

LICENSING CONSULTATION PANEL

**Minutes of meeting held on Wednesday 27th October 2004 at
2.30 p.m.**

Henry Williamson Room, Library, Barnstaple

Present:

Councillor Mrs Mair Manuel (Chairman)
Councillor Mr Frank Ovey (Vice Chairman)

Councillor J Chesters, Councillor E Evans, Councillor J Tucker, Sam Moyses (South Molton & District Licensee's Association), Anna Bridgeman (Devon & Cornwall Constabulary), Trevor Blatchford (NDDC Legal Services), John Guymer, Paul Cooper (Magistrates Court), Angela Shoemark-Smith (Brewer, Harding & Rowe), Mr E Garner (Divisional Trading Standards), Robert Wright (BII Representative), Jean Knill (Secretary ND LVA), Lesley Brown (Barnstaple Licensee's Association), Mark Curgenvin, Shirley Loder and Emma Kiff (NDDC).

No	Minute	Action
1	<u>Apologies</u> Apologies were received from Councillor C Haywood, Councillor Y Gubb, Councillor M Shapland, Councillor A Davis, Mervyn Lethaby (Ilfracombe Licensee's Association), Kenny Peacock (Magistrates Court), Mrs F Williams (Brewer Harding & Rowe), PC Paul Daw, Sgt D Elliott, Dru Bryant (Devon & Cornwall Constabulary) and Barry Shingler (North Devon LVA).	
2	Minutes of the last meeting held on Wednesday 29 th September APPROVED by the Panel and signed as a correct record by the Chairman Mrs Mair Manuel.	
3	Items brought forward by the Chairman; No items brought forward.	
4	<u>Licensing Act Regulations – Response to Consultation</u> Mark circulated an article on the Institute of Licensing News Magazine to the Panel for information, highlighting 'Licensing by numbers according to DCMS'. Mark then invited Trevor Blatchford, recently appointed Licensing Solicitor in the Legal Services Unit of the Council, to deliver his report in response to the Draft Regulations. Trevor advised that any views or comments must be submitted by 10 th November.	

	<p>The Regulations included the following forms;</p> <p>Appendix A - Personal Licences Appendix B - Hearings Regulations Appendix C - Premises and Club Registrations Appendix D - Transitional Licences Appendix E - Requirements/register for licensing</p> <p>The Draft Regulations were considered by the Licensing and Regulatory Committee on 26th October and it was agreed that the Head of Contentious Law would write to the Secretary of State regarding the Committee's concerns in respect of the following;</p> <ol style="list-style-type: none"> (1) Hearing dates (2) Withdrawal of representation (3) The procedure at hearings (4) Seek clarification regarding the definition of working days. <p>Trevor questioned whether the questions on the application forms on page 10 were appropriate or adequate and that there was no consistency with the regulations.</p> <p>The subject of mediation was raised and it was agreed that it is not a role for the Local Authority and that the applicant/objector should mediate between themselves.</p> <p>Mair previously worked for Devon County Council Social Services, where a mediation service was set up in Bideford and questioned if this would be available to us.</p> <p>It was suggested that the Mediation Service based at Taw Vale may be used, however this would involve a fee which would be down to the applicant/objector to pay. The Local Authority would encourage mediation as if it goes to a hearing neither party may be happy with the outcome.</p> <p>Mark has volunteered to write a response to the DCMS on behalf of the Devon Licensing Group.</p> <p>Bob Wright advised that he thought the scale of plans 1 – 100 would be adequate, however Mark was not sure if this would be the case for all premises i.e. should a football ground/19th hole at a golf club be included in plans as well. It was felt that the whole area of plans should be queried.</p> <p>It was also agreed that we would still need to see original/hard copies of forms even when using the web.</p> <p>Phil Evans raised question on form filling and whether we would need to provide a Helpline.</p>	<p>MC</p>
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	<p>Mair requested that minute's from the Licensing and Regulatory Committee meetings are circulated with the Licensing Consultation Panel minutes.</p> <p>Mark suggested that it might be a good idea to post all minutes from the Licensing and Regulatory Committee and the Licensing Consultation Panel meetings together with agenda's on the Council's website (www.northdevon.gov.uk) as a point of reference. The Panel agreed this.</p>	<p>EK</p> <p>MC</p>
5	<p><u>Public Consultation Update</u></p> <p>Mark reported that we were five weeks into the Public Consultation Period and that the first meeting of the Project Executive had been held where Mair, Mike Mansell and Sam Moyse attended. Also that reports are to be delivered on an ongoing basis.</p> <p>Mark reported that we are well advanced with our progress of our Public Consultation Strategy. All premises have been written to and provided with a copy of the Policy document, including 615 liquor premises, 48 club premises, taxi drivers, cinemas, theatres, sports facilities and golf associations amongst many others.</p> <p>All District Councillors, Parish and Town Councillors and the MP for North Devon have also received a copy of the Policy document.</p> <p>Mark reported that a Policy Briefing was presented to all Civic Centre Managers and Solicitors showing an interest in the New Licensing Act.</p> <p>Mark informed the Panel that the Licensing Policy document is now available on the Council's website (www.northdevon.gov.uk) and the LACORS website (www.lacors.gov.uk).</p> <p>A member of the Panel pointed out that they were aware that Henry's Cafe Bar have not received their letter yet. Mark agreed to check this.</p> <p>Mark confirmed that three dates have now been arranged with the Licensees Associations for Road Shows for press coverage to include TV and paper.</p> <p>Dates and times provided;</p> <ul style="list-style-type: none"> • Barnstaple Licensees Association – 3.00pm Thursday 28th October at the Barnstaple Conservative Club. • South Molton Licensees Association - 10am Monday 1st November at the Old Coaching Inn, South Molton. 	<p>MC</p> <p>MC</p>

	<ul style="list-style-type: none"> • Ilfracombe & Woolacombe Licensees Association - 2.30pm Tuesday 9th November at Cook Island, Mullacott Cross, Ilfracombe. <p>Mark reported that there have been 77 hits in September on the Council's website, 183 more in October, totalling 250 hits plus to date.</p> <p>Sam reported that no one from the Braunton Licensees Association attended a recent meeting.</p> <p>Jasmine thought that Mark had spoken to all of the Braunton Licensees. It was agreed that Mark needed to speak with John Moran.</p> <p>Mark thanked Sam for trying to spread the word.</p> <p>Trading Standards have confirmed that they have started doing visits to Licensees.</p>	MC
6	<p><u>Alcohol & Crime Reduction Conference</u></p> <p>Mair gave an update on the Alcohol related Crime and Disorder Conference held by the Association of Local Government she attended with Mark in London on Wednesday 20th October.</p> <p>Mair felt that the conference was expensive, it barely covered the Licensing Act 2003 and concentrated on Alcohol related Crime and Disorder. It was largely about the Police and the Licensing Act was only mentioned in passing. Mair and Mark were disappointed.</p> <p>Mark was interested in the statistical information provided on 'the costs of alcohol' at the Conference;</p> <ul style="list-style-type: none"> • Alcohol Strategy estimated cost of alcohol misuse at £20bn per year. • That is £2,500 per person who drinks above recommended levels. • Or over £450 for every adult in the country. • Drug related crime £2bn • Alcohol related crime £7.3bn • Alcohol: circa £95m • Illicit drugs: circa £1` .5bn • Deaths due to alcohol = circa 30,000 • Deaths due to illicit drugs – circa 1,500 • Illicit drugs = £1,000,000/death • Alcohol = £3,166/death • Or 316 times as much is spent per drug related death. <p>Sam attended a BII Seminar in Cheltenham on Tuesday 27th October talking about underage drinking.</p>	

	<p>There was recently a Police press release on the Barnstaple Carnival, where there was underage drinking mentioned.</p> <p>Mair informed the Panel that it was agreed at the Licensing and Regulatory Committee that they would approach the Crime Reduction Partnership for funding.</p> <p>Options for standard/schemes will be looked at and brought back to the Panel at a later date.</p>											
7	<p><u>Gambling Bill</u></p> <p>Mark advised the Panel that this item would appear on future agenda's.</p>											
8	<p><u>Charities Bill</u></p> <p>Item to be brought to Panels attention as the Act will come in, in November 2005 and will appear on future agendas.</p>											
9	<p><u>AOB</u></p> <p>Mark had discussed prediction on staff resources for the Licensing Act within the Council with his Manager Jeremy Mann. At the moment we can not budget, as fee levels have not yet been agreed, so have no idea of numbers so far.</p> <p>Mark reported that Torridge have 285 premises in total, NDDC have more than double.</p> <p>NDDC Premises figures;</p> <table> <tr> <td>Liquor licensed premises</td> <td>615</td> </tr> <tr> <td>Registered Clubs</td> <td>48</td> </tr> <tr> <td>Sub Total:</td> <td><u>663</u></td> </tr> <tr> <td>Other licensed premises</td> <td>107</td> </tr> <tr> <td>Grand Total:</td> <td><u>800</u></td> </tr> </table> <p>Torridge are advertising for five new posts in addition to their present resources.</p> <p>Mark asked the Panel – Do you agree with 100% variation of Urban and 80% for Rural? The Panel suggested 100% for Rural.</p> <p>The Panel agreed the Council should work on the presumption that all will wish to vary their licence in the some way or another.</p> <p>It was agreed that an average of 5 personal licence applications may be made per liquor premises. The total therefore is 615 x 5 = 3,075.</p>	Liquor licensed premises	615	Registered Clubs	48	Sub Total:	<u>663</u>	Other licensed premises	107	Grand Total:	<u>800</u>	
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	<p>The Panel agreed that the average time to process a personal licence would be 30 minutes, taking into account that the documents are already available and an average of 4 hours for a premise's licence.</p> <p>Mark asked the Panel for their views on how many staff they would expect to be recruited for the New Licensing Act to process all licences. Mark suggested 8 members of staff, the Panel predicted 10 posts needed. Mark agreed to report this back to NDDC.</p> <p>Sam predicted that 25% of Premises licences would fall by the wayside when the new Licensing Act comes into force, rather than 35% as suggested at the last meeting.</p> <p>Anna mentioned that small Hotels that sell very little alcohol e.g. Hotels in the Ilfracombe area will most likely move to 'bring your own alcohol'.</p> <p>The District Council will need to look at its Planning and Housing Policy. There is the possibility that people will become bankrupt.</p> <p>Mair ran through the current Timetable;</p> <ul style="list-style-type: none"> • Overview & Scrutiny on Thursday 18th November • Licensing & Regulatory Committee on Tuesday 23rd November. • Licensing & Regulatory Committee on Thursday 30th November. • Executive Committee on Wednesday 1st December. • Full Council on Thursday 2nd December, where the Licensing Policy will hopefully be approved. 	MC
10	<p>Agreed that the next meeting will be held on Wednesday 24th November at 2.00pm, in the Torridge Room, Civic Centre.</p> <p>Anna gave apologies that there would not be any Police representation at the next Licensing Consultation Panel as all members would be attending a Police Conference.</p>	<p>All to action</p> <p>EK</p>