

## South Somerset District Council

Minutes of a meeting of the **Licensing Committee** held on **Tuesday 3<sup>rd</sup> February 2009** in the Council Chamber, Brympton Way, Yeovil.

(10.00am –12.05pm)

**Present:**

**Members:** **Nigel Mermagen** (In the Chair)

John Hann  
Roy Mills  
David Recardo  
Peter Roake

John Vincent Chainey  
Linda Vijeh

**Officers:**

Julia Bradburn  
Rachel Lloyd  
Nigel Marston  
Lyn Lockyer

Principal Licensing Officer  
Licensing Officer  
Licensing Enforcement Officer  
Committee Administrator

**Also Present**

Alan Tawse  
Ian Budd

Yeovil Town Clerk  
Yeovil Town Centre Manager

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The Chairman noted that Public Question Time was still not included on the agenda and asked for this to be rectified.

Members requested that a short written update on Enforcement be included for all future meetings.

### **22. Minutes (Agenda Item 1)**

The minutes of the meeting of the Licensing Committee held on 2<sup>nd</sup> December 2008 were approved as a correct record and signed by the Chairman subject to the following amendment.

Nigel Marston, Licensing Enforcement Officer to be included under those Officers present at the meeting.

The minutes of the Licensing Sub-Committee held on 19<sup>th</sup> December 2008 were approved as a correct record and signed by the Chairman.

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### **23. Apologies for absence (Agenda Item 2)**

Martin Wale, Tony Fife, Dave Bulmer, Keith Ronaldson, Alan Smith, Lucy Wallace, William Wallace, Simon Bending

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## **24. Declarations of Interest (Agenda Item 3)**

As members of Yeovil Town Council, Councillors David Recardo, John Vincent Chainey and John Hann, declared a personal and prejudicial interest in Agenda Item 4 – Public Fundraising Regulatory Authority.

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## **25. Public Fundraising Regulatory Association (Agenda Item 4)**

The Principal Licensing Officer presented her report, which contained the further information members had requested at the previous meeting. She also gave members copies of email correspondence she had received from other authorities that had agreements with the PFRA.

The Yeovil Town Clerk then explained the situation from the Town Council perspective. He stated the Town Council offices were near enough to handle any enforcement problems quickly at no extra cost to the District Council and that the Town Council provided an effective service which had proven administrative and enforcement procedures in place. He stated that he was still waiting for a protocol from the District Council. He wanted to point out to members that the PFRA was a self regulatory body funded by the same people who were being controlled and whilst some councils (mostly the larger metropolitan cities and towns) were satisfied with the PFRA he knew that Poole and Plymouth were not. He believed that the continuing of this enforcement provision by Yeovil Town Council, who were a Quality Parish Council, was in line with government initiatives for delegated functions and provided value for money as the cost to the District Council was £24.00 per week.

The Yeovil Town Centre Manager explained that the Association of Town Centre Managers was a respected body of some 570 members and he had attended a meeting when concerns over the PFRA had been expressed. Town Centre Managers had no authority to carry out enforcement however he did work most weekends and had experienced some problems. The only complaints he had received had been verbal rather than written and he did not keep a record.

The Yeovil Town Council members who had declared a personal and prejudicial interest in this item were then invited to speak before leaving the meeting. Cllr Recardo spoke for all affected members who 'felt aggrieved that that they could not stay and represent those who had elected them to office'. He stated that YTC had received few complaints because of the efficient and effective way they carried out the role and gave excellent information in respect of the rules and regulations. He commented on the recent emails received by the Principal Licensing Officer and noticed that several of the respondents appeared to only have had agreements with the PFRA for a short period and therefore it was too soon to comment on the effectiveness of the service. He reiterated the comments of the Yeovil Town Clerk in that Yeovil was a Quality Parish Council and that it was a good example of 'joined up working'.

Cllrs Hann, Recardo and Vincent Chainey left the meeting.

Members asked for clarification on the role of the PFRA. The Principal Licensing Officer said that at present they would just have responsibility for street collections but with the new Charities Act due to become law in November 2009 there will be some changes.

As far as Direct Debit, 'Chuggers' are concerned there needs to be an effective way of dealing with them as they are not covered by street trading laws. The new act will bring

in laws allowing local agreements stipulating where, when etc. There are a small amount of companies who employ a large number of 'chuggers'. The problems in Yeovil, which was the main town the 'Chuggers' came to in the district, were somewhat less than they had been. The other towns in the District had not reported any problems for about one year. Members discussed enforcement issues and the number of complaints received by Yeovil Town Council and District wide. The Yeovil Town Clerk said that under the present agreement with the District Council they could take no legal action but would give evidence to the District Council to do this if necessary. He also said that because of the close proximity of the offices to the town centre he was able to make checks on a regular basis as to the activity of street collectors.

The Principal Licensing Officer reinforced that any agreement with the PFRA would be voluntary and that the District Council could determine conditions of the agreement. She stated that entering into an agreement with the PFRA would be a cost effective measure for the council, saving approximately £1400 per annum and a possible 200 staff hours. At present the PFRA made no charge but were to introduce a minimal charge of approximately £100 per annum after November. She also confirmed that it would be possible to enter into an agreement with the PFRA, which excluded YTC.

**RESOLVED:** That the members of the Licensing Committee were in favour of the proposed joint working partnership between SSDC and the PFRA. However they were not convinced that Yeovil town centre should be included in this arrangement. As there were financial implications in excluding Yeovil the matter should be considered by the District Executive at its meeting on 5th March 2009. Any agreement should be reviewed after one year of operation.

*(Vote: 4 in favour, none against)*

*Julia Bradburn, Principal Licensing Officer, 01935 462113*

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## **26. Update on Laburnums Cattery and Windsor Cattery (Agenda Item 5)**

The Licensing Officer presented her report and gave details of the improvements to both Laburnums and Windsor Cattery. Members were pleased that the matter had reached such a satisfactory conclusion.

**RESOLVED:** Members noted the report.

*Rachel Lloyd, Licensing Officer, 01935 462150*

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## **27. Proposed Changes to Taxi Licensing Plates (Agenda Item 6)**

The Licensing Enforcement Officer presented the report. He also informed members that the new plates would have an option for details to be shown within the taxicab, which will make it easier for identification purposes in case of any complaint. The new plates are also less likely to be lost or stolen due to the new fixing arrangements. Members were shown the new plates and brackets and informed that the plates were recyclable. The new plates will be compulsory for all taxi drivers and there will be a short period of approximately 1 week for a change over time. It was intended to increase the cost of the deposit for a plate from £8.00 to £30.00 and for the cost of the bracket to be £15.00, the cost of introducing the system would then be quickly recovered. Taunton

Deane, Sedgemoor, Mendip and West Somerset Councils are all using the MOGO system. Taxi drivers had not been consulted about the change of plates, but were reported to be largely in favour.

**RESOLVED:** That the move over to the new plate system be approved.

*(Vote: 6 in favour, 1 against)*

*Nigel Marston, Licensing Enforcement Officer, 01935 462150*

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## **28. Licensing Sub-Committees (Agenda Item 7)**

**RESOLVED:** Members agreed that the Licensing Sub-Committees continue on a rota basis and agreed the rota for the remainder of the year.

*Jo Morris, Committee Administrator, 01935 462055*

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## **29. Date of next meeting (Agenda Item 8)**

Members noted the date of the next meeting of the Licensing Committee on Tuesday 7<sup>th</sup> April 2009 at 10.00am in the Council Chamber.

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Chairman