

Meeting LC m 11:12
Date: 11 October 2011

South Somerset District Council

Draft Minutes of a meeting of the **Licensing Committee** held at **the Council Offices, Brympton Way Yeovil** on **Tuesday 11 October 2011**

(10.00 am – 11.30 am)

PRESENT:

Members:

Pauline Clarke	Roy Mills
Nick Colbert	David Norris
Tony Fife	David Recardo
Jenny Kenton	Linda Vijeh
Tony Lock	Martin Wale
Nigel Mermagen (Chairman)	William Wallace

Officers:

Anne Herridge	Committee Administrator
Anita Legg	Licensing Officer
Ann Chislett	Legal Executive

Others:

Cllr Peter Seib

NB: Where an executive or key decision is made, a reason will be noted immediately beneath the Committee's resolution.

9. Minutes (Agenda Item 1)

The minutes of the Licensing Committee held on 14 June 2011, copies of which had been circulated, were approved as a correct record and signed by the chairman of that meeting. The chairman took the opportunity to ask for the report about the role of the Licensing sub Committee and any related Special Responsibility Allowance (SRA) attached to the role of Licensing sub Committee chairman, to be presented to members at the Licensing Committee meeting in December 2011.

The minutes of Licensing sub Committee meetings held on 20 July (2) and 23 August 2011, were signed by the chairman of those meetings.

The chairman spoke with reference to Licensing sub Committee meetings and asked members to make themselves available when requested to attend a sub committee meeting as the administrator had found it difficult recently to find 3 members who were free to attend those hearings, mainly due to leave and work commitments. It had been thought preferable to have one new Licensing Committee member at each hearing in order to put into practice what had been learnt at the recent training sessions.

It was suggested that a workshop be arranged to address those issues or to use a Scrutiny task and finish group. The majority of members felt that the situation could

be rectified without the need for a workshop or scrutiny involvement but would assess the situation during the December meeting.

The Chairman also pointed out that the index of meetings was E-mailed to members weekly, which should enable them to see if any sub committee hearings were due to take place. Agendas for Licensing sub Committees were only sent to those members who had agreed to attend those meetings.

The Licensing Officer reminded members that they could not sit on a sub committee if the application concerned was in their ward.

10. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Cllr Paul Maxwell and Nigel Marston, Licensing Manager

11. Declarations of Interest (Agenda item 3)

There were no declarations of interest.

12. Public Participation (Agenda item 4)

Questions/comments from members of the public

There were no members of the public present at the meeting.

13. Annual update of the Licensing Service (Agenda Item 5)

In the absence of the Licensing Manager the Licensing Officer presented the report as detailed in the agenda.

Members took note of the report and made the following comments:

- Were interested to note that 82% of the fleet of licensed vehicles were dealt with by SSDC and the rest were dealt with by Town Councils over the district, but enforcement and all that entailed, was carried out by SSDC;
- SSDC should look at the above issue to make it more efficient and not lose income unnecessarily;
- It was understood that a couple of Town Councils were possibly planning to pass the administration of licensed vehicles back to SSDC;
- Consideration would have to be given before any changes to vehicle licensing were made as it did generate valuable income for SSDC;

In response the Licensing Officer replied that:

- She was not aware of receipt of any official notification from the Town Councils concerning any future changes;
- SSDC conducted all the CRB checks but received no revenue from the Town Councils for this service.

The report was noted and the officer thanked for her input.

RESOLVED:

That

1) Committee noted the contents of the report and

2) future reports would be provided on an annual basis.

Lead Officer: Nigel Marston, Licensing Manager

Contact Details: Nigel.marston@southsomerset.gov.uk or (1935) 462150

14. Police Reform & Social responsibility Act 2011 (Agenda Item 6)

In the absence of the Licensing Manager the Licensing Officer presented the report as detailed in the agenda, she updated members on the passing of the Police Reform & Social Responsibility Act 2011 (PRsRA) on the 15th September 2011, and the changes that this would bring in relation to the Licensing Act 2003.

She summarised the main changes as detailed in the agenda report.

During discussion members made the following comments regarding the main changes:

- As the Primary Care Trusts were soon to be abolished an amendment would have to be made to the list of Responsible Authorities;
- The changes to the Act would appear to allow anyone to make an objection whether in the vicinity or not;
- The changes may mean a larger number of Interested Parties;
- It would be better if advertisements were placed in the more popular local newspapers in order to cover the whole of the SSDC area;
- Felt the Late Night Levy would be more relevant to cities than rural areas

In response to questions the Licensing Officer replied that:

- Officers had not yet considered which publication would be the best to use for advertising but would wait for further instruction;
- She would find out if members of the Licensing Committee could attend training on the amended legislation;
- It was hoped that the Statutory Instrument and its explanatory notes, or the Guidance issued under section 182 of the Licensing Act 2003 would be updated to discuss this change and give more idea of the impact of the wording 'necessary' being replaced with 'appropriate';
- Regarding the changes to Temporary Event Notices (TEN's), Environmental Health Officers would be able to object as well as the police;
- The Officer suggested that members contact the Licensing Manager if they had any queries regarding the Early Morning Alcohol Restriction Orders (EMRO's)
- A report regarding Late Night Levy would come back to Licensing Committee as discussions would have to take place with partners regarding what level the levy would be set at. Apparently the subject had not been discussed at SSDC yet;

- The SSDC Licensing Service was commencing work on an exercise to calculate the costs etc ready for when certain fees were to be set. That would ensure a mechanism would be in place should objections be raised.

NOTED

Lead Officer: Nigel Marston, Licensing Manager

Contact Details: Nigel.marston@southsomerset.gov.uk or (1935) 462150

15. Transport Select Committee report on Taxis (Agenda Item 7)

The Licensing Officer updated members on the publication of the Transport Select Committee report into the legislation governing taxis and private hire vehicles.

Members were asked for their feed back on the proposals that were highlighted in the agenda report.

During discussion, Members all agreed that it would be necessary and appropriate for a representative of SSDC to follow things through with a local Member of Parliament.

NOTED

Lead Officer: Nigel Marston, Licensing Manager

Contact Details: Nigel.marston@southsomerset.gov.uk or (1935) 462150

16. Consultation on a proposal to deregulate Schedule One of the Licensing Act 2003 - In relation to Regulated Entertainment. (Agenda Item 8)

The Licensing Officer presented the report as detailed in the agenda, she explained that there wasn't enough time to consult the committee on the response to the proposed changes and would like to include input from the Chairman, Vice Chairman and Portfolio Holder. If the proposed changes were enacted, it is likely another training day would be required. A report on the responses sent to the Department of Culture, Media and Sport, would be presented at the next meeting of the Licensing Committee.

RESOLVED:

That the Licensing Committee authorise the Licensing Manager in consultation with the Chair & Vice Chair of the Licensing Committee to agree the final response to the consultation document.

Lead Officer: Nigel Marston, Licensing Manager

Contact Details: Nigel.marston@southsomerset.gov.uk or (1935) 462150

17. Next Meeting (Agenda Item 8)

Members noted that the next scheduled meeting of the Licensing Committee would take place on Tuesday 13 December 2011 at 10.00 am at the Council Offices, Brympton Way Yeovil.

Before closure of the meeting a report regarding the Zero events was requested.

*Anne Herridge Committee Administrator, Legal and Democratic Services SSDC
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Chairman