

EAST DEVON DISTRICT COUNCIL

Minutes of the consultative meeting of Licensing and Enforcement Committee held Online via the Zoom app on 13 April 2022

Attendance list at end of document

The meeting started at 10.03 am and ended at 11.03 am

28 Public Speaking

There were no members of the public registered to speak.

29 Minutes of the previous meeting held on 23 February 2022

The minutes of the consultative meeting held on 23 February 2022 were received and accepted.

30 Declarations of interest

There were no declarations of interest.

31 Matters of urgency

There were no matters of urgency.

32 Confidential/exempt item(s)

There were no confidential / exempt items.

33 Question and Answer session with invited guest (Mr Norsworthy - Police Licensing)

The Chair welcomed Mr Mike Norsworthy to the meeting.

Mr Norsworthy outlined his role within the Police Licensing team. Police Licensing considers all applications as a Responsible Authority and, where appropriate, mediates with applicants to come to an agreed position. Police Licensing is also responsible for enforcement, either through administration or prosecution, and works closely with local Licensing Authorities.

In response to questions from Members of the Committee, Mr Norsworthy advised the following:

- Correctly completed licensing applications are sent by the Licensing Authority to the various Responsible Authorities of which there are fifteen. Live applications have a 28 day period during which representations may be submitted. Police Licensing considers the application and conditions against the 4 licensing objectives and, where necessary, contacts the applicant to undertake a mediation process. Police Licensing informs the Licensing Authority where an agreed position has been reached and evidences that the applicant agrees with the position.
- With regard to the licensing of festivals and applications for time limited premises licences, events are often planned well in advance and details of the management of the event may not be available at the time of the application. Where this is the case, an event management plan is then taken to a Safety Advisory Group (SAG) meeting for

discussion and agreement by the applicant and Responsible Authorities. A condition of the licence is that any such event is run in accordance with the event management plan. It was acknowledged that this process can cause concerns for local residents and Members of a Licensing & Enforcement Sub Committee hearing as not all of the event management details may be available at the time of the application. However, the Police have powers to close down an event if an agreed event management plan is not in place. If issues have arisen during an event, a full licence application could be required the following year.

- The Police Licensing team is very happy to receive complaints in order to build evidence of issues. Police Licensing adopts a stepped approach and will contact the Designated Premises Supervisor (DPS) and the Premises Licence Holder in the first instance. Where issues cannot be resolved, a review may be undertaken.
- Where complaints regarding noise have been received, it can be difficult to ascertain whether the issue is noise emanating from inside a premises or noise from anti-social behaviour outside a premises. There is no legal definition as to how far from a premises noise can still be attributed to the premises. Police Licensing works with Environmental Health to resolve issues together. A diary of noise incidences provides useful information for Police Licensing and Environmental Health will assist residents with keeping a diary or monitoring noise issues.
- A process exists whereby Police Officers attending incidents at pubs notify the Police Licensing team using form L10. In addition, administration staff monitor Police logs on a daily basis to highlight any potential issues at premises of interest. The Police Licensing team regularly reminds Officers to keep them informed as issues arise.
- Good communication between Police Licensing and the EDDC Licensing Officers is key to effective working.
- Regarding event organisers advertising events before a licence has been granted, Police Licensing advice is that it is unwise for organisers to do this and that EDDC should not grant a licence if it is not happy to do so. The Licensing & Enforcement Sub Committee should not feel pressurised to grant a licence where a timescale is short before the holding of an event.
- It was noted that the Government had been lobbied several years ago to make public health a fifth Licensing Objective, however, the Government had not agreed to this proposal. Regarding public health, large hospitals record information using the ARID database system which enables information to be shared with partner agencies in order to highlight consistent problem areas of alcohol related incidents.

The Chair thanked Mr Norsworthy for attending and for his very helpful contribution to the meeting.

Mr Norsworthy noted that, in his experience of working with Local Authority licensing teams across Devon, the EDDC Licensing Officers ranked in the top 2 due to their pragmatic approach and way of working. The Licensing and Enforcement Committee should be reassured that Officers working behind the scenes are providing excellent support.

The Chair thanked Mr Norsworthy for his comments and asked the Licensing Manager to pass this on to staff.

Mr Norsworthy left the meeting.

34 **Quarterly Licensing Report**

The report from the Licensing Manager provided an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005, Taxi legislation and

General Licensing including Street Trading and Pavement Licences. The report covered the quarter to the end of March 2022.

The Licensing Manager noted that the period before the end of the financial year is busy due to requirements to supply data to various external agencies such as the Gambling Commission and The Home Office. The outcome of the surveys should be available for the next meeting of the Committee.

Regarding mandatory training for currently untrained Committee members, and new members appointed at the Annual Council meeting, further dates are available in June and July.

The Committee noted that no Environmental Health Officers were available to attend this meeting due to the recruitment underway in the EH team. When available, EH Officers would attend to update the Committee on animal health matters and this could be extended to include noise issues.

It was further noted that the Licensing Manager would be overseeing the Council's Safety Advisory Group responsibilities until a new EH Manager is in post.

The Quarterly Licensing Report was noted.

35 **Taxi Fares Report**

The Licensing Manager provided an update regarding the public consultation to increase the Hackney Carriage (Taxi) Fare Tariff and to set a date on the new table of fares. This would enable the taxi trade within the District to continue to operate economically whilst still maintaining an efficient, safe and cost effective service for those residents of and visitors to East Devon who need to use the services of a Hackney Carriage.

It was noted that no representations had been received during the public consultation and that the report proposed retaining the option of a further review later in the year should additional support be needed due to increasing costs.

The Committee noted the results of the public consultation undertaken on the increase to the Hackney Carriage Table of Fares.

The Committee would consider any further request for an increase within the next 12 months only upon an exceptional basis.

RECOMMENDATION TO COUNCIL

That at its meeting on 20 April 2022 the fare increase be adopted from that date.

Attendance List

Councillors present:

J Whibley (Chair)

K Bloxham (Vice-Chair)

A Dent

P Jarvis

B Taylor

T Wright

P Millar

Councillors also present (for some or all the meeting)

None

Officers in attendance:

Rebecca Heal, Solicitor

Sarah Jenkins, Democratic Services Officer

Lucy Maxwell, Licensing Officer

Giles Salter, Solicitor

Stephen Saunders, Licensing Manager

Alethea Thompson, Democratic Services Officer

Councillor apologies:

M Chapman

S Gazzard

G Pratt

Chair

Date: