

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Licensing and Enforcement Committee held Online via the Zoom App on 17 February 2021

Attendance list at end of document

The meeting started at 10.02 am and ended at 10.45 am

60 Public Speaking

There were no members of the public registered to speak.

61 Minutes of the previous meeting

The minutes of the meeting held on 18 November 2020 were agreed as a correct record.

62 Declarations of interest

Minute 66. Pavement Licence Update Report.

Councillor Steve Gazzard, Personal, Member plans to hold a temporary event on the Strand, Exmouth, to raise funds for charity.

63 Matters of urgency

There were no matters of urgency.

64 Confidential/exempt item(s)

There were no confidential / exempt items.

65 Quarterly Licensing Update Report

A report from the Licensing Manager had been circulated in advance and provided an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005, Taxi legislation and General Licensing and the new Business & Planning Act.

The Licensing Manager highlighted the following points from the report:

- A high level of enquiries were being received regarding temporary event notices or time limited premises licences for later this year despite the current national Covid-19 lockdown
- The Council's Street Trading policy has regard to consideration of local need or appropriateness of the location where there was the potential for conflict with businesses selling similar goods
- Taxi drivers were being supported with an online process as there were difficulties with booking a GP appointment for the required medical assessment due to the pandemic
- No response had been received from local MPs Simon Jupp and Neil Parish, or from Grant Schapps, MP Secretary of State for Transport and Rishi Sunak, MP Chancellor of the Exchequer, to the Council's letter sent in November 2020 regarding the impact of the coronavirus on the taxi and private hire trade
- Taxi and private hire drivers had been supported by the Council by way of the Additional Restrictions Grant (ARG)

In response to the report, the following points were discussed:

- There was concern regarding the use of EDDC land for events due to the Covid-19 pandemic, and in particular, land close to listed buildings or in a conservation area
- It was noted that the Police and Environmental Health have the ability to raise objections to temporary event notices, although it would be advisable to address general concerns about the use of EDDC land during the pandemic before applications were received
- There was a requirement under the Licensing Act for EDDC to have a clear policy on landowner permission
- The Licensing Service was responding to a large number of pre-application advice enquiries, with approximately 3 – 4 traders contacting the Council on a daily basis and higher demand for space on seafronts in the District
- It was noted that Cornwall Council identified suitable locations for temporary events in advance and goes out to tender annually
- EDDC had already received three applications for summer festivals despite the current national lockdown
- Members noted the lack of response from MPs to the Council's letter regarding the impact of the coronavirus on the taxi and private hire trade and agreed unanimously that this should be followed up

RESOLVED

1. that the report be noted
2. that, due to the lack of any response to the Council's letter of November 2020, a follow up letter be sent to Simon Jupp MP, Neil Parish MP, Grant Schapps, MP Secretary of State for Transport and Rishi Sunak, MP Chancellor of the Exchequer regarding the impact of the coronavirus on the taxi and private hire trade.

The Committee wished to record its thanks to members of the Licensing team for their excellent work during the current challenging times and thanked the Licensing Manager for his comprehensive report.

66 Pavement Licence Update Report

A report from the Licensing Manager had been circulated providing an update on the streamlined process for the grant of pavement licenses under The Business and Planning Act 2020, part of the Government's business recovery plan for tourism and the hospitality trades resulting from the Covid-19 pandemic. The arrangement had been put in place for a year and confirmation was awaited as to whether there would be an extension beyond 30 September 2021. The outcome of a review by the Home Office and Local Government Association was expected imminently.

The report also addressed the need for recruiting additional staff resource to deal with the increase in workload for both pavement licenses and taxi administration and outlined possible options.

In response to a question, the Licensing Manager advised that the £100 fee for a pavement licence would cover EDDC's costs where an application was straightforward but would not cover costs should additional work be required.

RESOLVED

1. that the content of the report be noted, in particular the process that District Councils adopted in July 2020 by issuing pavement licences to businesses within the District
2. that the adopted application process will continue with licences being granted, where suitable, to 30 September 2021.

67

Report on Taxi and Private Hire Vehicle Statutory Standards

The Licensing Manager had prepared a report to inform the Committee of updates and progress concerning new 'Statutory Taxi and Private Hire Vehicle Standards.' Members' attention was drawn to correspondence from the Minister for Roads, Buses and Places, Baroness Vere, who had written to all Council Leaders expressing the expectation that Councils would sign up to the national taxi refusal database known as NR3 (Appendix A of the report refers).

The Licensing Manager advised that the Committee would need to consider the costs and other potential implications of signing up to the national database and an update would be brought to the April meeting.

Members noted that a national database would only be effective if all local authorities agreed to sign up.

RESOLVED that the report be noted.

Attendance List

Councillors present:

K Bloxham (Chair of this meeting)
F Caygill
M Chapman
A Dent (Vice-Chair of this meeting)
S Gazzard
P Jarvis
G Pratt
T Wright

Councillors also present (for some or all the meeting)

G Jung

Officers in attendance:

Nicola Cooper, Solicitor
Rebecca Heal, Solicitor
Susan Howl, Democratic Services Manager
Sarah Jenkins, Democratic Services Officer
Lucy Maxwell, Licensing Officer
Stephen Saunders, Licensing Manager
Louise Bennett, Licensing Officer

Councillor apologies:
J Whibley (Chair of the Committee)
T Woodward

Chair

Date: