

LICENSING CONSULTATION PANEL

**Minutes of meeting held on Tuesday January 30th 2007 at 2.00pm,
Taw Room, Civic Centre, Barnstaple.**

Present:

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

Councillor R Lucas, Councillor J Chesters, Councillor N Lewis, Mr Sam Moyle (South Molton & District Licensee’s Association), Mr Robert Wright (BII Representative), Mrs Lesley Brown (Barnstaple Licensee's Association), Mr M Deakin (Vice-Chairman BAND), Sgt D Elliott (D&C Constabulary), Mrs D Bryant (D&C Constabulary), Mr E Garner (Divisional Trading Standards), Mr Blatchford (NDDC), Mr M Curgenvin (NDDC) and Mrs f Colwill (NDDC, Minutes).

No.	Minute	Action
1.	Apologies for absence: Councillor Y Gubb, Councillor M Shapland, Councillor J Tucker, Councillor F Webber, Councillor J Campbell, Councillor A Davis, Councillor I Frances, Councillor C Haywood, Councillor J Moore, Councillor D Spear, Mrs F Smith-Williams, PC P Daw, Mr M Lethaby,	
2.	Minutes of the last meeting held on Tuesday 17th October 2006 APPROVED by the Panel and signed as a correct record by the Chairman Mrs Mair Manuel.	
3.	Items brought forward by the Chairman; None.	

<p>4.</p>	<p>Addaction – Paul Grainge – Workplace Development Manager.</p> <p>Mr Paul Grainge gave an informative talk on the work of Addaction.</p> <p>Addaction – Substance Misuse Training and Support for the Licensing Industry.</p> <p>Business Objection – The Objective should be to reduce the risks and impact on public safety whilst maximising the safe enjoyable drinking experience in licensed premises for the majority.</p> <p>Workplace Development Project – Immediate Ongoing Support Policy Review / Consultation Counselling Training Service – Bespoke programmes.</p> <p>Licensing Industry Training Support – Alcohol Awareness, Drug Awareness, Diffusing Situations, Conflict and Aggression Management (understanding and managing behaviour).</p> <p>Advice and Guidance – Pub layout, Ambience, Safety aspects, Outsider smoking areas.</p> <p>Discussion on who would benefit from the work of Addaction took place, Sam Moyse and Lesley Brown, South Molton and Barnstaple Licensee’s Association would be interested in a presentation from Paul Grainge.</p> <p>Sgt Elliott expressed an interest in working with Addaction.</p> <p>Dru commented that working with A&E would be worthwhile.</p> <p>Mark is interested in promoting the aims of Addaction and would advertise in the Licensing Newsletter.</p> <p>Paul Grainge can be contacted at the following address:</p> <p>Mr Paul Grainge Workplace Development Manager Addaction South West 59 Magdalen Street Exeter, Devon. EX2 4HY</p> <p>Tel: 01392 255151 Mob: 07795 815761</p> <p>Email: p.grainge@addaction.org.uk Fax: 01392 498977</p>	<p>MC</p>
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Health Act 2006 – Update – Mr David Bennett.

Smoke Free legislation takes effect 1st July 2007.

Department of Health has published two sets of regulations which set out some of the detail of the Health Act 2006. These regulations cover:

- Definition of 'enclosed' and 'substantially enclosed' premises.
- Enforcement authorities
- Signage

Sam commented that some confusion was arising on the ruling of what constitutes an enclosed place.

Bob Wright also added that Businesses wanted to comply but aren't prepared due to the Government timetable.

Discussion on the implementation of the legislation took place.

Government have started the campaign on the regulations with leaflets being sent out to all businesses, with another three sets of regulations to follow.

National Guidance will be coming in for Local Authorities, although it is unknown when.

Enforcement can not take place until the Guidance is received.

Chairman asked whether Premises Licences would have to be varied if they decided to sell alcohol outside. Mark commented that it would depend on the Current Licence Conditions.

Issue of littering with cigarette butts was raised. 'Stub It Packets' are being promoted.

Best way to obtain guidance is to register on the website, there are also some useful helplines.

- www.smokefreeengland.co.uk/stayinformed
- www.gsap.org.uk
- www.gosmokefree.co.uk
- NHS helpline 0800 169 0169
- Local Smoking Advisory Service helpline 01769 575115

<p>6</p>	<p>Polycarbonate Glasses – Sgt D Elliott</p> <p>Polycarbonate Glasses were passed round to those present.</p> <p>Discussion on the use of the glasses took place, with the general remark being that members were very impressed and the idea of using Polycarbonate Glasses was a good one, especially if the glasses could be promoted within the licensing trade.</p> <p>Mark to raise the issue with Safer North Devon.</p> <p>Sam Moyse to take up with BII.</p> <p>Details of suppliers can be obtained from the Police Licensing Department.</p>	<p>MC</p> <p>SM</p>
<p>7</p>	<p>Response to Gov request for updating the LA – Withdrawn.</p>	
<p>8</p>	<p>Licensees association Reports</p> <p>South Molton Sam Moyse has formed a link with Mid Devon Pub Watch and the Chairman of Mid Devon door watch.</p> <p>Numbers attending are dwindling.</p> <p>Meeting with Nick Harvey was very poorly attended by very positive.</p> <p>Sam read out some emails from Nick Harvey's office.</p> <p>Braunton Mark has made contact. Cllr Lucas requested that Mark copy him in on any emails sent to the Braunton Licensees association.</p> <p>Barnstaple No meeting held, the association needs to be re-started.</p> <p>Ifracombe A meeting has been held this month.</p>	<p>MC</p>

<p>9</p>	<p>Effect of LA in ND after 2nd Christmas Sgt Elliott gave an overview of the crime statistics over the Christmas period.</p> <p>Lesley Brown asked if there was any break down of age, none are available.</p> <p>A survey on the use of alcohol aimed at Secondary School pupils has been devised with the approval of Addaction. Result will be available towards the end of the year.</p> <p>Discussion on the effects are cheaper alcohol being obtained from supermarkets took place.</p> <p>Test Purchases – Big supermarkets were targeted over the Christmas period. Mark commented that a branch of Tesco had been caught selling to an under 18.</p> <p>Lesley Brown added that there had been an increase of turning people away who are already drunk.</p>	
<p>10</p> <p>10.1</p> <p>10.2</p>	<p>Any Other Business - LCP Update Report</p> <p>Independent Licensing Fees Review Panel – Elton Report</p> <p>Summary</p> <ul style="list-style-type: none"> • 25th January 2007, report laid in the house of commons. • Sir Les Elton, commissioned to look at LA 2003 fees for the benefit of both LA's & Licensees. <p>Main Findings</p> <ul style="list-style-type: none"> • LA's spend in first 18 months > fee revenue in first 3 years & fee payers incurred greater costs than expected. • Also, 20% of total cost should be met by Government (£43m) & 54m due to decisions of some LA's. <p>Main Recommendation</p> <ul style="list-style-type: none"> • Licence fees should increase by 7% for the 3 year period, starting 2007/08. <p>Other Recommendations</p> <ul style="list-style-type: none"> • Incidental retail of alcohol should exempt – E.g. Flower & Book shops. • LA's should accept online applications (in hand at North Devon DC). • Fees for major events should be set locally. • Improve definition of Band D & E multiplier. • Fees should be reviewed again in 3 years. <p>Licensing News - Publication pre-Christmas & advice/media campaign re: Ten Applications</p> <p>Newsletter has been distributed. Mike Deakin commented that the Newsletter was very informative.</p>	

10.3	Two Prosecutions within 1 successful and 1 Failure.	
10.4	Gambling Licensing Policy – Adopted & Published – Web toolkit developing.	
10.5	Mark appointed as County Licensing Officer lead liaison with DAAT (first role to assist with launch of the 'Think Safe, Drink Safe' campaign. Now also invited to meetings with safer North Devon and CDRP.	
10.6	<p>Revised Sec. 182 statutory Guidance - Licensing Act 2003</p> <p>Summary</p> <ul style="list-style-type: none"> • 16th January 2007 – Publication of revised statutory guidance. • Original guidance, July 2004 updated in June 2006. <p>Main Points</p> <ul style="list-style-type: none"> • Greater emphasis on there being no presumption in favour of longer opening hours and that the four main objectives of the act should be paramount in considering any licensing application. • An expanded section on incidental music, to help local authorities determine whether music falls into this category and is therefore not licensable. • A recommendation that Personal Licence holders – those responsible for alcohol sales on a licensed premises – should provide written, rather than verbal, authorisation for the sale of alcohol in their absence. • A clarification of the role of councillors in the licensing process, for example to explain when those with a 'prejudicial' interest in an application should withdraw from the decision making process. <p>Bob Wright asked that the issue regarding Private Functions be clarified.</p> <p>Chairman stated no response from Social Services regarding Protection of Children. Contact with Social Services has now changed.</p>	
10.7	Reviewed both Licensing Policy and Hearing Procedures in November – minor amendments proposed to each.	
10.8	New Barnstaple and Woolacombe Taxi ranks – Public Notices published this week. The Strand excluded for the time being until road network changes have settled down. Proposed	

<p>10.9</p>	<p>ranks are as follows:</p> <p>Barnstaple Railway Station – Relocation of existing Rank due to road changes, for a maximum of 8 vehicles.</p> <p>Boutport Street – Loading Bay behind existing Rank for a maximum of 1 vehicle between 6pm and 8am.</p> <p>Boutport Street – Between number 36 and 38 for a maximum of 2 vehicles between 6pm and 8am.</p> <p>Boutport Street – Loading bay outside the Panniers for a maximum of 3 vehicles between 6pm and 8am.</p> <p>Boutport Street – Loading Bay outside Thompson’s Travel Agents for a maximum of 2 vehicles between 6pm and 8am.</p> <p>Boutport Street – Loading Bay outside Warrens Bakery for a maximum of 2 vehicles between 6pm and 8am.</p> <p>Butchers Row – From Market Street cut through to disabled bay outside the Queens Theatre for a maximum of 6 vehicles between 6pm and 4am.</p> <p>Cross Street – Existing loading bay for a maximum of 4 vehicles between 6pm and 8am.</p> <p>The Esplanade, Woolacombe – By the Bus Stop for a maximum of 3 vehicles.</p> <p>Barton Road, Woolacombe – Present Rank for a maximum of 3 vehicles. Between 10pm and 6am.</p> <p>Neither Blackpool nor the Dome. Casino has been granted to Manchester.</p>	
	<p>The next meeting will be held on Tuesday 10th April 2007 at 2pm in the COUNCIL CHAMBER.</p> <p>Future meetings will be held on – Tuesday July 10th 2007 Tuesday October 16th 2007.</p> <p>Please note the change of date for April’s meeting and amend your diaries accordingly. The venues will be confirmed with the Agenda for each meeting.</p>	