

## LICENSING CONSULTATION PANEL

**Minutes of meeting held on Tuesday November 1<sup>st</sup> 2005 at 2.00pm,  
Council Chambers, Civic Centre, Barnstaple**

**Present:**

Councillor Mrs Mair Manuel (Chairman)

Councillor J Chesters, Councillor Y Gubb, Councillor J Moore, Councillor R Lucas, Mr Ian Adams (Chairman, BAND), Mr Sam Moyse (South Molton & District Licensee's Association), Mr John Guymer (Magistrates Court), Mr Mike Deakin (Vice Chairman, BAND), Mrs Anna Bridgman, PC Paul Daw, Mrs Dru Bryant, Lesley Brown, Robert Wright, Mark Curgenvan (NDDC), Trevor Blatchford (NDDC) and Dan Crispin (NDDC, Minutes).

<b>No</b>	<b>Minute</b>	<b>Action</b>
<b>1</b>	<b>Apologies:</b> Apologies were received from: - Councillor A Davis, Councillor J Clark, Councillor C Haywood, Councillor M Shapland, Mr Kenny Peacock (Magistrates Court), Mr Paul Cooper (Magistrates Court), Mr Jeff Pearce, Mrs F Williams, Mr Kevin Parfitt, Sgt Dave Elliott, PC Kevin Connor (Devon & Cornwall Constabulary), Jean Knill.	
<b>2</b>	Minutes of the last meeting held on <b>Tuesday 20<sup>th</sup> September 2005</b> APPROVED by the Panel and signed as a correct record by the Chairman Mrs Mair Manuel.	
<b>3</b>	<b>Items brought forward by the Chairman:</b>  Lesley Brown gave thanks to all the attendees of the "No I.D. No Sale Day" that was held, and said that the event was well supported. She is currently in the process of writing guidelines for such days, in order to aid future events. However it was noted that they are not something that can be done too often – probably once or twice a year at best.	
<b>4</b>	<b>Licensing Act 2003 Update:</b>  Mark informed the Panel that his official title was now 'Licensing Manager', which is much more appropriate with his job role than his previous title.  The Project Executive has now formally closed. Thanks were expressed to Sam Moyse on behalf of the Council and the Panel. Due to the success of the Project Executive, it will be used as a model for future projects.  Sam thanked Mark, and said that he is currently in the process of writing a commendation letter regarding the Project Executive process and how it has helped with the running, staffing and Policing of the Licensing Act 2003.  Mark then informed the Panel of a recent statement by the DCMS which said that longer hours will not take precedent over residents' views: something that this authority has recognised all along.	

The Panel was then told that the BII had run a Licensing Practitioners course in Barnstaple which had been successful and everyone who attended from North Devon DC passed.

The figures for the Licensing Act 2003 were then presented:

- Nearly all conversion applications have now been processed and issued, the remainder are awaiting DPS Personal Licence confirmation.
- There is 150 Part B / Grant & Variation applications in total. 20 of these have been issued so far. If the 24<sup>th</sup> Nov. deadline is unlikely to be met with regard to getting these licences out, appropriate letters will be sent informing the Licensees of this.
- There were 17 hearings out of 126 variation applications. Mark indicated that the figure was considered low and was probably due to the invested time spent with the trade last year. At present there is only one appeal.

Temporary Event Notices are now available, and some have been received already.

Guidance has been received for taking on Gaming Machines and it is considered that these will not present too much of a problem.

Mark and PC Daw then informed the Panel that both had given successful presentations Georgeham & Instow Parish Council since the last LCP. Mark also attended a course in Manchester in the week beginning 24/10/05, run by Alcohol Concern who are a government-funded charity. This didn't prove to be as helpful as Mark had expected. Of most concern was the heavy reliance on the Operating Schedule, which can be very different depending on whether the Landlord is responsible or irresponsible. In many cases, the responsible Landlord seems to be 'punished' for putting more into his/her schedule than the irresponsible Landlord. The practical problems and ill-feeling towards the Licensing Act was also discussed. Much of what was discussed will go straight back to the DCMS.

Mark advised the panel that North Devon DC had volunteered its services to the DCMS/LACORS as part of the scrutiny group of Councils that were being established to review the implementation of the Licensing Act 2003 and that we were awaiting a reply.

Mark then informed the Panel that NDDC is signing up to a regional Enforcement Protocol.

Sam Moyses then asked what will happen to those premises that have not applied for a licence post November 24<sup>th</sup>, to which PC Daw responded that they will be enforced robustly.

Sam then suggested that after 24/11/05, a forum might be beneficial, where Licensees can ask the various Authorities questions, as the Trade still has lots of unanswered questions.

<p><b>5</b></p>	<p><b>Alcohol By-Laws – A Presentation by Andrew Millie</b></p> <p>Plans were passed around the Panel showing the existing by-law areas. These also included the proposed areas of extension.</p> <p>Due to the law change that came in under the Criminal Justice and Police Act 2001, and Drinking Control Orders, the current Alcohol By-Law areas will become obsolete next year. There has therefore been a lot of thinking and speculation about what might happen in the future.</p> <p>In by-law areas, initiatives can allow the Police to take alcohol (opened or unopened) away from a person. If the person refuses to do this, or is aggressive or forceful at all, they can be arrested.</p> <p>Andrew then spoke to the Panel about the problem there currently is with funding for this process, which is required for signage, which will be positioned mainly on the periphery of the areas, with some in the centre, and newspaper adverts. In other Districts, funding has come from Town or Parish Councils, Crime Prevention Units and Licensees Associations. Andrew will be going out to these groups with the proposal to request such funds. A discussion followed as to other possible sponsors of this operation: Councillor Roy Lucas suggested that Andrew should approach the Chamber of Commerce, Ian Adams suggested that BAND may be a potential funding source, and PC Daw said that he would ask about support in his department. If funding is obtained, Andrew stated that they would like to initiate this process before next summer.</p> <p>Mike Deakin then voiced his reservations about these projects, saying that he often sees underage kids standing around on the Strand with alcohol, who haven't read the signs that are often in their close vicinity, and who rarely get dealt with by the Police. However, PC Daw supports the scheme and stated that it had worked in Bideford. He then gave some advice about putting up temporary signage as vandals rip them down at first, then replace them later with the proper signs when damage is less likely.</p> <p>Finally, the rest of the North Devon area was discussed, such as Braunton, however Andrew made the point that each area seems to suffer from different problems, therefore it is very difficult to generalise.</p>	
<p><b>6</b></p>	<p><b>Local Transport Plan/Taxi Rank Provision and the Licensing Act 2003 – A Presentation by Andrew Ardley (D.C.C.)</b></p> <p>The start of the presentation informed the Panel of who uses Public Transport, and when and why they use it. This moved onto the Transport Strategy, which is being developed as a package with the Western Bypass. Computer slides were then presented showing the potential sites for taxi ranks in and around Barnstaple Town Centre and these were discussed.</p>	

	<p>The Chairman then stated that all of the proposed taxi ranks were in places that Devon County Council want them, not where the Licensees or the Taxi trade want them. This was discussed.</p> <p>PC Daw added that the ranks at the moment tend to be placed outside fast food places, causing a large congregation of generally drunk people, which can often cause problems. He also said that when assessing the placement of possible ranks, CCTV needs to be considered.</p> <p>A discussion followed regarding taxi rank provision and their placement, with ideas being put forward about potential locations. Mike Deakin stated that the Strand really needs one, due to the number of pubs and clubs along there, and lack of residents who would be disturbed. This has been the case for a very long time, with the Strand housing various forms of entertainment for over 70 years. It was noted that when the subject of taxi ranks along the Strand has been raised before, it has always been deemed to be an area of preservation which should attract tourists. However, at night-time, this area and the rest of the town has different needs and requirements to the daytime. This point was discussed.</p> <p>PC Daw then suggested that a meeting is needed between the Police, Crime Prevention Team, DCC Planning officials, representatives for Barnstaple Licensees and representatives from the Taxi trade. It was decided that such a meeting would be convened in the next few weeks. <i>This meeting has now been arranged and will take place on Tuesday 15<sup>th</sup> November amongst individuals from the selected groups.</i></p> <p>Mark finally put forward the idea that having a list of taxi numbers in the pubs/clubs of Barnstaple may help to disperse people once they have finished their evenings, as it would reduce the number of people standing around, waiting by the ranks.</p>	MC
7	<p><b>Any Other Business</b></p> <p>Mark informed the Panel that on Tuesday 25<sup>th</sup> October, a new Taxi Licensing Policy was formed. Part of this new policy made specifications regarding vehicle age. Because the trade has known that this has been coming for a while, the quality and standards of the vehicles has been rising. Phil Fitzsimons and Nick Perkins undertook taxi inspections on 27<sup>th</sup> October, and out of the 18 vehicles inspected 18 passed.</p> <p>The Health Bill was then mentioned with regards to the smoking ban. Mark said that, for whatever reason, clubs will be exempt from this. Also, he did not know who would enforce the ban if/when it does come in.</p>	

	<p>PC Daw then presented the Panel with a training pack which has been developed by Trading Standards to help Licensees deal with underage drinking. It also provides information on smoking, solvents, fireworks etc. Within this pack are DVDs, training books, stickers, leaflets and a refusal book. There is a DVD specifically for Managers, which guides them how to teach their staff about this issue, and there is also a DVD specifically for staff. These packs have been sent out to Pub Landlords recently, and test purchasing operations will take place soon in combination with this operation. Any Licensees who do get caught selling alcohol to under-18s will be dealt with by Trading Standards. As well as this, anybody caught buying alcohol for under-18s will be issued Fixed Penalty Tickets of £80. Anna Bridgman added to this subject, that after 24<sup>th</sup> November, a letter will be sent to all licensed premises informing them of exactly who can buy what, and what under-18s can sell.</p>	
<b>8</b>	<p>The next meeting will be held on <b>Tuesday 17<sup>th</sup> January, 2006</b>, at <b>2pm</b> in the <b>Council Chambers</b>.</p>	