

South Somerset District Council

Minutes of a meeting of the **Licensing Committee** held at the **Council Chamber B, Council Offices, Brympton Way, Yeovil BA20 2HT on Tuesday 13 October 2015.**

(10.00 am - 10.45 am)

Present:

Members: David Recardo (Chairman)

Clare Aparicio Paul	Crispin Raikes
Jason Baker	Wes Read
Val Keitch	David Recardo
Jenny Kenton	Garry Shortland
Tony Lock	Alan Smith
David Norris	Linda Vjeh

Officers

Nigel Marston	Licensing Manager
Anita Legg	Licensing Officer
Colin Chown	Licensing Enforcement Officer
Jo Morris	Democratic Services Officer

Note: All decisions were approved without dissent unless shown otherwise.

Prior to the start of the meeting Councillor Wes Read was appointed as Vice Chairman for the meeting.

16. To approve as a correct record the Minutes of the Previous Meeting held on 11th August 2015 (Agenda Item 1)

The minutes of the Licensing Committee held on Tuesday 11th August 2015, copies of which had been circulated, were approved as a correct record and signed by the Chairman.

17. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Dave Bulmer and Martin Wale.

18. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

19. Public Participation at Committees (Agenda Item 4)

There were no members of the public present.

20. Draft Statement of Principles (Agenda Item 5)

The Licensing Officer explained that the Council had to agree a revised Statement of Principles in order to comply with the Gambling Act 2005. The Gambling Act 2005 required the Council to consult with one or more persons who appeared to the authority to represent the interests of persons carrying on gambling businesses in the authority's area. She advised that to ensure that an extensive consultation was carried out 106 organisations and individuals comprising Responsible Authorities, premises licence and permit holders, schools, town and parish councils were directly consulted.

She provided members with a full copy of the responses received in respect of the draft Statement of Principles. She pointed out that two of the responses circulated had been received since the publication of the report.

The Licensing Officer further explained that the consultation period had commenced on 11th August and ceased on 2nd October and that seven replies had been received. The responses had also been sent to Philip Kolvin, a reputable Barrister and his comments were contained in the agenda report. Members noted that Philip Kolvin would also provide comments on the two late responses.

The Licensing Officer advised that she had considered the consultation responses received and her comments in response and suggested amendments to the draft Statement of Principles were contained in the agenda report.

The Licensing Manager advised that following a number of meetings, Somerset County Council had agreed for the Somerset Local Safeguarding Children Board to become the Responsible Authority to fulfil the role of the body which is competent to advise the Council about the protection of children from harm. In response to a member question, the Licensing Manager replied that he didn't envisage the role to be particularly onerous and that Somerset County Council had assured him that they would be able to resource it. The Licensing Officer commented that she didn't expect there to be many applications as most came through on a transitional basis. She explained that their role would also be to engage with the Council over policy issues and feeding back to operators.

During discussion on the report, members made a number of comments which included the following:

- A member referred to page 42, paragraph 3.5 of the draft Statement of Principles and commented that there were some duplicated points;
- With reference to one of the points covered in 3.5, the Licensing Manager confirmed that he would seek clarity from the Council's Equality Officer prior to the report being considered by Full Council.

The Licensing Officer referred members to the comments received from the Gambling Commission which had been circulated at the meeting. Members confirmed that they were content with the proposed amendments outlined by the Licensing Officer.

With regard to developing the approach to premises risk assessments, the Licensing Manager advised that the Somerset Licensing Officers Group (SLOG) would be discussing the issue with a view to getting more consistency across the county as a whole, however operators would still need to tailor their risk assessments to local policy. It was suggested that no amendments be made to the Draft Statement of Principles as written and that it be reviewed again after the meeting takes place.

Members were informed that the draft Statement of Principles would be considered by Full Council at its meeting on 16th December 2015.

In response to a member question, the Licensing Manager confirmed that the Samaritans could be added to the list of consultees for the next policy that is written.

Following the debate, members were content to agree the recommendations of the report subject to the outstanding issues being addressed by Officers.

- RESOLVED:**
- (1) That the Committee agree the revised draft Statement of Principles under the Gambling Act 2005 and the suggested amendments subject to the outstanding issues to be addressed by Officers;
 - (2) That the Committee agrees the body to fulfil the Responsible Authority role to advise the Council on Protecting Children Harm is changed to Somerset Local Safeguarding Children Board;
 - (3) That the agreed draft Statement of Principles is submitted to full Council for consideration and approval;
 - (4) That Committee recommend that the Council delegate the power to make any minor amendments to the Statement of Principles to the Licensing Manager in consultation with the Assistant Director – Environment.

21. Enforcement Update (Agenda Item 6)

The Licensing Enforcement Officer summarised the agenda report, which updated members on the work of the Licensing Enforcement Team and the various issues that they were currently involved with including Taxis, Street Trading and Scrap Metal Dealers.

During the ensuing discussion, the Licensing Enforcement Officer noted the comments of members and responded to questions on points of detail. Members were informed of the following:-

- There were very few instances of street traders trading without a licence. Street traders operated by area and were granted consent to trade at a specific location;
- Scrap metal theft had decreased in the area which was one of the reasons why police resources had moved elsewhere;
- A scrap metal collector was someone who could travel around and pick up goods i.e. washing machines and take it to a site;
- A scrap metal collector could not collect outside of South Somerset unless they obtained an appropriate licence.

Members were content to note the report.

RESOLVED: That the report be noted.

22. Date of Next Meeting (Agenda Item 7)

Members noted that the next meeting of the Licensing Committee would be held on Tuesday 8th December 2015 at 10.00am at the Council Offices, Brympton Way, Yeovil.

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Chairman

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Date