

LICENSING COMMITTEE

Minutes of the Meeting held on 24 July 2012 at 4.30 pm

Present:

Councillor D J Westcott Chairman (for this meeting)

Councillor P N Grierson
Councillor E May
Councillor L W Smith

Councillor A P Hadley
Councillor D J Sanders

Officers in Attendance:

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

LEP1 Apologies for Absence

Apologies for absence were received from Councillors H J W Davies, M O A Dewdney, S Y Goss and R P Lillis.

LEP2 Minutes

(Minutes of the Meeting of the Licensing Committee held on 15 March 2012 – circulated with the Agenda).

RESOLVED that the Minutes of the Meeting of the Licensing Committee held on 15 March 2012, be approved.

LEP3 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	Description of Interest	Personal/ Prejudicial	Action Taken
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

LEP4 Public Participation

No members of the public had requested to speak.

LEP5 Street Trading/Markets Policy

(Report No. WSC 92/12, circulated with the Agenda).

The purpose of the report was to inform members of proposed minor amendments to the draft Street Trading Policy approved for consultation at the Licensing

Committee meeting, held 15 March 2012 following that consultation.

The Licensing Officer presented the report and advised that amendments to the draft policy, suggested by the Housing PAG, Exmoor Park and the Environmental Health department, had been included. To date there had been no major responses to the draft policy.

Concern was raised regarding the definition of the term 'street trading' as set out in the policy. Members were advised that it was a legal definition and that there was a range of legislation in place that would cover the concerns raised.

Members discussed the limit to the number of temporary markets that could be held in a calendar month/week, which previously had not been determined. Members recommended an amendment to the policy to the effect that, the number would relate to a calendar month, and other applications would be considered at the discretion of the Licensing Officer. The Licensing Officer noted the minor amendments raised.

RESOLVED (1) that the Licensing Committee recommends to Council to adopt the West Somerset Street Trading Policy from 9 August 2012, including the proposed amendments of the Housing PAG and of the Licensing Committee.

RESOLVED (2) that the policy be reviewed after a period of 18 months to ascertain its suitability for purpose and to ensure the level of fees reflects the cost of providing the service. If no revisions are required after the review, the policy to remain in force and reviewed as necessary and at least every five years.

LEP6 Delegation of Function for Licensing Authority as Responsible Authority

(Report No. WSC 93/12, circulated with the Agenda).

The purpose of the report was to seek delegated authority for the Manager of the Environment & Community Group to act as the Responsible Authority on behalf of the Licensing Authority.

RESOLVED that the Licensing Committee recommends to Council to delegate authority, under the terms of the Licensing Act 2003 to the Manager of the Environment & Community Group to act as the Responsible Authority on behalf of the Licensing Authority and so be authorised to make representations to applications for new Premises Licences and Club Premises Certificates, make representations to applications to vary a Premises Licence or Club Premises Certificate and to apply for the review of a Premises Licence or Club Premises Certificate where it is deemed necessary to promote the licensing objectives.

LEP7 Licensing Update

(Licence Applications & Fees for 2011/12 and 2012/13, Guidance Notes to Licensing Motorcycles as Private Hire Vehicles, and summary of changes, circulated at the meeting)

The Licensing Officer circulated a revised summary of Licence Applications and Fees for 2011/12 and quarter 1 of 2012/13 and provided a comparison to last

year's applications. Further, she provided an update on recent licensing issues which included:

- Licensing Motorcycles as Private Hire Vehicles.
- The Late night licensing fees were quite onerous. In summary, the fees could be a useful tool for a large city.
- The Council's Gambling Act Policy was due for review and would go out to consultation from 1 August to 24 October and be presented to the Licensing Committee for adoption.

RESOLVED that the update be noted.

The meeting closed at 5.07 pm.