

LICENSING COMMITTEE

Minutes of the Meeting held on 23 July 2013 at 4.30 pm

Present:

Councillor D J Sanders Chairman

Councillor H J W Davies
Councillor S Y Goss
Councillor E May
Councillor D J Westcott

Councillor M O A Dewdney
Councillor A P Hadley
Councillor L W Smith

Also in Attendance:

Councillor K H Turner

Officers in Attendance:

Corporate Manager Housing, Welfare and Economy (I Timms)
Environmental Health and Licensing Manager (E Lake)
Licensing Officer (N Sambells)
Licensing Officer - TDBC (O Denis)
Licensing Officer - TDBC (J Rendell)
Meeting Administrator (K Kowalewska)

At the start of the meeting the Chairman, on behalf of the Committee, passed on best regards to the Licensing Officer, Kay O'Sullivan, who was on long term sick leave, and wished her a speedy recovery.

The Chairman welcomed and introduced the Licensing Officers from Taunton Deane Borough Council.

The Lead Member for Housing, Health & Wellbeing took the opportunity to thank the past Chairman of Licensing, Councillor H J W Davies, for his hard work and commitment over the last three years, and wished the new Chairman every success.

LEP1 Apologies for Absence

An apology for absence was received from Councillor P N Grierson.

LEP2 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:

Name	Minute No	Member of	Action Taken
Councillor H J W Davies	All Items	Somerset County Council	Spoke and voted
Councillor L W Smith	All Items	Minehead (South)	Spoke and voted
Councillor D J Westcott	All Items	Watchet	Spoke and voted

LEP3 Public Participation

No members of the public had requested to speak.

LEP4 Update on Schedule of Policy Review and New Legislation in Licensing

(Report No. WSC 93/13, circulated with the Agenda).

The purpose of the report was to update Members on recent changes to legislation, to seek authority to review the Statement of Licensing Policy 2011-2014, to seek authority to work in partnership with Taunton Deane Borough Council to investigate the use of joint policies and procedures in licensing.

The Corporate Manager Housing, Welfare and Economy presented the report and updated Members on the policies that required reviewing and highlighted on the new licensing legislation.

As part of the licensing policy review process, the Corporate Manager suggested that Members might wish to consider forming a group to advise and assist the Environmental Health and Licensing Manager in the work associated with revising the Council's Statement of Licensing Policy. The Committee were in agreement that Member involvement to consider the new legislation was important in order to effectively update the policy.

Members were advised that a programme of work was being developed between the licensing teams at West Somerset Council and Taunton Deane Borough Council (TDBC) to achieve consistency across the licensing function and options would be explored on duality of policies.

The Licensing Officer (TDBC), Olivia Denis, circulated a briefing note at the meeting which contained a quick guide on the new regulations that had been introduced pertaining to the Licensing Act 2003 Schedule 1 – Provision of Regulated Entertainment; and which also provided details on a consultation being undertaken in connection with the deregulation for community-based film exhibition (the closing date for responses was 28 August 2013). If further information was required, Members were asked to contact Olivia via email (licensing@tauntondeane.gov.uk).

The Licensing Officer (TDBC), John Rendell, provided a summary on the new legislation and guidance relating to the Scrap Metal Dealers Act 2013, which was due to come into force in October 2013. The key changes being introduced included: an enhanced application process; local authorities had the power to revoke a licence; licence fee to be determined by the Council; improved entry and inspection powers; greater record keeping requirements; national register of licensed dealers; requirement to display licences; increased fines for non-compliance.

During the discussion the following main points were raised:

- The Environmental Health and Licensing team were thanked for their hard work in continuing to provide an efficient and effective licensing service.

- Under the new legislation itinerant scrap metal collectors would have to be licenced with the local authority that covers the area where they lived and would be required to produce their full licence documentation when travelling.
- Clarification would be sought on the regulations of selling metal on online sale websites such as Ebay.
- Council officers had the right to enter and inspect a licenced site at any reasonable time provided that notice had been given.

Councillor D J Sanders proposed the recommendations in the report, with an addition to the printed recommendations to include that a working group, comprised of Councillors A P Hadley, E May, R P Lillis, D J Sanders and D J Westcott (with Councillor H J W Davies as a reserve) be set up to review the licensing policies and procedures, and these were duly seconded by Councillor E May.

RESOLVED (1) that the draft schedule of policy reviews (attached as Appendix 1 to the report) including the Statement of Licensing Policy be noted and the Environmental Health and Licensing Manager be authorised to undertake the consultation process. The Environmental Health and Licensing Manager be authorised to review West Somerset Council's licensing policies and procedures alongside the licensing team in Taunton Deane Borough Council to improve the effectiveness and the resilience of the service provided to the public and local businesses.

RESOLVED (2) that the recent changes in legislation, specifically the introduction of the Scrap Metal Dealers Act 2013, and changes to the Licensing Act 2003 concerning the Deregulation of Regulated Entertainment be noted.

RESOLVED (3) that a working group, comprised of Councillors A P Hadley, E May, R P Lillis, D J Sanders and D J Westcott (with Councillor H J W Davies as a reserve) be set up to review the licensing policies and procedures.

LEP5 Update on the Current Working Arrangements to Deliver the Licensing Service

(Report No. WSC 94/13, circulated with the Agenda).

The purpose of the report was to update Members of the Licensing Committee on the current situation in the licensing team at West Somerset Council and the working arrangements with Taunton Deane Borough Council.

The report was presented by the Corporate Manager Housing, Welfare and Economy who advised that due to the long term absence of the Council's Licensing Officer, combined with the maternity leave of another experienced officer, the team had been faced with significant challenges. Consequently, a working arrangement with Taunton Deane Borough Council had been established to assist the existing staff to enable the service to continue. He drew Members' attention to the work programme being scheduled which would explore the redrafting of policies, the streamlining of processes, and staff and Councillor training, to improve and make the service more efficient.

The Environmental Health and Licensing team were once again commended for their hard work in delivering the service and the excellent help provided by the TDBC officers was also acknowledged.

RESOLVED that the current arrangements to deliver the licensing service be noted.

LEP6 Licensing Update

(Licence Applications & Fees for 2012/13 and 2013/14, circulated with the Agenda.)

The Corporate Manager Housing, Welfare and Economy presented the item and reported that despite the challenges faced by the team, the applications had been dealt with accordingly and there was no loss in fee income.

RESOLVED that the update be noted.

The meeting closed at 5.06 pm.