

South Somerset District Council

Minutes of a meeting of the **Licensing Committee** held on **Tuesday 9th October 2012** held at the Council Offices, Brympton Way, Yeovil.

(10.00 a.m. – 11.00 a.m.)

PRESENT:

Members: Cllr. Nigel Mermagen (Chairman)

Dave Bulmer

John Vincent Chainey

Pauline Clarke

Nick Colbert

Tony Fife

Tony Lock

Roy Mills

David Norris

Martin Wale

Officers:

Anita Legg

Jo Morris

Licensing Officer

Committee Administrator

45. Minutes (Agenda Item 1)

The minutes of the Licensing Committee held on Tuesday 12th June 2012, copies of which had been circulated, were approved as a correct record and signed by the Chairman.

The minutes of Licensing Sub Committee meeting held on 2nd July 2012, would be signed by Cllr. David Recardo, the Chairman of that Sub Committee meeting as soon as possible.

46. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Cllrs. Jenny Kenton, Paul Maxwell, Linda Vijeh, William Wallace and Peter Seib.

47. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

48. Public Participation (Agenda Item 4)**Questions/comments from members of the public**

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

49. Public Fundraising Regulatory Association PFRA – Site Management Agreement (Agenda Item 5)

The Licensing Officer summarised the report, which updated 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.

The Licensing Officer informed Members that the Site Management Agreement was amended to include Yeovil Town in March 2012. Since March 2012, the PFRA had administered 77 face-to-face fund raising collections and that 45 of these had been in Yeovil Town centre.

One Member commented that the agreement was working reasonably well in Yeovil and that the retail establishments rang the PFRA to report instances of inappropriate activity.

In response to a member comment, the Licensing Officer confirmed that Yeovil Town Council held information for the collections taking place in Yeovil Town centre and that the District Council held this information for the remainder of the district.

Members were content that the agreement was working well and supported the recommendations outlined in the report.

RESOLVED:

- (1) That the report be noted;
- (2) That the site management agreement should continue; and
- (3) That an annual monitoring report be brought to the Licensing Committee.

(Nigel Marston, Licensing Manager – 01935 462150)
(nigel.marston@southsomerset.gov.uk)

50. Annual Update on the Licensing Service (Agenda Item 6)

The Licensing Officer summarised the report, which provided members with an annual update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005 and Taxi Legislation for the financial year 2011/12.

During consideration of the report, Members noted the following:

- An application had been received to review the premises licence at 7 Bond Street, Yeovil. The review hearing was likely to take place on Friday 19th October at 2.00pm;
- An application had been received from Bruton Town Council for a review of the licence at Farmfest, Bruton on the grounds of the prevention of public nuisance, noise and public safety and pedestrian safety;
- Reference was made to the problems incurred with applications and permits under the Gambling Act 2005 as a lot of officer time was spent chasing up fees and lottery returns, despite non-statutory reminders having been sent. Further letters were sent out stating that a person guilty of an offence could be imprisoned for up to 51 weeks if they fail to submit a lottery return after a draw

had taken place. The registrations of those societies that did not pay the annual fee were cancelled in accordance with the Act;

- There had been no requirement for any hearing relating to applications made under the Gambling Act 2005. There tended to be more hearings held in seaside towns as they were often the result of applications to split the premises so as to obtain double the amount of gaming machines that is permitted at a premise;
- Since the report was published, licences had been issued for an Animal Boarding Establishment and for a Dangerous Wild Animal – a Zebra;

Members were pleased to note the efficient running of the Licensing Service which they considered to be extremely well managed.

RESOLVED: That the report be noted.

(Nigel Marston, Licensing Manager – 01935 462150)
(nigel.marston@southsomerset.gov.uk)

51. Enforcement Update (Agenda Item 7)

The Licensing Officer summarised the report, which updated members on the work of the Licensing Enforcement Team and the various issues that they are currently involved with.

In response to Members concerns that several dates for multi-agency taxi enforcement checks had been cancelled by the police, due to lack of police resources, the Chairman agreed to write to the Police Commander at Yeovil Police Station to express the concerns raised by the Licensing Committee.

RESOLVED: That the report be noted.

(Colin Chown, Licensing Enforcement Officer – 01935 462135)
(colin.chown@southsomerset.gov.uk)

52. Case Brewdog Bars Limited v Leeds City Council – For Information (Agenda Item 8)

Members noted the outcome of the case between Brewdog Bars Limited v Leeds City Council as attached to the agenda. It was felt that the case could be very pertinent to decisions the Licensing Committee may have to make in the future and that each licensing application should be judged on its own merits/circumstances.

NOTED

53. Date of Next Meeting (Agenda Item 9)

Members noted that the next meeting of the Licensing Committee would be held on Tuesday 11th December 2012 at 10.00 a.m. at the Council Offices, Brympton Way, Yeovil. It was noted that an item on the new Gambling Policy would be considered at

the meeting and that amendments to the Policy had previously been distributed to Members.

Members were reminded that a Licensing Training Session would be held on Thursday 25th October 2012. Further information detailing the programme for the day would be sent to members in due course.

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Chairman