

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **LICENSING COMMITTEE** held on 30 June 2023 at 10.30 am

### **Present Councillors**

D Broom, J Cairney, S Chenore,  
Mrs F J Colthorpe, L J Cruwys, A Cuddy,  
J M Downes, L G J Kennedy, G Westcott,  
J Buczkowski, A Glover and F W Letch

### **Apologies Councillors**

C Adcock, M Farrell and J Frost

### **Also Present Councillor(s)**

B Holdman and D Wulff and S Keable (online)

### **Also Present Officer(s):**

Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing), Deborah Sharpley (Legal Services Solicitor), Harriet Said (Team Leader (Commercial), Public Health), Alan Drake (Specialist Lead (Licensing)), Dr Stephen Carr (Corporate Performance & Improvement Manager), Angie Howell (Member Services Officer) and Sarah Lees (Member Services Officer)

#### **1 ELECTION OF CHAIRMAN (00:34)**

**RESOLVED** that Cllr J Cairney be elected as Chairman of the Licencing Committee for the municipal year 2023/2024.

(Proposed by Cllr L Kennedy and seconded by Cllr F J Colthorpe)

#### **2 ELECTION OF VICE CHAIRMAN (08:20)**

**RESOLVED** that Cllr A Cuddy be elected as Vice Chairman of the Licencing Committee for the municipal year 2023/2024.

(Proposed by Cllr J Buczkowski and seconded by Cllr J Downes)

#### **3 START TIME OF MEETINGS (10:40)**

It was **AGREED** that the start time of meetings for the remainder of the municipal year continued to be at 10.30am.

#### **4 APOLOGIES AND SUBSTITUTE MEMBERS (11:30)**

Apologies were received from Cllr C Adcock – Cllr J Buczkowski attended as his substitute. Cllr M Farrell – Cllr A Glover attended as his substitute and Cllr J Frost – Cllr F Letch attended as his substitute.

## 5 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (12:12)**

There were no declarations of interest received.

## 6 **PUBLIC QUESTION TIME (12:31)**

There were no members of the public present and no questions were asked.

## 7 **MINUTES OF THE PREVIOUS MEETING (13:01)**

The minutes of the 27 October 2022 were **APPROVED** and signed by the Chairman.

## 8 **SERVICE UPDATE (13:40)**

The Committee had before it, and **NOTED**, the Service Update.

The contents of the report were outlined by the Team Leader, Commercial, Public Health and highlighted the key points referred to as follows:

- Mid Devon had 409 licenced premises under the Licencing Act. The Service had seen an increase of 8.4% in Licence Premises since 2018.
- The Service dealt with applications from just under a quarter of all licence premises within the past year – which would include major or minor variations.
- Temporary Event Notices (TEN) – these were issued by the event organiser to notify the Council that they were intending to have an event. Objections could only be received from the Police or Environmental Health. A total of 295 TENS were received with alcohol and 10 without alcohol. The maximum amount of attendees currently allowed to attend an event were 499.
- Routine inspections were carried out within some of the licenced premises. This was done by applying a risk rating (looking at for example, operating hours, location and past compliance) to identify premises which were then prioritised.
- Regarding the speed of processing and determining applications, the Council had met the requirements in all cases.
- Regarding Enforcement and Hearings, the Council had seen one application referred to a Sub-Committee. This had related to Smeathorpe Stadium where a premises licence for the retail sale of alcohol had been applied for. This was granted with a number of conditions applied to the licence.
- Officers worked closely with applicants and interested parties as a mediation service to prevent some hearings coming to the Sub-Committee.
- Where annual fees were not paid the team were working to recover annual fees. To date this work had been going on for over the last 6 months. So far the Service had received £16,000 of income from unpaid fees.
- Legislative and Policy Updates – the Statement of Licence Policy would be reviewed in the Autumn this year with an adoption date in 2024.
- The Levelling up and Regeneration Bill was currently in the final stage in the House of Lords. This would extend the pavement licencing regime for furniture

being permitted outside. Pavement furniture had originally been introduced during Covid to enable businesses to continue to trade under Covid restrictions in place at the time.

Cllr J Downes left the meeting at 11.05am.

Consideration was given to

- The use of the word “suspended” in the table at paragraph 2.1.1 of the report. This resulted from a failure to pay fees or follow the compliance process and the Service had no means of tracing the licensees.
- TENS and the need to tighten up the policy when it was reviewed and to take into consideration that at the moment it was possible to use multiple TENS over a large area of land by defining plots within it.
- The obstruction of pavements and the effect upon people with sight problems when café’s place tables and chairs outside.

Note: \* Report previously circulated.

(The meeting end at 11.25am)

**CHAIRMAN**