

**LICENSING COMMITTEE**

**Minutes of the Meeting held on 15 March 2012 at 4.30 pm**

**Present:**

Councillor H J W Davies ..... Chairman  
Councillor D J Westcott ..... Vice Chairman

Councillor M O A Dewdney  
Councillor P N Grierson  
Councillor E May  
Councillor L W Smith

Councillor S Y Goss  
Councillor R P Lillis  
Councillor D J Sanders

**Also in Attendance:**

Councillor K H Turner

**Officers in Attendance:**

Group Manager – Housing & Community (I Timms)  
Licensing Officer (K O’Sullivan)  
Meeting Administrator (H Dobson)

**LEP20 Apologies for Absence**

An apology for absence was received from Councillor A P Hadley.

**LEP21 Minutes**

(Minutes of the Meeting of the Licensing Committee held on 23 November 2011 – circulated with the Agenda).

**RESOLVED** that the Minutes of the Meeting of the Licensing Committee held on 23 November 2011, be approved.

**LEP22 Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

<b>Name</b>	<b>Minute No</b>	<b>Description of Interest</b>	<b>Personal/ Prejudicial</b>	<b>Action Taken</b>
Councillor S Y Goss	All Items	Stogursey	Personal	Spoke and voted
Councillor P N Grierson	All Items	Minehead (Alcombe)	Personal	Spoke and voted
Councillor L W Smith	All Items	Minehead (South)	Personal	Spoke and voted
Councillor D J Westcott	All Items	Watchet	Personal	Spoke and voted
Councillor K H Turner	All Items	Brompton Ralph	Personal	Spoke

**LEP23 Public Participation**

No members of the public had requested to speak.

**LEP24 Model Standards 2008 for Caravan sites in England**

(Report No. WSC 23/12, circulated with the Agenda).

The purpose of the report was to summarise the Department of Communities and local Government "Model Standards 2008 for caravan Sites in England", to consider the main changes when compared to the last Model Standards issues in 1989 and to consider the process involved in applying any appropriate standards/conditions to Caravan Site Licences in West Somerset.

The Licensing Officer advised that the main changes when compared to the last Model Standards issued in 1989 were minimal and included; changes to spacing requirements; an application for a fire order, where applicable. The new standards would not be enforced on sites where it was considered to be too onerous or not appropriate.

During the course of the debate the main issues raised/addressed included:

- To replace a caravan on an existing site would not necessarily result in all of the caravans being moved to comply with the spacing requirements as set out in the new standards. If a caravan was replaced with a same size caravan it was likely that the position of the other caravans would not change. It was anticipated that where existing sites did not fully comply with the new standards, they would be expected to comply when any substantial development of the site took place.
- It was confirmed that a time limit to implement the new standards could be applied and would apply to all sites.

The Group Manager advised that as the development of Hinkley Point C progressed it was likely that new caravan sites would be set up and it was anticipated that the new model standards would regulate the sites.

Officers recognised that difficulties could arise as individual caravans were replaced within a site. They confirmed an amendment to 8 (iii) of the new Model Standards: to replace 'competent person' with 'a person certificated to the relevant standard in force'. Also, that concerns raised regarding the lighting of a site between dusk and dawn be considered further and dis-applied if necessary.

An amendment was proposed by Councillor M Dewdney that a time limit of three years to implement the new Model Standards for 2008 across the district be included with Recommendation 2.1. His amendment was seconded by Councillor E May.

On being put to the vote the amendment was CARRIED.

This then became the new substantive motion.

On being put to the vote the substantive motion was CARRIED and it was

**RESOLVED (1)** that, subject to the inclusion of minor amendments, the new 'Model Standards for 2008 Caravan Sites in England', circulated with the agenda and attached to the report, be approved and implemented across the district by April 2015.

**RESOLVED (2)** that authority to agree and impose conditions on new Caravan Site Licences or to revise conditions on existing Caravan Site Licences where no representation has been received, or on agreement with the site operator following receipt of representations from the consultation process, be delegated to the Licensing Officer.

**RESOLVED (3)** that in the event of agreement not being reached with the site operator following receipt of representations from the consultation process, a Licensing Panel be convened to determine the imposition of conditions on new Site Licences or alteration to the conditions on an existing Caravan Site Licence, in accordance with the Council's Scheme of Delegation, be approved.

**RESOLVED (4)** that authority to dis-apply one or more conditions for specific sites where considered necessary, be delegated to the Licensing Officer.

#### **LEP25 Hackney Carriage/Private Hire – Vehicle Plates**

(Report No. WSC 41/12, circulated with the Agenda).

The purpose of the report was to advise Members of an alternative plating system for Hackney Carriage and Private Hire vehicles in West Somerset.

The Licensing Officer circulated examples of the plates and presented the report.

In response to a question she advised that plates must be attached to the outside of the vehicle to enable the appropriate officer to remove them should enforcement become an issue.

**RESOLVED** that the use of the VIP system for Hackney Carriage and Private Hire vehicle licence plates, for use on licensed vehicles from 1 May 2012, be approved.

#### **LEP26 Street Trading/Temporary Market Policy**

(Report No. WSC 46/12, circulated with the agenda).

The purpose of the report was to discuss and approve amendments to the Street Trading Policy, to include clarification and procedures in respect of temporary markets in West Somerset.

The Licensing Officer outlined the details in the report and advised that amendments included temporary markets and provided clarity to the decision making process.

The Group Manager advised that the policy would be presented to the Housing Policy Advisory Group on 12 April 2012 and then to Council for approval in June 2012, once the consultation process had been undertaken.

During the course of the discussion the following points were raised/noted:

- Members were pleased to note that operating from vehicles and trading along Minehead seafront had been included in the policy.
- The Licensing Officer confirmed that stalls would not require Street Trading Consent when trading at an event where the public were required to pay an

admittance fee on entry; whether it was on public land, fêtes, charitable events, etc.

- The event operator would manage and be responsible for the stalls: setting them up, running the market and dismantling it at the end of the day and ensuring that the area was left clean.
- Once the policy was adopted it would be a public document and be available to download from the Council's website.

The Licensing Officer noted an amendment to specify that should cleaning by the Council be necessary after an event, that the cost be charged to the person responsible for the event.

**RESOLVED** that, subject to an amendment, the draft Street Trading policy for consultation, attached to the report, be approved and that the Licensing Officer be authorised to undertake the consultation process.

## **LEP27 Licensing Update**

(Applications Received 2011/12, circulated with the agenda).

The Licensing Officer provided an update on recent licensing issues which included:

- The Live Music Bill was now the Live Music Act and covered: live music in licensed venues, live music in venues which were not licensed, and provision of facilities for making music and dancing.
- The Home Office had confirmed that the majority of licensing measures under the Police Reform and Social Responsibility Act would be brought into force in April 2012 and included: permitting anyone to make representations regardless of where they live, reforming temporary event notice procedures, permitting Environmental Health Officers to object to TENs etc. Measures that required more complex secondary legislation would be implemented later in the year, perhaps October 2012.
- The Diamond Jubilee Order was approved and would relax the licensing hours on two consecutive days during the Queen's Diamond Jubilee celebration.
  - 11 pm on Friday 1 June and ending at 1 am on Saturday 2 June, and
  - 11 pm on Saturday 2 June ending at 1 am on Sunday 3 June.The extension related to the sale of alcohol for consumption on the premises, the provision of regulated entertainment and the provision of late night refreshment (but only where the premises were also licensed for alcohol sales – takeaways were excluded).

Members noted the applications received in 2011/12 and requested that, if possible, income collected be added to the tables.

**RESOLVED** that the update be noted.

The meeting closed at 5.45 pm.