

## LICENSING CONSULTATION PANEL

**Minutes of meeting held on Tuesday October 17<sup>th</sup> 2006 at 2.00pm,  
Taw Room, Civic Centre, Barnstaple.**

**Present:**

Councillor Mrs Mair Manuel (Chairman)  
Councillor Mrs Julia Clark (Vice –Chairman)

Councillor Roy Lucas, Councillor Derrick Spear, Mr Sam Moyse (South Molton & District Licensee's Association), Mr Robert Wright (BII Representative), Mrs Lesley Brown (Barnstaple Licensee's Association), Mr Barry Shingler (North Devon LVA), Mr John Unwin (Devon Fire and Rescue Service) Mrs Frances Williams (Smiths Solicitors), Trevor Blatchford (NDDC), Mark Curgenvan (NDDC) and Ms Liz Bryant (NDDC, Minutes).

No.	Minute	Action
1.	<p><b>Apologies for absence:</b> Councillor Y Gubb, Councillor J Chesters, Councillor M Shapland, Councillor J Tucker, Councillor F Webber, Councillor J Campbell, Councillor A Davis, Councillor I Frances, Councillor C Haywood, Councillor N Lewis, Councillor J Moore, Mrs Dru Bryant, PC Paul Daw, Mrs Anna Bridgman, PC Kevin Connar, Sgt Dave Elliott, Mr Mike Deakin (Vice Chairman, BAND).</p>	
2.	<p>Minutes of the last meeting held on <b>Tuesday 18<sup>th</sup> July 2006</b> APPROVED by the Panel and signed as a correct record by the Chairman Mrs Mair Manuel.</p>	
3.	<p>Items brought forward by the Chairman;</p> <p>Glass recycling - We have had a contact for a possible glass recycling service for North Devon Traders. Chairman to find out if the additional recycling collection would count towards the recycling percentage for North Devon.</p>	Cllr MM
4.	<p><b>Review of NDDC Licensing Policy &amp; Hearing /Review Procedures</b> Bob Wright commented on the quality of service he has received from the Licensing Team at North Devon and in comparison to other Authorities he has dealt with are very efficient and he complimented the service he has received. Lesley added that during an interview with a trade magazine she was asked to comment on the service she had received from the Local Authority.</p> <p>Mark introduced the item explaining we adopted the policy in November 2004 and this review was scheduled as an opportunity for Licensed Trade to pass comment on the policy. The minutes from this meeting will feedback to the Licensing Meeting in November.</p>	

	<p>The general consensus was that the policy has worked and there are no major concerns with the exception of Temporary Event Notices (TENS).</p> <p>Barry noted that the Trade feel that 10 days is too long a period of notice, prior to TENS they could apply for a certificate from the magistrates up to a day before and the event could take place, now they are having to refuse events due to the period of ten working days.</p> <p>Bob commented that nothing could be changed with regard to the 10 working days it has to be complied with, as it is part of the Government Legislation but agreed that it is a problem to the trade.</p> <p>Bob raised the issue of the period of time stated in the policy for serving TENS, i.e. 'that no more than 3 months' notice is given of a temporary event'. Mark confirmed that this was only a guide, Trevor concurred that it is recommended that no more than 3 months' notice is used due to the nature of the events.</p> <p>Sam agreed that everything was on form, something he finds worrying is the events without appropriate TENS are being driven underground and are therefore operating illegally and most probably without the relevant insurance. TENS need to be radically addressed before an accident occurs. Another concern is that good, law abiding people are being backed against a wall when they are refused their events due to not applying in time, or the premises have already used up the annual quota.</p> <p>Chairman added that she knows of Village/Parish Hall Committees and Councils who wish they could be consulted on TENS, rather than solely the Constabulary.</p> <p>Discussion followed about TENS and the affect they are having on the rural economy/communities and the problems with having unlicensed events taking place.</p> <p>Mark concluded that the Authority takes unlicensed events very seriously but we simply don't receive complaints about them. Nick Perkins does go through the community news and events pages of the North Devon Journal to make sure there are no events taking place, the trouble with this is the underground events are not advertised.</p> <p>Mark summarised by stating that the Public needs educating about TENS and the corresponding application process.</p> <p>Chairman put it to the panel that an article should be placed in the next edition of North Devon Direct. Also she will take it the next Community Council of Devon meeting.</p> <p>Mark referred to the Hearing procedure, at a recent conference that Chairman, Trevor and he had attended, North Devon had adopted all the information that was cascaded to them at the event. Mark had made the observation that improvement could be made to the procedure by trying to improve the mediation process and therefore reducing the hearings. This would include promoting information exchange</p>	<p>CIIr MM</p>
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	<p>between the two sides in advance, possibly leading to an opportunity to resolve the issues before the hearing. Another idea, although it would extend the hearing times, when a grant of a licence has been decided with conditions, that a draft licence be produced for all sides and feedback obtained.</p> <p>Chairman commented that mediation sometimes takes place and other parties are not made aware of it, this would be an issue worth revising. It is requested that any feedback on these ideas and the hearing process be forwarded to Mark Curgenvin or Chairman by 7<sup>th</sup> November 2006.</p> <p>Fran kindly agreed to send a letter to other Solicitors in Barnstaple inviting them to make comment on the Policy and Hearing Procedure.</p> <p>Mark concluded that it appears the Policy has been accepted.</p>	<p>Panel FW</p>
<p><b>5</b></p>	<p><b>Annual Maintenance Fees</b></p> <p>Mark confirmed that NDDC are using the 24<sup>th</sup> November 2006 as the date for maintenance fees for any licence granted as part of the transitional period. Any new grants since then will obviously be paying the annual maintenance fee twelve months after their grant date.</p>	
<p><b>6</b></p>	<p><b>Update</b></p> <p>Inspections – being mindful of the Government Agenda to encourage inspections, Mark explained the inspections are taking place in areas of concern, or are intelligence based. The focus will be on premises with a terminal hour of 11.30pm and after and will then gradually move to all other licensed premises.</p> <p>Licensing News – this originally came from East Devon and through Devon Licensing Officers Group (DLOG) it is hoped that all Authorities can distribute their own version to all Licensee's.</p> <p>The general opinion from the panel is that the newsletter is a very good idea and will be a useful tool in advising the Trade, Committee and Responsible Authorities of changes or guidance.</p> <p>Regulatory Reform Order – the new Fire Safety rules over ride those included within the current licence conditions.</p> <p>Lalpac – Mark reported that the Fire Authority is now responding to the applications on line. Online applications are also set to start next year, the first to be tested will be the TENs applications. A discussion followed regarding signatures and whether an electronic signature will be accepted. Mark confirmed that there will be a way of accepting applications with an electronic signature.</p> <p>Taxi ranks – Mark explained that the traffic control orders are presently available for consultation. All Panel members are being encouraged to take a look and feedback. In summary six to eight ranks have been proposed and this will hopefully improve the locality and provision of the ranks.</p> <p>Discussion about ideal locations for taxi ranks, and who is</p>	

	<p>most likely to feedback to the consultation of Traffic Control Orders followed.</p> <p>Mark also mentioned the signage in Town needs to be updated possibly after this consultation to improve public knowledge of the positioning of taxi ranks.</p> <p>“DIY Applications” – Mark and the Licensing Team would like to put a request forward to anyone who is thinking of making an application under the Licensing Act to at the very minimum consult the team before hand, or seek some professional advice. This is not meant as an advert for all Solicitors and Consultants but it will hopefully improve the standard of the applications that are being received.</p> <p>BII Award in Responsible Drinking – Chairman has done the course and passed it with the help of Lesley. Feedback from Chairman included by having a telephone exam you don’t have time to think you just have to answer. The questions were very varied and she recommended it to fellow Member’s as it makes you look at Licensing from the other side.</p> <p>Customer Satisfaction Surveys – Mark explained that these are currently being sent out to a 10 percent sample from all applications or those who contact the Licensing Team. There are many advantages to receiving feedback and these surveys taking place and being returned.</p>	
<b>7</b>	<p><b>BII Responsible Retailing Week 2007?</b></p> <p>Mark enquired as to whether anyone had done anything in 2006 in conjunction with BII and if the date for 2007 was known. Sam has been trying to obtain third of a pint glasses to no avail but he will report back to Panel when/if he hears anything about the date in 2007.</p>	SM
<b>8</b>	<p><b>Christmas/New Year</b></p> <p>Mark reported that NDDC are not sure of the cover situation this year, with respect to people making TEN applications over the Christmas/Holiday period. Mark made an appeal for early TEN applications please for this period.</p>	
<b>9</b>	<p><b>Gambling Act 2005</b></p> <p>Mark updated the panel on the present situation of the Gambling Act and the compression of the timetable. It will affect licensed premises and the consultation invitation was sent out to everyone registered on Lalpac.</p>	
<b>10</b>	<p><b>Any Other Business</b></p> <p>Sam Moyse is sadly disappointed with the lack of representation at the meetings and at training opportunities. He commented that every time he attends a meeting or training event he learns something and takes something away with him.</p> <p>Sam also commented on the document National Pub Watch –</p>	

	<p>it includes examples of best practice, advice on exclusion orders, committee membership. He would like to encourage all Licensee's Associations to join, it is free to become affiliated with. National Pub Watch is also the only body to be mentioned in the guidance notes from DCMS on LA03.</p> <p>Discussion followed on how to encourage attendance to the LCP meetings and encourage input from the Trade and associated groups. Mark suggested a combined Panel, such as a Licensing and Commercial Trade Forum.</p> <p>No ID – No Sale – brochure circulated with the minutes, Lesley has attended this conference and highly recommended it for Trade, Members and Licensing Officers.</p>	
	<p><b>The next meeting will be held on Tuesday 30<sup>th</sup> January 2007 at 2pm in the TAW ROOM.</b></p> <p>Future meetings will be held on –  Tuesday 24<sup>th</sup> April 2007  Tuesday July 10<sup>th</sup> 2007  Tuesday October 16<sup>th</sup> 2007.</p> <p>Please note the change of date for the April meeting and amend your diaries accordingly. The venues will be confirmed with the Agenda for each meeting.</p>	