



Licensing Committee

You are requested to attend a meeting of the Licensing Committee to be held in The John Meikle Room, The Deane House, Belvedere Road, Taunton on 28 June 2011 at 16:30.

Agenda

- 1 Appointment of Chairman
- 2 Appointment of Vice-Chairman
- 3 Apologies.
- 4 Minutes of the meeting of the Licensing Committee held on 9 March 2011 (attached).
- 5 Public Question Time.
- 6 Declaration of Interests
To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
- 7 Licensing Update - report of the Licensing Manager (attached)
Reporting Officer: Ian Carter

Tonya Meers
Legal and Democratic Services Manager

08 May 2012

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

If a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: www.tauntondeane.gov.uk

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please telephone us on 01823 356356 or e-mail us at: enquiries@tauntondeane.gov.uk



Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

For further information about the meeting, please contact Democratic Services on 01823 356382 or email d.durham@tauntondeane.gov.uk

Licensing Committee Members:-

Councillor J Allgrove (Chairman)
Councillor S Coles (Vice-Chairman)
Councillor A Beaven
Councillor S Brooks
Councillor K Durdan
Councillor M Hill
Councillor J Hunt
Councillor L James
Councillor R Lees
Councillor S Lees
Councillor J Meikle MBE
Councillor B Nottrodt
Councillor J Reed
Councillor B Swaine
Councillor E Waymouth

Licensing Committee – 9 March 2011

- Present Councillors Mrs Allgrove (Chairman),
Councillors Beaven, Brooks, Coles, Critchard, Ms Durdan,
Guerrier, Mrs Hill, House, Mrs Lees and Mrs Waymouth
- Officers: Ian Carter (Licensing Manager), Charlotte Dale (Environmental
Health Lead), John Rendell (Licensing Officer) and Olivia
Walton (Licensing Officer) and Helen Mockridge (Administrative
Officer – Democratic Services)
- Others: Councillor Hayward

(The meeting commenced at 6.20pm).

19. Apologies

Councillors Mrs Floyd, McMahon and Meikle

20. Minutes

The minutes of the meeting of the Licensing Committee held on 6 October 2010 were taken as read and were signed.

21. Declarations of Interest

Councillor Brooks and Mrs Waymouth declared personal interests as Members of Somerset County Council. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council.

22. Licensing Act 2003 – Taxi Handbook Amendments

Considered report previously circulated concerning the adoption of “Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook”.

The Council’s recommendations, policies, practice and conditions relating to taxi licensing were contained in the Handbook.

The Licensing Team had reviewed what was required in the first aid kits.

Any vehicle with a first aid kit which did not contain all of the items failed the Council’s vehicle compliance test which was carried out at an approved testing station. To minimise disruption to the trade, vehicles with incomplete first aid kits were given advisory notes instead of failing the compliance test.

Following discussions with St Johns Ambulance, a new first aid kit list had been compiled. Additional items required included the following:-

- Eye pad
- Triangle bandage
- Cleansing wipe
- Powder free gloves
- Conforming bandage and
- Washproof plaster.

Resolved that the amendments to the taxi handbook be agreed.

24. Licensing Update Report

Considered report previously circulated regarding an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005 and Taxi Legislation together with other licensing matters.

Details of the number of licences that had been issued for taxis, street trading, animal licensing and gambling were reported.

In January 2011, the Home Office had conducted a consultation on the relaxation of the licensing hours for the Royal Wedding. The Government had decided to relax licensing hours for the Royal Wedding and pubs, clubs and other licensed premises would be allowed to open for an extra two hours from 11pm on Friday 29 April to 1am on Saturday 30 April and from 11pm on Saturday 30 April to 1am on Sunday 1 May;

In January 2011, the Home Office had given notice of the Government's intention to introduce a new measure which would prevent retailers from selling a 1 litre bottle of vodka (37.5 per cent abv) for less than £10.71 and a 440ml can of lager (4.2 per cent abv) for less than 38p; and

A number of proposals outlined in the Rebalancing the Licensing Act consultation were being taken forward in the Police Reform and Social Responsibility Bill which had been introduced on 1 December 2010. The Bill had its second reading in the House of Commons and was proceeding to the committee stage.

Between November 2010 and January 2011 The Department for Culture, Media and Sport undertook a consultation on increasing the maximum stake for category B3 gaming machines and a recalibration of B3 gaming machine entitlements for adult gaming centres and bingo clubs. The results of the consultation had not yet been published.

A Taxi Forum meeting had been held on 21st February 2011 and the main topics discussed were as follows:-

- The requirement for first aid kits;
- The MOT testing stations used by the Council for the vehicle compliance test;

- Smoking in taxis;
- Magnetic advertising signs;
- A request for an unmet demand survey;
- A change in the Licensing application procedure.

The Licensing Team had been working with the RSPCA to exchange information and ideas on best practice for animal boarding and breeding establishments

On 3 January 2011 The Local Government (Miscellaneous Provisions) Act 1982 had been amended by the introduction of a new category of sex establishment called 'sexual entertainment venue'. No applications had been received to date.

Details of recent training events were reported.

Charlotte Dale updated Members on recent financial matters. Reported that the number of debts being written off totalled £18,270. Debts of £18,500 were being pursued. This was due to the downturn in the economy.

Resolved that report be noted.

(The meeting ended at 6.50pm)

Declarations of Interest

Licensing Committee

- Members of Somerset County Council – Councillors Brooks and Mrs Waymouth
- Employee of Somerset County Council – Councillor Mrs Hill

Taunton Deane Borough Council

Licensing Committee – 28 June 2011

Licensing Update Report

Report of the Licensing Manager

(This matter is the responsibility of Executive Councillor Ken Hayward)

1. Executive Summary

The report provides an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005 and Taxi Legislation together with other general licensing matters.

2. Background

- 2.1 This report is produced to keep the Council's statutory committee up to date with current arrangements and statistics relating to the Licensing Service.

3. Report

Licensing Act 2003

- 3.1 Although application numbers show a slight downward trend overall there has been little change in the number of Premises Licences and Club Premises Certificates within Taunton Deane since the figures presented to this Committee at its meeting on 9 March 2011. Application numbers for personal licences have held steady while Temporary Event Notices are showing a slight increase. The total numbers of licences issued and notices given up to the end of May 2011 are set out in Appendix 1.
- 3.2 One Licensing Sub Committee has been held since the date of the last Committee. On 24 March 2011 an application for the variation of a premises licence was considered. Mediation between the parties to the application resulted in an agreed position being put before the Committee who resolved to approve the agreed position and vary the premises licence accordingly.
- 3.3 The Police Reform and Social Responsibility Bill at the time of writing is at the committee stage at the House of Lords. A verbal update on the potential implications of the matters within the Bill that relate to the Licensing Act will be made to the Committee.

- 3.4 Although service requests have been received since the last update to committee, a continued co-ordinated multi agency approach has again secured remedy or compliance without the need for formal legal action.

Gambling Act 2005

- 3.5 There has been no significant change in the numbers of Permits, Registrations and Licences held with Taunton Deane and application numbers remain low. The total numbers of Licences issued and notices given up to the end of May 2011 are set out in Appendix 2.

Taxis

- 3.6 The licensed Taxi fleet within Taunton Deane has shown a very small increase of vehicles since January 2011 whereas the number of drivers has fallen. The total numbers of Licences issued up to the end of May 2011 are set out in Appendix 3.
- 3.7 Following agreement from the Taxi Forum the Licensing Team are conducting a pro-active operation to prevent drivers smoking in Taxis. I am pleased to report that on the whole compliance with the smoking legislation is good however to date six fixed penalty notices have been served.

Taxi Forum

- 3.9 The 3rd Taxi Forum will be held on 23 June 2011. Membership of the Forum is made up of representatives from licensed drivers and operators put forward by the trade themselves, Licensing Officers and members of the Licensing Committee.
- 3.10 A verbal report of topics discussed at the Forum will be made to the Committee.
- 3.11 The Licensing Team would be happy to send the minutes, when published, to any members who would like to see them.

Street Trading & Pavement Cafes

- 3.12 Although there have been a number of new Street Trading Consents and one new Pavement Café Permit issued since January the overall numbers remain relatively unchanged. The total number of permits and licences issued up to the end of May 2011 are set out in Appendix 4.
- 3.13 Applications requesting an extension of the timings into the evening for two pavement cafes have been approved. As with the process for granting a new permit, partner agencies including the Police, County Highways and Town Centre Company were consulted and have welcomed this extension of the café culture in the High Street.

Street Traders Forum

- 3.14 At the request of Traders the next Forum will take place at the end of the summer.

Animal Welfare Licensing

- 3.15 Numbers of Licences held within the Borough have dropped slightly. The total numbers of licences consents and permits issued up to the end of May 2011 are set out in Appendix 5.

Other Licensing

- 3.16 Several areas of Licensing have seen increases in application numbers however apart from Skin Piercing these have been in those areas of licensing that do not attract a fee. The total number of licences, consents, registrations and permits issued up to the end of May 2011 are set out in Appendix 6.

Street Parties

- 3.17 The Licensing Team received twelve applications for street parties for the Royal Wedding in April and one for the Big Lunch in June. The Licensing Team adopted the guidance from central government and worked with Democratic Services and the Police to provide an easy to use process for the Parties and associated Road Closures. Feedback from organisers of events has been very positive.

4. Finance Comments

Income continues to be below expected levels across the whole of Licensing and close monitoring of trends continues. There is no direct influence that can be applied as income is directly linked to the vibrancy of the local and national economy.

5. Legal Comments

The legal implications are set out within the report.

6. Links to Corporate Aims

As an update report there are no links to specific corporate aims. However if the Licensing function were not carried out in an efficient manner, complaints or legal challenges may be brought that could undermine the work being done to support the Council's Corporate Strategy.

7. Environmental and Community Safety Implications

None identified.

8. Equalities Impact

Not required.

9. Risk Management

No risk identified.

10. Partnership Implications (if any)

None identified.

11. Recommendations

That the report be noted.

Contact: Ian Carter
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i.carter@tauntondeane.gov.uk

Licensing Act 2003

Licences Issued and Notices Given

Premises Licences	384
Club Premises Certificates	29
Personal Licences	968
Temporary Event Notices	1664

Applications Received and Notices Given

	Feb-11	Mar-11	Apr-11	May-11
Grant of a Premises Licence	2	1	3	2
Variation of a Premises Licence	1	1	2	0
Transfer of a Premises Licence	4	3	3	1
Change of Designated Premises Supervisor	9	3	7	5
Minor Variations	0	3	0	0
Grant of a Personal Licence	2	8	7	7
Temporary Event Notices given	20	32	33	38

Gambling Act 2005

Licences Issued and Notices Given

Club Machine Permit	8
Licensed Premises Gaming Machine Permits	5
Occasional Use Notices	13
Premises Licences	16
Prize Gaming Permits	0
Society Lotteries	190
Temporary Use Notices	0
Unlicensed Family Entertainment Centres	2
Notification of 2 or less Gaming Machines	60

Applications Received and Notices Given

	Feb-11	Mar-11	Apr-11	May-11
Applications for a Permit	0	0	0	0
Application for a Licence	3	3	3	1
Notification of Intent to have Gaming Machines	0	1	0	0
Occasional Use Notice	3	1	1	0

Taxis

Licences Issued

Hackney Carriages	167
Private Hire Vehicles	30
Hackney Carriage & Private Hire Drivers	239
Private Hire Operators	27

Applications Received

	Feb-11	Mar-11	Apr-11	May-11
Hackney Carriage Licence (including renewals, transfers and vehicle changes)	25	8	21	21
Hackney Carriage & Private Hire Drivers Licence (including renewals)	15	28	8	12
Private Hire Vehicle Licence	2	4	1	2
Private Hire Operator Licence	1	0	3	2

Street Trading

Consents & Permits Issued

Street Trading Consents	50
Pavement Café Permits	16

Applications Received

	Feb-11	Mar-11	Apr-11	May-11
New Consents	10	10	11	12
Renewals		21	7	1

Animal Licensing

Licences Issued

Zoo Licences	0
Pet Shop Licences	13
Dog Breeding Licence	2
Home Boarding Licence	12
Riding Establishment Licences	8
Dangerous Wild Animal Licences	2

Applications Received

	Feb-11	Mar-11	Apr-11	May-11
Zoo Licences (including renewals)	0	0	0	0
Pet Shop Licences (including renewals)	0	0	1	0
Dog Breeding Licence (including renewals)	0	0	0	0
Home Boarding Licence (including renewals)	1	0	0	0
Riding Establishment Licences (including renewals)	0	0	0	1
Dangerous Wild Animal Licences	0	0	0	0

Other Licensing

Licences, Registrations and Permits Issued

Caravan Site Licences	42
House to House Collection Permit	78
Motor Salvage Operator	4
Scrap Metal Dealer Registration	13
Sex Shop Licences	2
Skin Piercing Registrations	175
Street Collection Permits	229
Street Parties	13

Applications Received

	Feb-11	Mar-11	Apr-11	May-11
New Applications	4	44	8	23
Renewals			1	0

Licensing Committee – 28 June 2011

Present Councillors Allgrove, Beaven, Brooks, Coles, Miss Durdan, Mrs Hill, Hunt, Miss James, R Lees, Mrs Lees, Meikle, Nottrodt, Mrs Reed and Mrs Waymouth

Officers: Charlotte Dale (Environmental Health Lead), Ian Carter (Licensing Manager), John Rendell (Licensing Officer), Olivia Walton (Licensing Officer) and Richard Bryant (Democratic Services Manager)

Others: Councillor Mrs Warmington
Councillors Davies, Dewdney, Hadley, Lillis, May and Westcott from West Somerset District Council

(The meeting commenced at 4.30 pm)

25. Appointment of Chairman

Resolved that Councillor Mrs Allgrove be appointed Chairman of the Licensing Committee for the remainder of the Municipal Year.

26. Appointment of Vice-Chairman

Resolved that Councillor Coles be appointed Vice-Chairman of the Licensing Committee for the remainder of the Municipal Year.

27. Minutes

The minutes of the meeting of the Licensing Committee held on 9 March 2011 were taken as read and were signed.

28. Declarations of Interest

Councillor Brooks and Mrs Waymouth declared personal interests as Members of Somerset County Council. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council.

29. Licensing Update

Considered report previously circulated, concerning the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005 and Taxi Legislation, together with other general licensing matters.

Although there had been a downward trend in Licensing applications in recent months, there had been little change in the number of Premises Licences and Club Premises Certificates within Taunton Deane. Application numbers for personal licences had held steady while Temporary Event Notices had shown a slight increase.

One Licensing Sub-Committee had been held in the last three months and mediation resulted in an agreed position that was put before the Sub-Committee. The Premises Licence had subsequently been varied and issued.

The Police Reform and Social Responsibility Bill was currently at the House of Lords stage. The Licensing Manager, Ian Carter, provided Members with an update on the potential implications of the matters within the Bill that related to the Licensing Act.

Further reported that there had been no significant change in the number of Gambling Act 2005 permits. The number of Permits, Registrations and Licences held in Taunton Deane remained low.

The licensed Taxi fleet within Taunton Deane had shown a small increase in vehicles since January 2011, but the number of drivers had fallen. The Licensing Team were conducting a pro-active operation to prevent drivers smoking in taxis.

Three meetings of the Taxi Forum had been held. Membership of the Forum was made up of representatives from licensed drivers and operators, Licensing Officers and Members of the Licensing Committee.

There had been a number of new Street Trading Consents and one new Pavement Café Permit issued since January 2011, but the overall numbers remained unchanged. Two applications requesting an extension of the timings into the evening for pavement cafes had been approved.

It was anticipated that the next Street Traders Forum would take place at the end of the Summer 2011.

Reported that the number of Animal Welfare licences held within Taunton Deane had dropped slightly. Details of the total number that had been issued were reported.

Twelve applications for Royal Wedding Street Parties had been received and one for the Big Lunch in June 2011. The team adopted the guidance from Central Government and worked with Democratic Services and the Police to provide an easy to use process for the parties and associated road closures.

Several areas of Licensing had seen increases in applications, but were generally in areas that attracted no fee. The income position was being closely monitored although it appeared that expected levels across the whole of Licensing were not likely to be as low as originally feared.

Resolved that the report be noted.

(The meeting ended at 5.12 pm.)

