

South Somerset District Council

Notice of Meeting



Licensing Committee

Making a difference where it counts

Tuesday 13 December 2011

10.00 am

**Council Chamber A
Council Offices
Brympton Way
Yeovil
Somerset**

The public and press are welcome to attend.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Anne Herridge** on Yeovil (01935) 462570
email: anne.herridge@southsomerset.gov.uk, website: www.southsomerset.gov.uk

This Agenda was issued on Monday 5 December 2011

Ian Clarke, Assistant Director (Legal & Corporate Services)



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Licensing Committee Membership

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Vice-Chairman Martin Wale

Dave Bulmer
 John Vincent Chainey
 Pauline Clarke
 Nick Colbert
 Tony Fife

Jenny Kenton
 Tony Lock
 Paul Maxwell
 Roy Mills
 David Norris

David Recardo
 Linda Vjeh
 William Wallace

South Somerset District Council – Corporate Aims

Our key aims are: (all equal)

- To deliver well managed cost effective services valued by our customers
- To increase economic vitality and prosperity
- To improve the housing, health and well-being of our citizens
- To ensure safe, sustainable and cohesive communities
- To enhance the environment, address and adapt to climate change

Members' Questions on Reports prior to the Meeting

Members of the Committee are requested to contact report authors on points of clarification prior to the Committee meeting.

Information for the Public

The Licensing Committee shall be responsible for those licensing functions listed in part 3 of the Constitution as being the responsibility of the Committee. This will include licensing matters referred to it by officers, in accordance with the Officer Scheme of Delegation, such as contested public entertainment licences, and applications for taxi driver licences where the officer considers the application should be determined by members. The Committee shall also be responsible for all the functions assigned to it under the Licensing Act 2003.

Meetings of the Licensing Committee are held bi-monthly at 10.00am normally on the second Tuesday of the month in the Council Offices, Brympton Way.

Licensing Committee agendas and minutes are published on the Council's website www.southsomerset.gov.uk

The Council's Constitution is also on the web site and available for inspection in council offices.

Further information can be obtained by contacting the agenda co-ordinator named on the front page.

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Licensing Committee

Tuesday 13 December 2011 at 10.00 am

Agenda

Preliminary Items

1. **To approve as a correct record the Minutes of the Licensing Committee meeting held on 11 October 2011**
2. **Apologies for Absence**
3. **Declarations of Interest**

In accordance with the Council's Code of Conduct, which includes all the provisions of the statutory Model Code of Conduct, Members are asked to declare any personal interests (and whether or not such an interest is "prejudicial") in any matter on the Agenda for this meeting. A personal interest is defined in paragraph 8 of the Code and a prejudicial interest is defined in paragraph 10.

4. Public Participation at Committees

a) Questions/comments from members of the public

This is a chance for members of the public and representatives of Parish/Town Councils to participate in the meeting by asking questions, making comments and raising matters of concern.

Items for Discussion

5. **Consultation on a proposal to deregulate Schedule One of the Licensing Act 2003 - In relation to Regulated Entertainment..... 1**
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Licensing Committee – 13 December 2011

5. Consultation on a proposal to deregulate Schedule One of the Licensing Act 2003 - In relation to Regulated Entertainment.

Executive Portfolio Holder: Peter Seib
Assistant Director: Laurence Willis, Assistant Director – Environment
Service Manager: Nigel J Marston – Licensing Manager
Lead Officer: Nigel J Marston – Licensing Manager
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Purpose of the Report

To advise the Licensing Committee of a response to the Home Office consultation concerning the proposed deregulation of regulated entertainment under the Licensing Act 2003.

Recommendation

That the report be noted.

Background

On 10th September 2011 the Department for Culture Media & Sport (DCMS) published a consultation document entitled “Regulated Entertainment” - a consultation proposal to examine the deregulation of schedule one of the Licensing Act 2003. Members will recall that at the Licensing Committee meeting of the 11th October 2011 it was delegated to the Chair & Vice Chair of the Licensing Committee to agree the Council’s response to the consultation in conjunction with the Licensing Manager.

The consultation period ended on 3rd December 2011. The response provided is as set out below.

The Proposal

The Governments view is as follows:

At the moment, the law and regulations that require some (but not all) types of entertainment to be licensed are a mess. For example, you will need a licence if you want to put on an opera but not if you want to organise a stock car race. A folk duo performing in the corner of a village pub needs permission, but the big screen broadcast of an England football match to a packed barn-like city centre pub does not. An athletics meeting needs licensing if it is an indoor event, but not if it’s held outdoors. A free school concert to parents doesn’t need a licence, but would if there is a small charge to raise money for PTA funds or if there are members of the wider public present. A travelling circus generally needs a permit whereas a travelling funfair does not. A carol concert in a Church doesn’t need a licence, but does if it is moved to the Church Hall. There are many other examples where types of entertainment are treated differently for no good reason – the distinctions are inconsistent, illogical and capricious.

But they cause other problems too. Whenever we force local community groups to obtain a licence to put on entertainment such as a fundraising disco, an amateur play or a film night, the bureaucratic burden soaks up their energy and time and the application fees cost

them money too. Effectively we're imposing a deadweight cost that holds back the work of the voluntary and community sector, and hinders the big society as well.

Equally importantly, the various musicians' and other performers' unions are extremely concerned that all these obstacles reduce the scope for new talent to get started, because small-scale venues find it harder to stay open with all the extra red tape. There is also evidence that pubs that diversified their offer to include activities other than drinking were better able to survive the recession. Making it easier for them to put on entertainment may therefore provide an important source of new income to struggling businesses such as pubs, restaurants and hotels.

Last but not least, laws that require Government approval for such a large range of public events put a small but significant dent in our community creativity and expression. If there's no good reason for preventing them, our presumption should be that they should be allowed.

So this is a golden opportunity to deregulate, reduce bureaucratic burdens, cut costs, give the big society a boost and give free speech a helping hand as well. Our proposals are, simply, to remove the need for a licence from as many types of entertainment as possible. I urge you to participate in this consultation so that we can restore the balance.

The Response from SSDC

Please see Appendix One, which is the detailed response from SSDC.

Financial Implications

Not yet known.

Implications for Corporate Priorities

Not yet known

Equality and Diversity Implications

None

Other Implications

None

Background Papers: Licensing Act 2003

DCMS consultation document – “Regulated entertainment – A consultation proposal to examine the deregulation of schedule one of the Licensing Act 2003.

Appendix One

Response to consultation on deregulation of Schedule One of Licensing Act 2003

Detailed answers to the specific questions raised in the consultation are set out below. For ease of understanding a summary of the main points is set out in bullet points below:

- The proposals as they stand will effectively remove control of all regulated entertainment in South Somerset, with the exception of a very small number of large outdoor festivals and boxing/wrestling.
- Removing licensing controls without a proper analysis of the likely effects, or any evidence of significant benefits to businesses is a huge risk.
- The proposals are likely to have a significant adverse effect on the licensing objectives of public nuisance, public safety and crime and disorder.
- Noise nuisance controls under the Licensing Act 2003 will become less effective and more costly and some nuisances such as noise outside premises will become impossible to deal with.
- Local residents will be denied the ability to be involved in the prevention of public nuisance through the licensing process.
- Premises selling alcohol are expected to reduce the licensable area to just the bar area, thus making any conditions relating to regulated entertainment unenforceable, if this takes place outside the bar area.
- Local authorities' ability to manage the night time economy will be reduced as there will be no control of the closing time of premises providing entertainment, including night clubs.
- The effectiveness of controls the government is about to introduce in relation to the late night levy and early morning alcohol restriction orders will be reduced.
- The aims of the proposals could possibly be achieved by introducing exemptions to licensing requirements for some small scale types of entertainment.

Proposal Impacts: Questions

Q1: Do you agree that the proposals outlined in this consultation will lead to more performances, and would benefit community and voluntary organisations? If yes, please can you estimate the amount of extra events that you or your organisation or that you think others would put on?

- It is not thought that it will increase the amount of events taking place. The reasons for this assumption are as follows:
- There are a large number of premises that are already licensed under the Licensing Act 2003 for Regulated Entertainment and of the number of Temporary Event Notices (TEN's) we have received (3,100 since November 2005) only 8.15% (253) wanted regulated entertainment only, which equates to 42 per year (253 ÷ 6 years since Act came into force) – not even one per week.
- The cost to the venue of providing Regulated Entertainment. It is our opinion, that it is this reason, which prevents venues from putting on live and recorded music, not the cost of applying for authorisation. In this area the cost of a local (not well known) band is approximately £200, with the cost rising to the thousands for those that are well known. The cost of a TEN is set at £21. There is no additional cost to including it on a new application for a premises licence with alcohol or late night refreshment as the fee

is based on the number of licensable activities applied for. Of the 685 current premises licences issued by this council only 68 (10%) authorise regulated entertainment only and of those, only 2 or 3 would have to pay an annual fee as the rest would be exempt from paying this fee as being schools, colleges, village, parish or community halls; these types of premises are also exempt from paying an application fee.

- It may benefit the few organisations/individuals, not to have to apply for authorisation, which may lead to people in the community participating in events, however as it would only benefit a very small majority, it would not (in our opinion) outweigh the risks to local authorities and responsible authorities in having to allocate extra resources; some of which would be paid for by the taxpayers in the local communities.

Q2: If you are replying as an individual, do you think this proposal would help you participate in, or attend, extra community or voluntary performance?

Not applicable.

Q3: Do you agree with our estimates of savings to businesses, charitable and voluntary organisations as outlined in the impact assessment? If you do not, please outline the areas of difference and any figures that you think need to be taken into account (see paragraph 57 of the Impact Assessment).

We don't agree with the £238 estimate obtained from 2009/2010 figures for new licences and variations. Having looked at the DCMS National Statistics Bulletin,¹ no breakdown has been provided which shows these figures relate to applications for entertainment only; it is our understanding these figures relate to all applications received. If we take your figure of 16,272 new and variation applications received in 2009/2010, then take your figure of 3% of applications requiring regulated entertainment only, that would be 488. Of these 488, the majority of these applicants are exempt² from having to pay an application fee or an annual fee to the Licensing Authority as they are schools, village halls etc; the same analogy would have to be applied to the remainder of the figures.

Q4: Do you agree with our estimates of potential savings and costs to local authorities, police and others as outlined in the impact assessment? If you do not, please outline the areas of difference and any figures you think need to be taken into account.

We do not agree that all the potential costs to Local Authorities have been identified:

- No costs have been indicated in relation to the Local authority having to review their Statement of Licensing Policy as a consequence of legislative changes, including any consultation required.
- No costs have been indicated with regard to the Local Authority publicising any changes in legislation/procedures. This will include producing and giving guidance, updating web pages etc.
- If the Local Authority has to write to premise licence holders who only have regulated entertainment advising them that they may wish to surrender the licence, then this should be included in the impact assessment.

¹DCMS National Statistics Bulletin Alcohol, Entertainment and Late Night Refreshment Licensing England and Wales, April 2009 – March 2010

² Para 9, 10 of SI 2005 No.79 Licences And Licensing. The Licensing Act 2003 (Fees) Regulations 2005

- It is our opinion that the figures are flawed as the Licensing Act 2003 has put a number of controls in place to prevent public nuisance from occurring; remove these controls and the number of complaints is very likely to increase. Figures from complaints received under the old Public Entertainment licence system cannot be used either as there were not as many premises licensed under this system as there are now. In essence these figures are not expected to project a true picture. Although there is an obligation for local authorities to deal with disturbance under other legislation, it is likely extra resources will be needed, incurring extra costs if these controls were removed.
- The figures given by the Chartered Institute of Environmental Health and the Noise Survey 2008 do not reflect noise complaints made to the Licensing Service that are in connection to a breach to one or more conditions of the premises licence that are dealt with under the Licensing Act 2003.
- Paragraph 65 of the Impact Assessment states “Most venues affected will also have an alcohol licence may already be subject to general conditions relating to noise nuisance”. In this authority the majority of the noise nuisance conditions specifically relate to regulated entertainment.
- With regard to paragraph 66 of the Impact Assessment, it is our experience that the noise nuisance incidents at venues with an alcohol licence are also licensed for regulated entertainment, which is more often than not the cause. If regulated entertainment is no longer a licensable activity, premises that are currently authorised for this, could extend the times for these activities, which is likely to result in more resources of the council being spent on reviews of the licence; this is supposing that the ruling by Black J. at paragraph 67 in *Thwaites*³ concerning opening hours which is not a licensable activity is not overruled or distinguished.

Q5: Would you expect any change in the number of noise complaints as a result of these proposals? If you do, please provide a rationale and evidence, taking into account the continuation of licensing authority controls on alcohol licensed premises and for late night refreshment

We would expect an increase in the number of noise complaints

- Firstly in para 61 of the impact assessment the consultation outlines some of the legislation that local authorities already enforce with regard to noise complaints. It is stated that local authorities must act under the Noise Act 1996 and the Anti-social behaviour Act 2003, however, both of these statutes only provide a power for local authorities to act – it is not an obligation. The duty to investigate noise nuisance lies in the Environmental Protection Act 1990.
- The fact that people have to apply for a form of authorisation focuses their minds on their events. The fact that contact details are required allows Responsible Authorities to get in touch with the organisers before and during the event if necessary, meaning that any complaints can be quickly dealt with. This would not be possible under the new proposals, as we would not have these details.
- It is likely that complaints would not be dealt with quickly as a site visit would have to be made incurring costs for fuel, man-power and administration. Possibly there may not

³ *Daniel Thwaites Plc v Wirral Borough Magistrates' Court & Ors* [2008] EWHC 838

be any officers available to deal with the situation as they have been allocated to known events.

- 90% of the complaints received by our Environmental Protection Team, regarding licensed premises relate to noise nuisance.
- Deregulation will increase the number of venues providing entertainment; we can see no reason to suspect that deregulation will lead to a decrease in complaints.
- Para 67 provides an estimate of the time involved in investigating complaints as 10 man-hours. We would suggest this is a fairly conservative estimate as any complaints involving a licensed premise will involve numerous phone calls, visits to the premise, monitoring visits to assess the noise, letters and record keeping.
- In para 68 the document also implies that the licensing authority would deal with any increase in noise incidents, as they will relate to venues with an alcohol licence. This is incorrect, as Environmental Health will investigate any complaints about noise, whatever the venue. EHOs will liaise with licensing colleagues and may ask for a review of the licence but are more likely to act under their powers given in the EPA 1990.
- For many reported incidents there is only one person being affected or at least only one willing/able to complain. This would make it difficult to use the provisions of the review process as this can only be used in relation to the Licensing Objectives which relate to 'public nuisance'. Providing evidence that a public nuisance exists may be difficult if there is only one complainant, whereas statutory nuisance under the EPA1990 relates to either public or private nuisance and hence is more appropriate.
- Regulation through licensing would allow prevention rather than cure.

Q6: The Impact Assessment for these proposals makes a number of assumptions around the number of extra events, and likely attendance that would arise, if the deregulation proposals are implemented. If you disagree with the assumptions, as per paragraphs 79 and 80 of the Impact Assessment, please provide estimates of what you think the correct ranges should be and explain how those figures have been estimated.

- Why concentrate on the 3% of the venues who had not put on live music in the last 12 months as opposed to the assumed 97% that had? The survey produced by the DCMS in 2007 indicates the figures for music remains similar to that of 2004 before the Licensing Act 2003 came into force. It is our opinion that it is the cost of paying the bands/performers that has stopped these venues from putting on music. The average cost of a local band in this area is approximately £200 per session. There may have been no extra cost to ticking another box on the premises licence application form if applied for at the same time as late night refreshment. The cost of a TEN is just over 10% of £200 at £21.00
- One of the examples of an entertainment, which does not currently require a license, is a funfair. This is not a good example as funfairs often generate complaints about noise but are difficult to deal with under statutory nuisance provision due their transient nature. Maybe the approach should be to extend the current regulation to provide consistency rather than de-regulate.

- Quantifying the likely number of extra events and attendance at such is very difficult. Suffice it to say that we have experienced an increase in concert type events at outside venues despite the controls of the licensing regime. There are two conclusions to be drawn: either the licensing regime does not present the restrictions that are being suggested and therefore why de-regulate, or there is such an increase in popularity of these type of events that it is reasonable to assume that without the current regulation an even greater increase would take place.

Q7: Can you provide any additional evidence to inform the Impact Assessment, in particular in respect of the impacts that have not been monetised?

As stated in the answer to Q4 it is anticipated that more reviews of licences will be required.

Q8: Are there any impacts that have not been identified in the Impact Assessment?

- The government proposes that venues with an alcohol licence would still be subject to conditions to control regulated entertainment. However, it is difficult to see how this would work in the long term. The Licensing Act allows applicants to specify the extent of their premises and conditions must be necessary and proportionate in relation to that premises. So, for example, a premises such as a concert hall could just licence it's bar areas and leave the rest of the premises unlicensed. A pub could licence its serving area and not the rest of the building
- Any Community premises such as village halls, which are authorised for regulated entertainment and late night refreshment currently pay an annual fee; under the new proposals they would still have to do so because the fee exemption only relates to regulated entertainment.

Q9: Would any of the different options explored in this consultation have noticeable implications for costs, burdens and savings set out in the impact assessment? If so, please give figures and details of evidence behind your assumptions.

The consultation document refers to reducing bureaucracy and cost for community premises, schools, etc. However, there is already an exemption for such premises from the fees for a full licence so there is no cost saving, and any bureaucracy has already happened for many premises because they have got their licence in place.

Indeed, it could be argued that the licensing process serves to ensure that organisers consider certain aspects of holding events that they may otherwise have not given adequate thought to. This is particularly relevant for people and premises who are not usually involved in providing regulated entertainment.

Q10: Do you agree that premises that continue to hold a licence after the reforms would be able to host entertainment activities that were formerly regulated without the need to go through a Minor or Full Variation process?

No, If the proposals are taken forward then we believe there must be a formal process to remove activities and conditions from licences, for the sake of clarity. The cost of doing this should not fall on licensing authorities.

Q11: Do you agree that events for under 5,000 people should be deregulated across all of the activities listed in Schedule One of the Licensing Act 2003?

We do not agree based on the following:

- The reasoning behind the need to deregulate is flawed. The examples given include costumed storytellers, pianists in restaurants, magic shows, Punch & Judy, school

plays. These events are either not licensable under the current regime or not licensable in certain circumstances. Virtually all of the examples given are 'low level' regulated entertainment and if the government doesn't want them to be licensed, they could easily make these types of event exempt from licensing controls.

- The suggested figure of deregulating entertainment provided for events with 4,999 people or less is way too high. This would mean that virtually all regulated entertainment in South Somerset would not be licensable. Basing the level of risk associated with a particular event solely on the numbers of people involved is far too simplistic. Risk depends on a range of factors. There is also a concern that the majority of premises do not have a fixed occupancy and so even if the cut-off was reduced from 5,000 to 500 it would not be straightforward to determine which premises required a licence and which did not.
- The consultation proposal suggests that regulated entertainment poses little risk to the licensing objectives. We strongly disagree with this. Although alcohol features highly in the enforcement work associated with licensing, so does noise from regulated entertainment and nuisance from people attending events. Public safety refers to physical safety of people attending and in the vicinity of events, and to suggest that this would not be compromised by removing the need to licence premises that just provide regulated entertainment (cinemas, theatres, music venues) is simply ridiculous.
- It appears that a two tier system will be created, with alcohol premises being properly regulated and other premises being left to their own devices. The consultation document includes statements such a

"Events in non-licensed premises that are currently held under a TEN will usually be held in non-commercial premises that are overseen and controlled by a management committee or governing body or otherwise run by the local authority"

"One alternative option ... could be to develop a Code of Practice for entertainment venues"

"...local management"

- In our opinion, this is a naïve approach to the way a number of premises are run. Whilst there are lots of very well run premises, there are also a number that are poorly run. This may be due to anything from a lack of knowledge and ability, to a total disregard for any rules and regulations. Deregulating on the scale proposed will not mean that the well run premises will stop running their premises well, but it will reduce our ability to do anything about the other premises. In other words, it will be counter-productive.
- The consultation refers to a number of other regulatory regimes that may be able to deal with issues arising from what is currently regulated entertainment. However, there are currently limited resources in these areas and so it is unlikely that these regimes will be a viable alternative to licensing enforcement and advice. Furthermore, the current system works because people who want to provide entertainment etc. pay for a licence, thus financing the associated work to make sure the provision of that entertainment is provided in an appropriate way. If entertainment is deregulated the money for enforcement will have to be found from other areas, which, frankly does not exist. "The polluter pays" principle is a good one – anyone who wants to provide

entertainment should meet the associated costs. Enforcement should not come from general funds collected from the tax payer.

Q12: If you believe there should be a different limit – either under or over 5,000, what do you think the limit should be? Please explain why you feel a different limit should apply and what evidence supports your view.

It has been our experience with fledgling festivals etc that the organisers do not always understand or are unaware what legislation requires of them. The multi-agency meetings conducted under the Licensing Act 2003 has proved to be a way to correct this problem. If the proposals to de-regulate are successful, the number of persons at the event should be limited to 100, and further restricted to 30 if in a residential area unless there are considerably more educational resources targeted at the premises users.

Events also allow people to bring alcohol for their own consumption; the new proposals could see event organisers advising event goers to do just this, without any controls. The incidence then would inevitably mean a rise of people bringing alcohol to sell to others as licensing checks usually reveal this happening on a small scale.

The suggested figure of deregulating entertainment provided for events with 4,999 people or less is way too high. This would mean that virtually all regulated entertainment in South Somerset would not be licensable. There are often issues with regulated entertainment in venues much smaller than this that cause problems arising from regulated entertainment.

Both the government and the police have proposed capacity limits that would remove the need for Temporary Event Notices to be given for events involving only entertainment. This reduces the capacity of enforcement agencies to advise organisers of what may be appropriate control measures to put in place. The TEN system is extremely useful in this regard, and allows agencies to liaise with organisers in advance where there would otherwise have been no contact at all. This liaison is preventative and helps everyone involved (organisers, authorities, customers and neighbours).

Q13: Do you think there should be different audience limits for different activities listed in Schedule One? If so, please could you outline why you think this is the case. Please could you also suggest the limits you feel should apply to the specific activity in question.

No. It is not simply the type of entertainment that causes a problem, but also the venue, the management, the day of the week and time of day, and the individual people attending.

Q14: Do you believe that premises that would no longer have a licence, due to the entertainment deregulation, would pose a significant risk to any of the four original licensing objectives? If so please provide details of the scenario in question.

We believe there would be a significant risk to the Prevention of Public Nuisance. The reason for this is that the majority of premises licences have conditions, which provide neighbours with a reassurance that they should be able to sleep peacefully and deter the holder from causing a public nuisance. If deregulated, the risk to local residents of public nuisance would increase because it is our view that the provision of Licensing Act 2003 acts as a deterrent, whilst the Environmental Protection Act 1990 (in most cases) comes into being after the neighbours have suffered Public Nuisance; prevention being better than cure.

All four licensing objectives are likely to be adversely affected because premises would be less likely to be 'on the radar' of the responsible authorities. The RAs and interested parties would have much less say in, or control over, the way a premises operates. The rights of entry under the Licensing Act are very helpful to enforcement agencies, and it is helpful to RAs and IPs alike to have certainty about what is allowed and when.

The case studies from the Noise Team highlight the importance of the Licensing Act in their work.

There have been numerous cases in the past of serious public safety risks and, indeed, tragedies that the public safety objective is intended to prevent. The thought that up to 5,000 people could be at an entertainment venue without the safeguards currently in place through the LA 2003 is very worrying.

Q15: Do you think that outdoor events should be treated differently to those held indoors with regard to audience sizes? If so, please could you explain why, and what would this mean in practice.

No, we believe that the existing legislation works well for both indoor and outdoor events. The 2003 Act enables applicants and, where necessary, responsible authorities, interested parties and licensing authorities, to tailor their decisions to the circumstances. So an indoor event would be subject to different hours, conditions, etc. to an outdoor event.

Q16: Do you think that events held after a certain time should not be deregulated? If so, please could you explain what time you think would be an appropriate cut-off point, and why this should apply.

IF the proposals for de-regulation are accepted, the point at which they should be regulated is 23:00 for indoors and 21:00 for outdoors to allow people to sleep without being bothered by noise from entertainment. Due to budget cuts there is no out of hours service for affected people to call this Council except for Friday, Saturday and Sunday nights and this limited service could be withdrawn. Most noise complaints received relate to activities taking place out of office hours.

Q17: Should there be a different cut off time for different types of entertainment and/or for outdoor and indoor events? If so please explain why.

No

Q18: Are there alternative approaches to a licensing regime that could help tackle any potential risks around the timing of events?

No, we don't think that there are.

Q19: Do you think that a code of practice would be a good way to mitigate potential risks from noise? If so, what do think such a code should contain and how should it operate?

Codes don't work particularly well. A good example is provided by supermarkets. Some will adhere to them and others disregard them. A supermarket code of practice was introduced in March 2002 but was considered too weak; it was strengthened and introduced an ombudsman to enforce it in 2010.

Q20: Do you agree that laws covering issues such as noise, public safety, fire safety and disorder, can deal with potential risks at deregulated entertainment events? If not, how can those risks be managed in the absence of a licensing regime?

No. Many LAs do not use the provisions of the Noise Act 1996 due to resource implications and availability of out of hours officers and equipment. This situation is only likely to worsen with public sector cuts.

The EPA1990 is a useful piece of legislation but has its limitations. In particular there may be problems where the set of residents are being disturbed by events at one venue but

with different organisers for each as mentioned above. Also the EPA1990 is generally reactive - action is taken where a nuisance is found to exist and the impact has already occurred. For frequent occurrences this can still be effective at addressing ongoing problems, however, for more occasional or sporadic events, it can be much less effective and evidence can be difficult to obtain. Sporadic events can nonetheless have a very significant impact.

Q21: How do you think the timing / duration of events might change as a result of these proposals? Please provide reasoning and evidence for any your view.

- The Licensing Unit frequently deal with accusations from residents that premises are going beyond the hours allowed for on their Licence for the provision of entertainment (ranging from 10 to 30 minutes over in some cases).
- On speaking with (and in warning Licence holders) officers are frequently told that the breach was either only a few minutes over or that it had been difficult for organisers to stop the entertainment.
- We anticipate that the removal of an end time for deregulated entertainment would lead to events continuing later than they normally would have done.

Q22: Are there any other aspects that need to be taken into account when considering the deregulation of Schedule One in respect of the four licensing objectives of the Licensing Act 2003?

- Under the Licensing Act 2003 a Licence holder has to promote the four licensing objectives in respect of the activities he has contained on his Licence
- When applying for a Licence (or a variation of an existing one) and in completing an operating schedule the applicant has to indicate the steps which it is proposed to take to promote the licensing objectives (e.g. CCTV, doorstaff, doors and windows closed during regulated entertainment etc.). These are specific to and tailored to the activities that have been applied for.
- Should the deregulation go ahead as proposed then Schedule 1 entertainment would no longer be included as a licensable activity for the majority of premises within South Somerset.
- We are therefore unsure as to how in practice the Licensing Act objectives can be utilised in respect of activities that are no longer licensable under that Act.
- To change the prevention of public nuisance objective to the prevention of public or private nuisance. The reason for this is that sometimes the nuisance affects only a very small number of persons especially if there are only one or two houses in the vicinity of the event. They then could be affected by noise for a long period time i.e. 24 hour music from festivals, which would affect their quality of life.

Performance of Live Music: Questions

Q23: Are there any public protection issues specific to the deregulation of the performance of live music that are not covered in chapter 3 of this consultation? If so, how could they be addressed in a proportionate and targeted way?

None we can think of.

Q24: Do you think that unamplified music should be fully deregulated with no limits on numbers and time of day/night? If not, please explain why and any evidence of harm.

No we don't. Each case is very different and the potential for disturbance will depend on factors such as nature of the venue and proximity to sensitive premises. For example a set of drums can be very loud and intrusive even if not amplified.

Q25: Any there any other benefits or problems associated specifically with the proposal to deregulate live music?

- Live music and performers can be less predictable and harder to control. The audience can influence them in particular and for example noise levels often increase towards the end of performances.
- It may be that more small event organisers would wish to conduct some sort of live music entertainment event following the deregulation. However in our experience most small event organisers also wish to have the provision of alcohol so would have to apply for a Temporary Event Notice in any event.
- As stated elsewhere in this response, in our experience nearly 90% of complaints received by our Licensing Unit, relating to licensed premises, are concerned with noise, of which 95% concern noise taking place beyond 11pm. We see no reason why deregulation should diminish these figures and going by our past experience we can only foresee these figures increasing.

Performance of Plays: Questions

Q26: Are there any public protection issues specific to the deregulation of the performance of plays that are not covered in chapter 3 of this consultation? If so, how could they be addressed in a proportionate and targeted way?

There are no further public protection issues that we are aware of.

Q27: Are there any health and safety considerations that are unique to outdoor or site specific theatre that are different to indoor theatre that need to be taken into account?

There are none that we are aware of.

Q28: Licensing authorities often include conditions regarding pyrotechnics and similar HAZMAT handling conditions in their licences. Can this type of restriction only be handled through the licensing regime?

These matters should be handled through the appropriate Health & Safety/Fire Safety legislation and should not be duplicated through the licensing regime.

Q29: Any there any other benefits or problems associated specifically with the proposal to deregulate theatre?

Performances of plays are usually early evening and do not generally go beyond 11pm. The only potential problem with theatregoers' could be with regard to ingress and egress to the venue (parking problems, noise of audience arrival and departure).

Performance of Dance: Questions

Q30: Are there any public protection issues specific to the deregulation of the performance of dance that are not covered in chapter 3 of this consultation? If so, how could they be addressed in a proportionate and targeted way?

There are no further public protection issues that we are aware of with regard to the performance of dance. However it should be noted that this activity will, by necessity, be accompanied by the other currently regulated activities of Live or Recorded Music, which are not without the potential to cause noise nuisance.

Q31: Any there any other benefits or problems associated the proposal to deregulate the performance of dance?

With regard to paragraph 6.3 of the consultation, and the examples given as to where burdens are created, it is our experience that very rarely does the Authority receive applications for Temporary Event Notices simply for the provision of regulated entertainment only, it is nearly always accompanied by a request for the provision of alcohol. As the provision of alcohol will remain licensable it is doubtful therefore whether or not the benefits anticipated will materialise.

Exhibition of Film: Questions

Q32: Do you agree with the Government's position that it should only remove film exhibition from the list of regulated activities if an appropriate age classification system remains in place?

We agree with the Government's position that film exhibition could be removed from Schedule 1. However this is on the basis that:

- The appropriate age classification protections remain in place;
- the finish time is 11pm.
- the Mandatory Condition relating to Film Exhibitions be retained.

Q33: Do you have any views on how a classification system might work in the absence of a mandatory licence condition?

It is our view that the Mandatory Condition should be retained in respect of those premises that currently have it imposed on their Licence / Certificate.

The classification system should remain as is now with the BBFC classifying the majority of films on behalf of Local Authorities but with the Authorities retaining the ability to impose their own film classification to reflect local concerns.

Q34: If the Government were unable to create the situation outlined in the proposal and above (for example, due to the availability of Parliamentary time) are there any changes to the definition of film that could be helpful to remove unintended consequences, as outlined earlier in this document - such as showing children's DVDs to pre-school nurseries, or to ensure more parity with live broadcasts?

- Child protection matters are important and as such we would expect (and hope) that Parliamentary time would be found in order to ensure that there were "no gaps in child protection".

- Any supplied definition of a film could lead to unintended loopholes /consequences and as such primary legislation should be the only route in this instance; the inclusion of more definitions would be open to differing interpretations throughout the Country which the Government appears keen to avoid.

Q35: Are there any other issues that should be considered in relation to deregulating the exhibition of film from licensing requirements?

None that we are aware of.

Indoor Sport: Questions

Q36: Are there any public protection issues specific to the deregulation of the indoor sport that are not covered in chapter 3 of this consultation? If yes, please outline the specific nature of the sport and the risk involved and the extent to which other interventions can address those risks.

There are no further public protection issues that we are aware of with regard to indoor sports.

Q37: Are there any other issues that should be considered in relation to deregulating the indoor sport from licensing requirements?

None that we are aware of.

Boxing and Wrestling, and Events of a Similar Nature: Questions

Q38: Do you agree with our proposal that boxing and wrestling should continue to be regarded as “regulated entertainment”, requiring a licence from a local licensing authority, as now?

We cannot see any difference between the provision of indoor sports and the provision of boxing and wrestling. If it is the view that indoor sports can be deregulated and “brought more into line with the arrangements for outdoor events” then boxing and wrestling should be included.

Q39: Do you think there is a case for deregulating boxing matches or wrestling entertainments that are governed by a recognised sport governing body? If so please list the instances that you suggest should be considered.

As far as we are aware the licensing provision for boxing and wrestling is not in place to legitimise the boxing / wrestling match in the place of the recognised sport governing body. Therefore, as outlined in our reply to Q38, if it is the view that indoor sports can be deregulated then boxing and wrestling can likewise.

Q40. Do you think that licensing requirements should be specifically extended to ensure that it covers public performance or exhibition of any other events of a similar nature, such as martial arts and cage fighting? If so, please outline the risks that are associated with these events, and explain why these cannot be dealt with via other interventions.

We are of the opinion that boxing and wrestling provision could be subsumed into the general provision of indoor sports and as a consequence we can see no requirement to include a further licensing requirement for martial arts, cage fighting and the like.

Recorded Music and Entertainment Facilities: Questions

Q41: Do you think that, using the protections outlined in Chapter 3, recorded music should be deregulated for audiences of fewer than 5,000 people? If not, please state reasons and evidence of harm.

No. The numbers of complaints concerning music are increasing, which are often due to TEN's as they issued without any conditions. It is felt that if the proposals are successful, there would be more than a 10 fold increase in complaints.

Q42: If you feel that a different audience limit should apply, please state the limit that you think suitable and the reasons why this limit is the right one.

None

Q43: Are there circumstances where you think recorded music should continue to require a licence? If so, please could you give specific details and the harm that could be caused by removing the requirement?

We think that most recorded music events should continue to be licensed, especially disco's and karaoke.

Q44: Any there any other benefits or problems associated specifically with the proposal to deregulate recorded music?

At present there is a grey area of when the playing of recorded music becomes licensable and when it is incidental and therefore not licensable. Deregulation would therefore remove this grey area and would lead to a consistency of approach throughout the country. However there is still great potential for noise nuisance from the conduct of this type of entertainment, hence our amended proposals.

Q45: Are there any specific instances where Entertainment Facilities need to be regulated by the Licensing Act, as in the current licensing regime? If so, please provide details.

We would contend that the provision of karaoke should specifically be included under the provision of entertainment facilities; this being due to the volume of complaints that are received regarding these types of events.

Unintended consequences: Questions

Q46: Are there any definitions within Schedule One to the Act that are particularly difficult to interpret, or that are otherwise unclear, that you would like to see changed or clarified?

Many of the queries we receive revolve around when an entertainment needs licensing and when it is incidental to the "main event". To ensure a consistency of approach we would welcome clarification on the types of event that the Government would see entertainment as being incidental to, and in what circumstances.

Q47: Paragraph 1.5 outlines some of the representations that DCMS has received over problems with the regulated entertainment aspects of the Licensing Act 2003. Are you aware of any other issues that we need to take into account?

South Somerset District Council has always taken a pragmatic approach in its advice to event organisers with our licensing officers seeking to assist applicants in organising and holding successful events. Some of the examples shown within paragraph 1.5 appear to be extreme and certainly a high proportion could be considered as being incidental and therefore not licensable in any event. It may be that a central interpretation (within the S182 Guidance issued by the Home Office) of what is and what is not considered to be incidental may help in ensuring that all Local Authorities have a similar approach to in these matters.

At present it is possible for a TEN to be given for up to 499 people in one corner of field, and other TEN's for the other corners so that the events disguised as one event do not require a premises licence. If the proposals to de-regulate for up to 4,999 persons, will measures be put in place to prevent nearly 20,000 people attending an unlicensed event? It is our opinion the problem will grow and increase the need for additional resources from the local and police authorities as large unlicensed events are more likely to develop problems.

Adult Entertainment: Question

Q48: Do you agree with our proposal that deregulation of dance should not extend to sex entertainment? Please provide details.

- We agree that deregulation of dance should not be extended to cover sex entertainment.
- Those premises who formally provided this type of entertainment under the Licensing Act 2003 under performance of dance are now dealt with under the Local Government (Miscellaneous Provisions) Act 1982 ("Sexual Entertainment Venues") and are now required to apply for a separate Licence under that Act.
- The legislation still currently permits those premises with performances of dance on their Licence to continue these activities without a Sexual Entertainment Venue Licence, provided that the activities are offered no more frequently than once per month.
- The deregulation of Performance of Dance (without the appropriate safeguards being in place) could have the unintended consequence of increasing the number of premises able to offer monthly lap dancing facilities.

6. Zero Project Update

<i>Executive Portfolio Holder:</i>	<i>Peter Sieb</i>
<i>Assistant Director:</i>	<i>Laurence Willis, Assistant Director Environment</i>
<i>Service Manager:</i>	<i>Nigel Marston, Licensing Manager</i>
<i>Lead Officer:</i>	<i>Anita Legg, Licensing Officer</i>
<i>Contact Details:</i>	<i>anita.legg@southsomerset.gov.uk or (01935) 462137</i>

Purpose of the Report

To provide information on the Zero Project to the Members of the Licensing Committee.

Public Interest

The report provides an overview of the work of the Zero Project multi-agency team. The team comprises of 7 voting members - South Somerset District Council (2), Avon and Somerset Constabulary (2), Somerset Youth Service (1), NHS (1), Venue (1) with supporting officers from the Council and the Police and Councillor Ian Martin as the project champion.

Recommendation:

That the report be noted.

Report Detail

Background

The Zero project was set-up as a result of a request from the Area East Community Action Panel, to see if provision can be made for young people to access licensed premises before attaining the age of 18 years, in an attempt to change their attitude to alcohol and reduce future anti-social behaviour.

Two police officers and a licensing officer visited a young people's project in Norfolk and decided to run a similar version in South Somerset as it fitted the requirement of the request. Other agencies were approached to ascertain whether they would be interested in becoming part of the project, with the result that the Youth Service became a member of the team.

The events were first held at Chicago Rock, Yeovil in 2007 and have been held at Club Neo since 29 December 2010. Events are held on Wednesdays in school holidays.

Environment

A safe environment is provided at the premises by attendance of the partners, the presence of Security Industry Authority (SIA) qualified staff and a larger police presence towards the end of the evening. Random breath tests are carried out with alco-wands to ensure attendees haven't been drinking alcohol beforehand and also all handbags and bulky clothing is searched. Should anyone wish to leave before the end of the event, parents/carers are contacted for their permission. Safe routes home are encouraged, with the majority of young people being collected by parents/carers.

Street Pastors

The Street Pastors are supportive of the events and provide a very welcome presence at the end of the evening, when able to do so. They will escort young people to their lifts and wait with them to ensure they are safe if parents or the carer is late and also carry on the role of listening to problems, which is provided by the Youth Service and the NHS at the events.

Attendance

There has been a marked decrease in the numbers of attendees to the recent Zero Events. An investigation revealed that a number of young people were unaware they were taking place. It is thought that the reason for this decline in numbers is mainly due to the fact that the number of youth workers in schools was radically reduced by the County Council at the end of March. They played a vital role, as they took the advertising flyers to the schools for handing out to pupils and were reminding them of the events in assemblies and workshops. Now schools only have youth workers if they pay for them and their role has changed. The Youth Service member has also reported that the number of youth workers is to be reduced again in the next financial year.

The table below shows the decline in numbers:

Date of Event	Event Theme	No of attendees
29 December 2010 (First event at Club Neo)	Christmas/New Year's Party	497 – weather was bad (snowy)
23 February 2011	Valentine's Event	690
13 April 2011	Easter Party	556
1 June 2011	Dance Night	473
27 July 2011	Beach Party & Surf Machine	293
24 August 2011	Grease Night	200
26 October 2011	Halloween	257

The events in the summer holidays have traditionally been lower than other events; we believe the reasons are that the young people may be away on holiday and they haven't been at school for youth workers or peers to remind them.

The flyers are still being delivered to the schools together with letters to class teachers explaining the project, however upon asking the young people at the Halloween event, whether they received one, it appears that some schools haven't been distributing them. The irony is that a number of young people who attend a Dorset School have been attending and have been given a flyer at school, which is supportive of the events. Young people from other Dorset Schools have also attended events.

The Youth Service worker and a Council Officer are intending to visit some of South Somerset schools to help promote the next event and re-establish a link.

The South Somerset News, Winter 11 edition has been delivered to all households in South Somerset and contains a promotional advertisement for the event on 28 December. A copy can be found at **Appendix 1**

A Facebook site and a South Somerset District Council site have also been set-up at www.facebook.com/zeroclubbers and www.southsomerset.gov.uk/zero respectively to help with advertising. We are also looking into whether or not young people can be notified

by mobile phone as they provide these numbers to the DJ when requesting screen messages or music at the venue.

Pilot Project

A pilot Zero project was carried out in Chard at the Rugby Club with a total of 3 events being held there. Unfortunately due to the low numbers of attendees – the last event being only 5, the events have been put on hold, with the NHS and youth workers looking to provide some education in School before any more take place (if any). The first two events were better attended, however a larger number were turned away than admitted because of drinking before the events.

Unfortunately Holyrood School does not appear to support the project, as we do not believe that the flyers were handed out to the young people as having asked the attendees where they lived, the majority were from Crewkerne and Ilminster. Further contact was also made with the school, but again unfortunately, we are still waiting for a response, despite follow-up.

Information posters have also been displayed at numerous premises in Chard town centre where it was thought that young people or their parents might visit. The Rugby Club representative also stated that he had arranged for Chard households to receive a flyer though their letterbox before the last event.

Income & Expenditure

Our current balance for the Yeovil events is £6,104.43 and a copy of the balance sheet can be found at **Appendix 2**.

The printing service used by the project team has managed to reduce the cost of the flyers by approximately £200 per year by using a different medium of the same quality; this service remains the best value for money having obtained quotes from other businesses.

Grants

Small grants are available to organisations providing it involves young people aged between 14 – 17 years and that meet any of the following criteria:

- Provide activities in a safe environment
- Encourages young people to be involved in the organising of activities
- Reduce incidents of binge-drinking and alcohol related anti-social behaviour
- Promote parental responsibility
- Involve volunteers and/or agencies
- Provides education around alcohol

None have been issued to date, but they have been advertised and Council officers involved with young people are aware.

Legal Implications

There are no identified legal implications contained within the report.

Financial Implications

The Council pay for its Officer's time to attend these events out of the budget of the Assistant Director - Environment and other agencies also pay for employees time.

The finance is currently held and administered by SSDC on behalf of the project group.

Corporate Priority Implications

The project is aligned with corporate objective number 4 – To ensure safe, sustainable and cohesive communities by educating young persons about the problems alcohol can bring and that events can be enjoyed without it.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

None

Equality and Diversity Implications

There are quite a lot of Portuguese people living in Chard, therefore the project team would like to bring any future Zero events to their attention should events resume there in the future.

None of the attendees of previous events were of Portuguese nationality as far as we were aware. Portuguese businesses were visited as part of the advertising campaign and English speaking persons were informed of the project; if it continues in Chard, we will request assistance from the Equality and Diversity Officer in translating flyers and explaining the project through the Portuguese link worker. Unfortunately the funding for this post was of a limited duration and is shortly to come to an end; should this occur and another event take place in Chard, the Officer may be able to provide informal contacts that may be able to assist.

The Somerset Disability Forum receive details of Zero events.

Background Papers: *None*

Streetscene's winter maintenance

The Streetscene Team will be starting their winter maintenance programme this month, keeping the district clean, safe and attractive. So what will they be doing?

On behalf of the Environment Agency, the team keeps over 80 ditches and metal grates free of debris and leaves, ensuring that important waterways stay clear. This takes two people two days per week – and more in extreme weather.

They will be maintaining shrub beds, pruning, weeding and replanting shrubs covering several thousand square metres across the district. They will also be tree thinning and looking for signs of disease, dead or dying tree branches and certain types of fungus that could weaken a tree.

Over a quarter of a million daffodil bulbs will be planted, dozens of roundabouts will be tidied up ready for the spring blooms and metres of old fencing will be replaced this winter at Birchfield, Milford Dip, Howard Road Rec in Yeovil and Barrymore Close in Huish Episcopi.

The team will continue their work towards Yeovil In Bloom and the community allotment project at St Mark's Church. They will also help to complete a skate park project in Oak Tree Park in Yeovil where young people asked our Enforcement Team if they could repaint the equipment as a reward for keeping the park tidy during the summer holidays.

Gritting

Road and footpath gritting is the responsibility of Somerset County Council (visit www.somerset.gov.uk). However, when longer periods of severe ice, snow and low temperatures are predicted, we have agreed with the county council to make district council staff available to help grit paved areas in the district's market towns where possible.

If you would like this document translated into other languages or into Braille, large print, audio tape or CD, please contact: 01935 462462.

Dokument ten jest na życzenie udostępniany w językach polskim. Este documento encontra-se disponível em Português, a pedido.

ZERO under 18's night



Yeovil's Club Neo will once again open its doors to hundreds of 14 to 17 year old clubbers on Wednesday 28th December for the next Zero under 18's night.

Organised in partnership with Avon and Somerset Police, the events regularly attract around 600 teenagers, giving them the chance to enjoy a real nightclub and socialise but with the supervision needed to make sure things run smoothly. Zero aims to promote alcohol and antisocial behaviour-free fun. We have now launched Zero's very own Facebook page, so "like" the page for upcoming event information at www.facebook.com/ZEROclubbers.

The Christmas Party takes place from 7pm to 11pm. Cost: £5 on the door.

Profits generated by the Zero nights are put into a grants scheme benefiting young people. For more information contact Shirley Courage on 01935 462462 or zero@southsomerset.gov.uk or www.southsomerset.gov.uk/zero



Olympic torch relay route visits four towns in South Somerset

The towns of Ilminster, Yeovil, Ilchester and Somerton will be positively glowing when they welcome the Olympic Torch Relay on Tuesday 22 May 2012. This will be a chance for residents in the towns and surrounding communities to extend a welcome to the Olympic Flame and share the excitement of the London 2012 games.

www.southsomerset.gov.uk/olympic-torch

Christmas Waste Collections

Your usual collection day	Your revised collection day
Friday 23 December 2011	No change – usual collection
Monday 26 December 2011	Tuesday 27 December 2011
Tuesday 27 December 2011	Wednesday 28 December 2011
Wednesday 28 December 2011	Thursday 29 December 2011
Thursday 29 December 2011	Friday 30 December 2011
Friday 30 December 2011	Saturday 31 December 2011
Monday 2 January 2012	Tuesday 3 January 2012
Tuesday 3 January 2012	Wednesday 4 January 2012
Wednesday 4 January 2012	Thursday 5 January 2012
Thursday 5 January 2012	Friday 6 January 2012
Friday 6 January 2012	Saturday 7 January 2012
Monday 9 January 2012	No change – usual collection

Natural Christmas trees under 6ft can be collected. If you pay for garden waste collections you can put them out on normal garden waste collection days for composting. Otherwise, take to Recycling Centres or put out the tree on your normal refuse collection day between 9th and 20th January 2012 for disposal. Place the tree next to your bin or sack. Remove all decorations.

For the latest information visit www.somersetwaste.gov.uk

Heart of Wessex Rail Partnership is awarded Community Rail Designation

The Bristol to Weymouth line stops at 3 local stations, Bruton, Castle Cary and Yeovil Penn Mill. First Great Western, the operator, supports the partnership of seven local authorities and over 70 volunteers and community groups from towns along the line.

The community has played a substantial role in promoting growth in passenger journeys. From 2003, this has been three times the national average despite no increase in services. They also work hard to enhance stations, improve information and access for

residents and visitors and encourage more use of the line through special events.

This work has now been recognised by the Government with Community Rail Designation announced on 10th October 2011. Designation helps to address the long-term viability of local rail routes supported by Community Rail Partnerships. It opens up the potential for making practical changes that would not otherwise be possible. The partnership will now examine the potential to resolve issues raised by local communities.

Contact us

If you have a question, suggestion, or concern, please get in touch with us.

Visit us online: www.southsomerset.gov.uk
Email us: ssdc@southsomerset.gov.uk

Call us: 01935 462462

Write to us: Council Offices, Brympton Way, Yeovil, Somerset, BA20 2HT

Contact your local councillor:
www.southsomerset.gov.uk/my-councillor

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South Somerset

News

Winter
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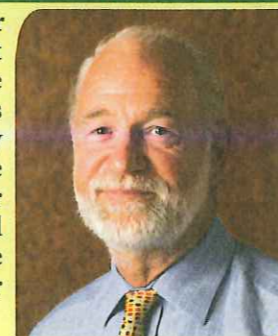
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Message from Cllr Ric Pallister, Leader of South Somerset District Council

We end the year on a somewhat gloomy note following redundancies at several of our key employers, which came as very bad news for those affected and also means high value jobs are lost in our economy.



As a District Council we will do all we can to ensure that key skills can be retained locally. This November, together with a range of partners, we will be organising support events at the council's Yeovil Innovation Centre. These events will help people facing redundancy from the high tech sector to consider alternative opportunities including self employment; the Innovation Centre offers an appropriate environment for them to find out more.

However, we do need to stand back to realise that, whilst the outlook may appear depressing, there are grounds to be optimistic.

Despite job losses, empty shops and a global recession, in South Somerset we are doing much better than most areas of the country and this is still a place to do business. With unemployment at 1.8%, we continue to stay far below the national level of 3.9%.

AgustaWestland's job losses are to reduce costs to make them more globally competitive, not about lost orders or no orders. This will actually help them to protect the future of the company and continue to retain the best skills in the industry.

Numatic in Chard and Screwfix in Yeovil are modestly but significantly expanding, creating more jobs and they are not the only ones. As I write, a Healthcare company in Yeovil is complaining that it cannot fill its vacancies.

To my mind, we can either talk ourselves into even greater depression and despondency or come out fighting for the future and support those losing their jobs – SSDC has chosen the 'fighting' route.

Ric Pallister

A little help goes a long way

Councillors and officers have been working harder than ever before to help volunteers, community groups and those with great ideas for local projects to achieve their aims and become more resilient despite difficult times.

"A small amount of support, advice, training or grant funding can go a long way", said Cllr Patrick Palmer speaking on behalf of the four Area Chairs.

Volunteers from the Stoke Sub Hamdon Sports and Recreation Trust have set up their own charity shop. The proceeds will benefit the skate park, BMX track, new picnic tables and sports and recreation for all age groups in the village. We helped Kingsbury Episcopi to install a multi-use sports and games area, whilst supporting Chilthorne Damer to improve their pavilion and run their own play day – which raised over £2000 for local projects.

In Yeovil we have been working with Birchfield residents to look at alternative options if their library is closed, and supporting proactive volunteers across the town to set up community gardens, youth groups and health projects.

In Bruton we helped with three Heritage Lottery Fund bids, which resulted in a £27,000 grant towards a community-run online interactive museum.

There is a small grants budget available for community projects in Chard, Crewkerne and Ilminster area and we welcome applications for local projects such as (continued on page 3)



Photo shows the winners of this year's Gold Star Awards organised by our Community Health and Leisure team in recognition of local volunteers' work with young people, using our Octagon Theatre as the venue.

In this issue



P.2 Keeping us green



P.3 Affordable homes



P.2 Core Strategy



P.4 Christmas waste collections



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Zero Event Breakdown

Balance B/fwd 01/04/11

£5,156.43

Club Neo, Easter Event 13th April 2011

	Income		Expenditure		Total
	Yeovil	Chard	Yeovil	Chard	
Printing and carriage of advertising fliers			-£163.00	-£123.00	-£286.00
Printing parental leaflets (internal recharge)			-£21.00		-£21.00
Hire of Club Neo			-£1,000.00		-£1,000.00
Split box (50/50) - Club Neo share			-£747.00		-£747.00
556 young people @ £5 per head	£2,780.00				£2,780.00
Balance					£726.00

£601.50 Balance B/fwd 13/04/11

£5,757.93

Club Neo, Dance Night 1st June 2011

	Income		Expenditure		Total
	Yeovil	Chard	Yeovil	Chard	
Printing and carriage of advertising fliers			-£168.00		-£168.00
Prizes for Dance Competition			-£15.94		-£15.94
Hire of Club Neo			-£1,000.00		-£1,000.00
Split box (50/50) - Club Neo share			-£598.50		-£598.50
473 young people @ £5 per head	£2,365.00				£2,365.00
Balance					£582.56

£485.47 Balance B/fwd 01/06/11

£6,243.40

Club Neo, Beach Party 27th July 2011

	Income		Expenditure		Total
	Yeovil	Chard	Yeovil	Chard	
Printing and carriage of advertising fliers			-£168.00	-£141.00	-£309.00
Printing parental leaflets (internal recharge)			-£21.00		-£21.00
Hire of Club Neo			-£1,000.00		-£1,000.00
Hire of Surf Machine			-£275.00		-£275.00
Split box (50/50) - Club Neo share			-£85.80		-£85.80
292 young people @ £5 per head	£1,460.00				£1,460.00
Balance					-£230.80

-£192.47 Balance B/fwd 27/07/11

£6,050.93

Club Neo, Grease Night 24th August 2011

	Income		Expenditure		Total
	Yeovil	Chard	Yeovil	Chard	
Printing and carriage of advertising fliers			£0.00		£0.00
Printing parental leaflets (internal recharge)			£0.00		£0.00
Hire of Club Neo			-£1,000.00		-£1,000.00
Split box (50/50) - Club Neo share			£0.00		£0.00
200 young people @ £5 per head	£1,000.00				£1,000.00
Balance					£0.00

£0.00 Balance B/fwd 24/08/11

£6,050.93

Club Neo, Halloween Party 26th October 2011

	Income		Expenditure		Total
	Yeovil	Chard	Yeovil	Chard	
Printing and carriage of advertising fliers			-£168.00		-£168.00
Printing parental leaflets (internal recharge)			£0.00		£0.00
Hire of Club Neo			-£1,000.00		-£1,000.00
Facepainting			£0.00		£0.00
Split box (50/50) - Club Neo share			£53.50		-£53.50
255 (257) young people @ £5 per head	£1,275.00				£1,275.00
Balance					£53.50

£53.50 Balance B/fwd 26/10/11

£6,104.43

7. Enforcement Update - Street Trading, Taxi's and Alcohol Licensing

Executive Portfolio Holder: Peter Seib
Asst Director: Laurence Willis
Lead Officer: Colin Chown, Licensing Enforcement Officer
Contact Details: Colin.chown@southsomerset.gov.uk or (01935)462135

Purpose of the Report

To update members on the work of the licensing enforcement team and the various issues they are currently involved with.

Recommendation

- (1) That the report is noted.

Background

Officers carry out a number of enforcement activities under the various legislative provisions that relate to licensing, in particularly with regard to taxi's, alcohol licensing and street trading. This report seeks to brief members on the current issues that are being dealt with by the enforcement team.

Report Detail

Taxis

General

Enforcement officers and the Police have carried out regular late night taxi checks throughout the last three months, 52 vehicles being given roadside inspections.

This has resulted in two drivers being given advice regarding first aid and fire extinguisher signage. Three drivers being given advice regarding meters not working in conjunction with roof lights, one driver failing to use the meter and one driver parking on double yellow lines another driver was issued with a stop notice for excessive wear of brake pads.

A mystery shopper exercise was carried out with the assistance of officers from Mendip District Council. This has resulted in three drivers who failed to use the taximeter called into the Council offices to be interviewed under caution.

Further taxi checks were carried out at various schools in joint operations with VOSA and Somerset County Council, all vehicles checked were satisfactory.

Weekly daytime checks have also been carried out throughout the past three months on taxis in and around the centre of Yeovil to ensure compliance with our Hackney Carriage Policy and Bylaws.

Monthly taxi checks are carried out at the Pen Mill, Yeovil Junction and Castle Cary railway stations in order to ensure that vehicles that do not tend to use the ranks in and around the main towns are also subject to ad hoc inspections.

We have received nine taxi/private hire related complaints in the past three months.

Scrap Metal Dealers & Motor Salvage Operators

Working with the Police, enforcement officers carried out a number of inspections at registered scrap metal dealers and motor salvage operators as part of a force wide Operation Relentless, One dealer had failed to renew his registration. I am pleased to report that this dealer has since registered and now all premises are in compliant.

Licensing Act 2003

Regular inspections of licensed premises continue to be conducted throughout the year.

Street Trading

Seventeen permanent street traders have applied for and been granted consent to trade, one trader did not apply and legal action was taken against her, the trader was found guilty and fined £800.00 plus £15.00 surcharge plus the council were awarded costs of £1250.00 in the Magistrates Court and following an appeal to the crown court the verdict was upheld and a further £2939.50 costs awarded to the Council.

A further prosecution was taken on behalf of Yeovil Town Council on 11/10/2011 at Yeovil Magistrates Court, the trader was found guilty and fined £280.00 in the Magistrates Court plus the council were awarded costs of £280.00, an appeal to the Crown Court is due to be heard in January 2012.

Over fifty casual street traders have applied for and been granted consent to trade on individual days including the following at local carnivals.

South Petherton Carnival – 10 September 2011

Two traders without consent paid when challenged and consent given.

Three pedlars were challenged; all three had the necessary permits and were allowed to trade.

Ilminster Carnival - 1 October 2011

Nine traders applied for and were granted consent in advance. Four traders without consent paid when challenged and consent given.

Approximately twenty pedlars were challenged. Three without permits told to cease trading and to pack up and leave the area, which they all did.

Chard Carnival – 08 October 2011

Thirteen traders applied for and were granted consent in advance, three traders without consent paid when challenged and consent given.

Approximately twenty-five pedlars were challenged. Two without permits were told to cease trading and to pack up and leave the area, which they both did.

Castle Cary Carnival – 15 October 2011

Two traders without consent, paid when challenged and consent given.

Three pedlars were challenged: all three had the necessary permits and were allowed to trade.

Streetfest 16-17 July 2011

Seven traders with consent paid and consent given in advance.

Complaints

We dealt with numerous complaints regarding animal welfare, street collections, hackney carriage/private hire drivers, gambling, body piercing/tattooing, smoking in the workplace and licensed premises. In the past three months we received 29 complaints that required investigation.

Financial Implications

It is important for the Council that all fees from Street Traders are collected to enable the ongoing street trading enforcement. This could be checking legitimate traders are complying with the conditions of their consent or taking action against those that try to operate without first obtaining a consent.

Implications for Corporate Priorities

Ensure safe, sustainable and cohesive communities and increase economic vitality and prosperity by ensuring that all complaints are dealt with quickly, thoroughly and fairly, and by checking that all street traders are compliant with current food safety and health and safety legislation.

Equality and Diversity Implications

None

Other Implications

None

Background Papers: *None*

Licensing Committee – 13 December 2011

8. Licensing Committee Forward Plan

Head of Service: Nigel Marston, Licensing Manager

Lead Officer: Anne Herridge, Committee Administrator

Contact Details: Anne.herridge@southsomerset.gov.uk or (01935462570)

Purpose of the Report

This report informs Members of the agreed Licensing Forward Plan.

Recommendation

Members are asked to: -

1. Comment upon and note the proposed Licensing Committee Forward Plan as attached at Appendix A and.
2. Identify priorities for further reports to be added to the Licensing Committee Forward Plan.

Licensing Committee Forward Plan

The forward plan sets out items and issues to be discussed over the coming few months. It is reviewed and updated each month, and included within the Licensing Committee agenda, where members of the Licensing Committee (LC) may endorse or request amendments.

Members of the public, councillors, service managers, and partners may also request an item be placed within the forward plan for a future meeting, by contacting the agenda co-ordinator.

Further details on these items, or to suggest / request an agenda item for the Licensing Committee, please contact the Agenda Co-ordinator; Anne Herridge.

Background Papers: None

Licensing Forward Plan

Appendix A

Notes

- (1) Further details on these items, or to suggest / request an agenda item for the Licensing Committee, please contact the Agenda Co-ordinator; Anne Herridge 01935462570 or e mail anne.herridge@southsomerset.gov.uk

Meeting Date	Agenda Item	Background Purpose	Lead Officer
14 Feb 11	Taxis and Town Councils	To produce the options for recharging the TC's to the February Licensing Committee	Nigel Marston
10 Apr 12 As discussed with the Chairman	The role of the Licensing sub Committee	To report on the role of the Licensing sub Committee and any related Special Responsibility Allowance (SRA) attached to the role of Licensing sub committee chairman	Angela Cox/ Anne Herridge
June 12	A report Public Fundraising Regulatory Association (PFRA) and SSDC	To update members on the monitoring and performance of the site management agreement with the Public Fundraising Regulatory Association (PFRA) in relation to face-to-face fundraising.	Nigel Marston Licensing Manager

*Anne Herridge, Committee Administrator, (01935) 462570
Email: anne.herridge@southsomerset.gov.uk*

Licensing Committee – 13 December 2011

9. Next Meeting

Members note that the next scheduled meeting of the Licensing Committee will take place on Tuesday 14 February 2012 at 10.00 am at the Council Offices, Brympton Way Yeovil.

*Anne Herridge Committee Administrator, Legal and Democratic Services SSDC
Anne.herridge@southsomerset.gov.uk or (01935 462570)*
