council Offices, Brympton Way, Yeovil BA20 2HT on Tuesday 9 June 2015.**

(10.00 am - 11.00 am)

Present:

Members: Councillor Martin Wale (Chairman)

Clare Aparicio Paul	Wes Read
Jason Baker	David Recardo
Neil Bloomfield	Garry Shortland
David Norris	Alan Smith
Crispin Raikes	Linda Vijeh

Also Present:

Peter Gubbins

Officers

Nigel Marston	Licensing Manager
Anita Legg	Licensing Officer
Colin Chown	Licensing Enforcement Officer
Jo Morris	Democratic Services Officer

Note: All decisions were approved without dissent unless shown otherwise.

1. To approve as a correct record the Minutes of the Previous Meeting held on 9th December 2014 (Agenda Item 1)

The minutes of the Licensing Committee held on Tuesday 9th December 2014, copies of which had been circulated, were approved as a correct record and signed by the Chairman.

2. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Dave Bulmer, Jenny Kenton, Val Keitch and Tony Lock.

3. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

4. Public Participation at Committees (Agenda Item 4)

No question or comments were raised by members of the public.

5. Licensing Fees (Agenda Item 5)

The Licensing Manager introduced the report, which informed members of a project to look at licensing fees in order to ensure that the Council's costs in providing the Licensing Service are being recovered in full, wherever the relevant legislation permits.

In response to questions and comments raised by members, the Licensing Manager advised that:

- In terms of calculating the cost of processing an application, the hourly rate of staff was calculated with on costs attached. The cost was around £49 for a senior officer and £28 for less senior officers;
- Some administration procedures required checking by a Senior Officer, such as Temporary Event Notices;
- The speed of the process could be improved with some investment in IT. The Licensing Manager was looking at another project to bring forward a new IT Programme for Licensing;
- It was a statutory requirement that the Council provide the facility for persons to apply for street collections, however there was no provision to charge a fee;
- The Local Government Association were looking to resume the review of statutory fees;
- The Licensing Manager clarified the position with regard to discounts in respect of any fees levied under the Gambling Act. He explained that the Council along with the other Somerset local authorities charged 85% of the maximum fee permitted;
- The Licensing Manager hoped to complete the project in the current financial year in order for any costs to be taken into account as part of the budget setting process in February 2016;
- The Licensing Manager would provide the Licensing Committee with regular update reports on the project.

Members were content to approve the recommendations outlined in the report.

RESOLVED: (1) That the report be noted; and
(2) That the Licensing Manager provide regular update reports to the Licensing Committee on the project.

6. Licensing Act 2003 - Updates (Agenda Item 6)

The Licensing Officer introduced the report which informed members of the amendments to the Licensing Act 2003 that the Deregulation Act 2015, the Live Music Act 2012 and other legislation has provided.

The Licensing Officer responded to questions and comments raised by members of the Committee. Members were advised of the following:

- There was no intention to amend the current licences, the relevant conditions on the licence would not take effect;
- Licence holders should be aware of the changes from various other sources. The changes would be publicised on the Council's website;
- There were some provisions within the Deregulation Act 2015 which were not yet in force as no Commencement Order had been made for them. Sometimes not all the

provisions of an Act come into force, which can be because of parliamentary time expiring due to an election;

- The Licensing Officer clarified the position with regard to Personal Licence Holders and disclosure checks. As there was no central database, if a personal licence was revoked in one area there was nothing to stop someone applying for one in another district;
- The changes would not cause extra enforcement work for the Licensing Team but may have an impact on other services.

Members were content to agree the recommendations outlined in the agenda report.

- RESOLVED:**
- (1) That the amendments to the Licensing Act 2003 already in force be noted;
 - (2) That the amendments to the Licensing Act 2003 which have not received a commencement be noted.

7. Enforcement Update (Agenda Item 7)

The Licensing Enforcement Officer summarised the agenda report, which updated members on the work of the Licensing Enforcement Team and the various issues that they were currently involved with including Taxis, Street Trading and Scrap Metal Dealers.

During the ensuing discussion, the Licensing Enforcement Officer noted the comments of members and responded to questions on points of detail. Points raised included the following:-

- With regard to the monitoring of complaints in relation to taxis and private hire vehicles, the Licensing Enforcement Officer advised that he undertook checks on a daily basis and also regularly on a Saturday night. The new policy required vehicles with a higher mileage to be checked on a more regular basis;
- The Police were able to undertake more mechanical checks to ensure that the vehicles were road worthy. The Police could pull over any vehicle whereas the Licensing Enforcement Officer could only carry out checks on the rank;
- The Licensing Enforcement Officer gave further information about the internal points system.

Members of the Committee supported the Chairman in raising the need for a dedicated Police Officer to accompany and assist the Licensing Enforcement Officer with scrap metal dealer inspections at a meeting of the Police and Crime Panel.

Members were content to note the report.

- RESOLVED:** That the report be noted.

8. Appointment of Chairmen for Licensing Sub Committees (Agenda Item 8)

As the Council had entered a new municipal year, the Committee was asked to review the appointment of Chairmen for Licensing Sub Committees.

It was agreed to appoint the following members as Licensing Committee Chairmen: Councillors Martin Wale, David Recardo, Lynda Vjeh, David Norris, Alan Smith, Neil Bloomfield and Clare Paul.

It was felt that all Chairmen should attend Charing Meeting Skills Training.

RESOLVED: That Councillors Martin Wale, David Recardo, Lynda Vjeh, David Norris, Alan Smith, Neil Bloomfield and Clare Aparicio Paul be appointed as Licensing Sub Committee Chairmen.

9. Date of Next Meeting (Agenda Item 9)

Members noted that the next meeting of the Licensing Committee would be held on Tuesday 11th August 2015 at 10.00am at the Council Offices, Brympton Way, Yeovil.

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Chairman

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Date