

## **Licensing Committee – 23 November 2011**

Present                      Councillor Mrs Allgrove (Chairman)  
                                    Councillors Beaven, Brooks, Mrs Hill, Hunt, Miss James,  
                                    R Lees, Mrs Lees, Meikle, Nottrodt, Mrs Reed, Mrs Waymouth  
                                    and A Wedderkopp

Officers:                    Ian Carter (Licensing Manager), Charlotte Dale (Environmental  
                                    Health Lead), Donna Durham (Democratic Support Manager)  
                                    and John Rendell (Licensing Officer)

Others:                      Councillor Hayward

(The meeting commenced at 6.15pm)

### **30. Apologies/Substitution**

Apologies: Councillors Coles and Miss Durdan

Substitution: Councillor A Wedderkopp for Councillor Coles

### **31. Minutes**

The minutes of the meeting of the Licensing Committee held on 28 June 2011 were taken as read and were signed.

### **32. Public Question Time**

Mr Mike Davis, Director of A1/Ace Taxis expressed a number of concerns relating to the Licensing Department, in particular the policy relating to Certificates of Compliance.

After some debate, the Chairman asked that Mr Davis put his concerns in writing, so that the Licensing Department could respond to his concerns in a report that would be presented at the next Licensing Committee. It was agreed that a special meeting of the Licensing Committee be convened in January 2012, to which other taxi representatives would be invited.

### **33. Declarations of Interest**

Councillors 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.

### **34. 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.

The Police Reform and Social Responsibility Bill was enacted in September 2011. Within Part 2, it contained amendments to the Licensing Act 2003, the introduction of the Late Night Levy and the repealing of Alcohol Disorder Zones. No timescale for the commencement of the order had been indicated.

The Department for Culture, Media and Sport had launched a consultation that sought views on a proposal to remove licensing requirements in England and Wales for most activities currently defined as 'regulated entertainment' in Schedule One to the Licensing Act 2003. The Government suggested that if less than 5,000 people attended an event with no alcohol, there should be no licence required.

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 decrease in vehicles since May 2011.

Two Licensing Sub-Committee meetings had been held in July and September 2011 to determine two separate applications for licences to act as a taxi driver. One application was granted and the other refused.

Despite raising the issue at previous Taxi Forums, drivers continued to smoke in their vehicles and three fixed penalty notices had been served. The Council had contacted the NHS Smoking Cessation Service who would provide support and advice directly to drivers who wanted to stop smoking.

A fourth meeting of the Taxi Forum had been held in November 2011 and various topics had been discussed.

Applications for street trading and pavement cafes remained low. There was confusion on the part of traders over which areas attracted a fee, so it was proposed to 'zone' the town centre. The proposal was to encourage street traders in Goodland Gardens, Castle Green, Somerset Square and the top of the High Street.

The number of Animal Welfare licences had dropped slightly and one Licence had been withdrawn following the conviction of the proprietor on animal cruelty grounds.

The Licensing Team had ensured that all completed applications and renewals were processed and sent out within 14 days. A robust monitoring system was in place to ensure this could be scrutinised in the event of a complaint.

During the discussion of this item, Members made the following comments

and asked questions. Responses are shown in italics:

- Was there any move in legislation to charge a rent for street traders in prime locations? *Legislation referred to cost recovery, not revenue raising. A full review of fees and charges was being considered at the Corporate Scrutiny Committee on 24 November 2011;*
- Concern about the detrimental effect that street traders could have on nearby shops. Had the Licensing Department considered surveying the shop owners to find out how they felt about additional street traders? *Rates were included in the street trading fees. The promotion of other zones would encourage street traders to consider these areas, which was supported by Economic Development; and*
- Smoking in taxis had been a recent discussion topic on Somerset Sound, but did not make the legislation clear. *In order to be compliant, taxi drivers had to be completely out of the vehicles if smoking. They were constantly reminded of this and most of the taxi representatives were supportive of this initiative.*

**Resolved** that the report be noted.

(The meeting ended at 7.15pm)