

LICENSING CONSULTATION PANEL

**Minutes of meeting held on Tuesday July 18th 2006 at 2.00pm,
Taw Room, Civic Centre, Barnstaple.**

Present:

Councillor Mrs Mair Manuel (Chairman)

Councillor N Lewis, Councillor R Lucas, Councillor J Moore, Mr Sam Moyse (South Molton & District Licensee's Association), Mrs Dru Bryant, PC Paul Daw, Mrs Anna Bridgman, Robert Wright (BII Representative), Lesley Brown, Trevor Blatchford (NDDC), Nick Perkins and Liz Bryant (NDDC, Minutes).

No.	Minute	Action
1.	<p>Apologies for absence: Councillor Y Gubb, Councillor Julia Clark, Councillor J Chesters, Councillor M Shapland, Councillor J Tucker, Mr Ian Adams (Chairman, BAND), PC Kevin Connar, Sgt Dave Elliott, Mr B Shingler (North Devon LVA), Mark Curgenvin (NDDC), Mr Mike Deakin (Vice Chairman, BAND), Craig Bulley, Mrs F Williams, Mr K Parfitt.</p>	
2.	<p>Minutes of the last meeting held on Tuesday 18th April 2006 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; No items brought forward.</p>	
4.	<p style="text-align: center;">Glass Recycling – Craig Bulley</p> <p>Chairman explained that Craig Bulley had forwarded apologies for this meeting therefore gave a brief overview of what the item was proposing to discuss.</p> <p>It has been brought to the Panel's attention that most town premises are not recycling their bottles. Sam added that for an annual fee, South Molton Recycling provide him with a bin and collect his bottles regularly.</p> <p>Bob added that the general view he gets from his clients is that is an additional cost and based on each individuals' view on recycling, he agreed that is certainly a lot of glass wasted as a result of a lack of collection.</p> <p>The Panel agreed that Committee is to investigate this and try to move it on and investigate the recycling of glass bottles.</p>	<p style="text-align: center;">Cttee</p>

5	Food Forum – Barry Shingler Chairman explained that Barry had also forwarded his apologies to this meeting, and gave an overview of the aims and objectives of the Food Forum and explained the points system for Food Premises – scores on doors.	
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<p>6</p>	<p>Licensing Act Update – Nick Perkins</p> <p><u>a) BII Certificate</u> Nick explained that the BII have put together a national certificate designed for people who are named as a Designated Premises Supervisor (DPS).</p> <p>Sam pointed out that there have been courses run at the Old Court House, and has been very disappointed with the uptake and the general lack of interest.</p> <p>Chairman enquired about the possibility of the Police endorsing the course, Paul explained that although the Police cannot actively promote a single qualification, they try to make people aware of all the courses that are available.</p> <p>Discussion followed regarding advertising the courses to Village Halls, Chairman gave the contact details for Andrea Le Plae (Community Council, Devon) to Sam for further courses.</p> <p>The Panel agreed that it would be good practice to send out course information with application packs.</p> <p><u>b) Hearings</u></p> <p>Nick updated the Panel on the current hearings that have taken place, we have had three appeals, although one has been mediated. There is one outstanding prosecution to take place.</p> <p><u>c) DCMS Update</u></p> <p>Nick updated the Panel on the recent guidance update on the issue of duplicate Designated Premises Supervisors. Paul explained that each application is taken on individual merit and having multiple DPS's can bring up supervisory issues.</p> <p>Sam agreed that premises need qualified people running them. The complexity of the business means you need qualified staff, Advanced certificate courses have taken place – free of charge – but had very low attendance. Sam explained he finds it very disappointing the individuals are unwilling or unable to progress.</p> <p>Discussion followed about the requirements of being a DPS on an individual and the anomalies of the Licensing Act 2003.</p> <p><u>d) Noise Act 1996</u></p> <p>Nick explained a little about the Noise Act and that as from this year it will apply to all dwellings, including Licensed Premises, enforced by fixed penalty tickets (by NDCC).</p> <p>Chairman requested that a copy of the information be</p>	<p>MCC/LT</p> <p>MCC</p>
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	<p>forwarded to Members.</p> <p><u>e) Security Industry Authority (SIA)</u></p> <p>The SIA have produced a summary of new guidance for all events requiring a registered SIA door person, defining the role.</p> <p>Chairman requested a copy of the summary be forwarded to Members.</p> <p><u>f) Managing Large Events</u></p> <p>LACORS have released some advice with regards to managing large events.</p> <p>Panel requested the summary to be forwarded to Members.</p> <p><u>g) Taxi Rank Provision</u></p> <p>Nick reported that David Netherway (DCC) is currently looking a taxi rank provision and various options for the position of ranks in Bideford.</p> <p>Chairman reported that Town Centre Management has proposed a primary stand at the Bus Station Discussion followed regarding the ideal positioning of ranks in Barnstaple. Paul added that ideally there would be at least 4 strategically placed ranks in the Town.</p> <p>Chairman requested that Paul find out if the Police are represented at Town Centre Management meetings.</p> <p>The Panel resolved that a letter should go to DCC, as strong as possible with regards to the positioning of tai ranks.</p> <p><u>h) Customer Satisfaction</u></p> <p>Surveys are now being sent to Customers who have been visited and/or dealt with the Licensing Officers.</p>	<p>MCC</p> <p>MCC</p> <p>PD</p> <p>MCC/MM?</p>
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<p>8</p>	<p>Licensing Association Updates</p> <p><u>South Molton LA</u></p> <p>Sam expressed his disappointment of the poor attendance at a recent Drug Awareness Meeting he attended.</p> <p>Panel agreed to try to find ways to encourage Licensees to attend.</p> <p>Sam explained that Temporary Event Notices (TENs) are not being correctly applied for. People are not bothering to apply in the more rural areas, especially with the allocation numbers dwindling for some premises, especially village halls and community premises.</p> <p>A discussion followed regarding the discrepancies surrounding TENs, the general feeling of the public is they are frustrated with the forms, the forward planning required and the amount they are allocated.</p> <p>Paul explained that they have caused an increase in workload for the Police as they have to further investigate nearly every application received as the forms are poorly designed and do not give the police enough information.</p> <p>Sam concluded that TENs are destroying fundamental village life, as the use of the halls and community premises are limited.</p> <p>Chairman considered whether it is worth putting an article in North Devon Direct.</p> <p>Police requested reviewing the advice given out by the Authority when the Public are submitting a TEN.</p>	<p>MCC</p> <p>MCC</p> <p>MCC</p> <p>MCC</p>
<p>7</p>	<p>Licensing Act 2003 – 6 months on.</p> <p>Within minute 6.</p> <p>Lesley reported that some of the trade magazines have brought up the issue of maintenance fees. Nick explained that we are still waiting for confirmation of when the maintenance fees will be due.</p> <p>Chairman requested a statement be provided for the next LCP Meeting.</p>	<p>MCC</p>

<p>9</p>	<p>Gambling Act Update</p> <p>Trevor explained that we have the timetable for the Gambling Act and it runs in much the same way as the Licensing Act but it will not generate the amount of applications like the LA 2003.</p> <p>Chairman requested that Trevor provide a presentation at the next LCP meeting to explain the Gambling Act in more detail.</p> <p>Chairman asked the panel if they think the LCP would benefit from a representative from the Gambling Trade. Panel agreed to ask Cllr Chesters if she knows of any organisations to contact.</p>	<p>Agenda</p> <p>CJC</p>
<p>10.</p>	<p>Any Other Business</p> <p>a) Paul asked if there is any way in which the Police can be informed of additional conditions being attached to a Premises Licence through Hearings/Committee as some of the new conditions undermine those set in place by the Police, and some are unenforceable. The authority sets them, then the Police have to enforce them and some of the conditions are not prescriptive enough</p> <p>Trevor explained that the Court procedure couldn't be compared to the Hearing procedure. Trevor then summarised the rules of Hearings as set by the Licensing Act. A discussion followed regarding hearing procedures and what Committee request during them, the Committee deems the conditions as part of the Hearing procedure.</p> <p>Paul added that he agrees totally with Trevor with regards to the Act and the Police just want to support the Authority in determining the licences.</p> <p>b) Lesley asked why the press coverage when reporting test purchasing was always so negative. How many adults have actually been prosecuted for buying for underage children and are there other statistics available?</p> <p>Paul explained that the Media tends to lean towards the negative aspect of the news and the Police only have 50 per cent of the input as these operations are run jointly with trading Standards but agreed to provide some statistics on underage drinking and the use of fake ID in a report at a future LCP meeting.</p> <p>A discussion followed regarding underage drinking and Police presence in South Molton.</p> <p>c) There are new Fire Safety Risk Assessment documents</p>	<p>PcPD</p>

	<p>available on the internet to download. They are lengthy but relevant documents to the Trade.</p> <p>d) Sam reported on some new guidance available, including – ‘Cheers’ a document produced by the Mental Health Foundation. New guidance available for Personal Licence Holders, and it has been reported that England is in the top three for Binge Drinking, discussion followed regarding the point generated by the last document of a review of the hours during which alcohol is served.</p>	
11	The next meeting will be held on Tuesday 18th October 2006 at 2pm in the TAW ROOM.	