

TORRIDGE DISTRICT COUNCIL

LICENSING COMMITTEE

Committee Room, Riverbank, Bideford

14 February 2013 at 3pm

PRESENT:

Councillor A P Boyd (Chair)

Councillors R Johnson, S G Inch, B M Edwards, T J Johns, H J Ratledge, R Tisdale (left At 3.50) and M Langmead (Substituting for Councillor J Himan).

ALSO PRESENT:

A Nicholls - Licensing Manager

27. APOLOGIES

Apologies were received from Councillors M Footitt, K P Murdoch and J Himan

28. MINUTES

The minutes of the meeting held on 8 November 2013 were confirmed as a correct record and signed by the Chair.

Vote: (For 6, Abstentions 1)

29. DECLARATIONS OF INTEREST

There were no declarations of interest.

30. AGREEMENT OF AGENDA ITEMS PART I AND PART II

There were no Part II items.

31. URGENT MATTERS OF INFORMATION BROUGHT FORWARD WITH THE PERMISSION OF THE CHAIR AND THE COMMITTEE

There were no urgent matters.

32. REVIEW OF HACKNEY CARRIAGE FARES

The Licensing Manager advised that the purpose of the report was to inform Committee of the results of recent consultation with hackney carriage proprietors on a review of fare for hackney carriages. He explained that the last time the hackney carriage fares were reviewed was in March 2010, where the Council approved a 7.5% increase. Questionnaires were sent to the 34 licensed hackney carriage proprietors, 25 were returned equating to a response rate of 74%. Proprietors were also asked what level of fare increase would be appropriate. Most responders opted for an increase of either 5% or 10%.

The Licensing Manager explained that there had been a 25% increase in fuel prices since 2010 and that during that period the Retail Price Index had risen by about 13% and that an increase in fares was therefore justified.

It was recommended by Councillor Tisdale and seconded by Councillor Langmead and

Resolved:

- The Members approve an increase in hackney carriage fares in the range of 7.5% to 10.0% or such other increase as they deem reasonable and appropriate:
- That the proposed fares be advertised for a period of not less than 14 days as required by s.62(2) of the Local Government (Miscellaneous Provisions) Act 1976: and
- That, provided there are no objections, the proposed fares be introduced on 1st April 2013.

Vote: (For 7, Against 1)

The Chair said that, if Members were minded to approve an uplift in fares, they had to decide a specific rate of increase. He pointed out that a 7.5% increase would bring Torridge into line with other Devon authorities. Discussions followed and a 7.5% increase for the flag fare and an increase of 5% for every mile thereafter was suggested.

It was proposed by Councillor Tisdale and seconded by Councillor Johnson and

Resolved.

That a 7.5% increase for the flag fare and increase by 5% for the additional mileage.

Vote: (For 4, Against 4)

Following further discussion it was proposed by Councillor Edwards and seconded by Councillor Langmead and

Resolved:

That a 7.5% increase in fares across the board be approved.

Vote: (For 6, Against 2)

33. DCMS DE-REGULATION

The Licensing Manager presented the report, the purpose of which was to provide Committee with information on proposals by the Department for Culture, Media and Sport for further de-regulation of licensing requirements in respect of Schedule 1 of the Licensing Act 2003 (regulated entertainment).

He explained that in September the Department for Culture, Media and Sport had carried out a consultation on proposals for further de-regulation of events involving low-risk forms of entertainment. This formed part of the Governments 'Red Tape Challenge' which seeks to remove or reduce the burden of unnecessary regulation from communities and businesses.

It was noted that, under the Government's new policy for entertainment, a licence will no longer be required for:

- A performance of a play between 08.00 and 23.00 before an audience of less than 500 people
- An indoor sporting event between 08.00 and 23.00 before an audience of less than 1,000 people
- A performance of live music in alcohol-licensed premises and workplaces between 08.00 and 23.00 before an audience of less than 500 people
- Playing of recorded music in alcohol-licensed premises and workplaces between 08.00 and 23.00 before an audience of less than 500 people.

The Government also intends to exempt the following premises from most forms of entertainment licensing:

- Community premises (including local authority land)
- Schools
- Hospitals
- Nurseries
- Circuses

In addition, the Government will consult on a partial de-regulation of film exhibitions in community premises.

Following a short discussion, it was proposed by Councillor Tisdale and seconded by Councillor Johnson and

Resolved:

That the content of the report be noted

That further updates are provided to this Committee as appropriate

Vote: (Unanimous)

34. BUSINESS REPORT

The Licensing Manager presented the report, the purpose of which was to provide information to Members on the performance of the Licensing Service between 1 April 2012 and 31 December 2012.

Business Activity and Performance

The Licensing Manager explained that demand on the service had increased by 7% compared with 2011/12 - 830 applications compared with 778 for the same period in 2011/12. As a result, end to end processing times had increased to 3.5 days compared with 2.6 days at the same point in 2011/12. However, this was still within target. The increase in demand was due largely to a significant rise in the number of applications for alcohol and entertainment licences. The number of on line applications currently stands at 13% against a target of 10%.

Financial Performance

The Licensing Manager explained that the revenue for the first nine months stands at £101,663 which is £8,378 above the profiled budget. Revenue is up by £4,722 compared with 2011/12 - an increase of just under 5%. He explained that the increased income had resulted from additional fees for alcohol and entertainment licences and unanticipated income from applications for gambling licences. Direct expenditure is currently £22,272 below income although income and expenditure are expected to be more closely aligned by the end of the year. The Licensing Manager advised that, provided present revenue trends continue, the service should generate a surplus of some £4,000 over budget.

Enforcement and Inspection Activity

The Licensing manager gave a summary of regulatory activity over the last nine months. A total of 127 inspections of licensed premises had been carried out against a target of 132. 32 private hire vehicles have been inspected as part of a programme of planned inspections together with routine inspections of hackney carriages. A schedule of inspections and enforcement activity was included as part of the report.

Customer Satisfaction

Customers continue to report a high satisfaction with the service, the average score for the team's overall performance being 9.0 out of possible 10.

It was proposed and seconded and

14/5

Resolved:

That the content of the report be noted.

Vote: (Unanimous)

At the end of the meeting Councillor Langmead enquired whether the Licensing Manager had resolved an issue that had occurred recently with the taxis using the Quay Car Park. The Licensing Manager advised that this matter had been discussed at the last meeting of the Taxi Liaison Committee and that a trial scheme was to be implemented which he hoped would overcome recent problems.

Councillor Boyd highlighted an issue regarding the use of high stakes/prizes gaming machines in betting shops. The Licensing Manager advised that these are perfectly legal under the provisions of the Gambling Act although there are concerns that they can lead to problem gambling. The Licensing Manager advised that, if Members have concerns, they should raise these with their MP.

The meeting commenced at 3.00pm and closed at 3.55pm.

Chairman:

Date: