

**MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD AT
FOLLATON HOUSE, TOTNES ON THURSDAY 12 NOVEMBER 2015**

MEMBERS

* Cllr D W May - Chairman

* Cllr T R Holway - Vice-Chairman

* Cllr N A Barnes	∅ Cllr R J Foss
* Cllr J I G Blackler	∅ Cllr P W Hitchins
* Cllr D Brown	* Cllr D Horsburgh
* Cllr B F Cane	* Cllr K Pringle
∅ Cllr P K Cuthbert	* Cllr Rowe

* Denotes attendance

∅ Denotes apology for absence

Also in attendance and participating:

Cllr J T Pennington

Officers in attendance and participating:

All Agenda Items: Licensing Specialist, Senior Specialist – Environmental Health,
Solicitor and Senior Specialist – Democratic Services

L.01/15 **MINUTES**

The minutes of the meeting of the Licensing Committee held on 25 February 2015 and the Sub-Committees held during the period 25 February 2015 to 20 August 2015 were all confirmed as a correct record and signed by the Chairman.

L.02/15 **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting, and the following were made:

Cllr R Rowe declared a personal interest in Item 8: 'Summary of Licences Issued between 1 January 2015 and 30 September 2015' (Minute L.06/15 below refers) by virtue of Broadleigh Farm, Stoke Gabriel (a premises listed in the summary) being owned by a close family relation and remained in the meeting during the debate on this item.

Cllr B F Cane declared a personal interest in Item 7: 'Park Homes Fees and Charges Policy' (Minute L.05/15 below refers) by virtue of his ownership of a touring site and remained in the meeting, but abstained from the vote, on this item.

L.03/15 **REVIEW OF STATEMENT OF LICENSING POLICY FOR 2016-2021**

A report was considered that sought to recommend that the Council approve the draft Licensing Policy.

In discussion, reference was made to Devon and Cornwall Police being in support of the draft Policy. Furthermore, the Committee recognised the need for the review to revisit the Policy and also expressed its support for the proposed changes.

RESOLVED

1. That the Committee has considered the draft Licensing Policy and public consultation responses received; and
2. That Council be **RECOMMENDED** that the draft Licensing Policy (as outlined at Appendix A of the presented agenda report) be adopted for the period 7 January 2016 to 6 January 2021.

L.04/15 **THREE-YEARLY REVIEW OF GAMBLING STATEMENT OF LICENSING PRINCIPLES**

A report was considered that sought to recommend approval of the draft Gambling Statement of Licensing Principles.

It was then:

RESOLVED

1. That the Committee has considered the draft Statement of Principles and public consultation responses received; and
2. That Council be **RECOMMENDED** that the draft Statement of Principles (as outlined at Appendix A of the presented agenda report) be adopted for the period 31 January 2016 to 30 January 2019.

L.05/15 **PARK HOMES FEES AND CHARGES POLICY**

A report was considered that sought to recommend adoption of a Park Homes Fees and Charges Policy.

In discussion, the following points were raised:-

- (a) The Committee queried why it was being proposed for the Gypsy and Traveller community to be exempted from charging. In response, officers advised that central government guidance was recommending that, in areas where there was an identified need for sites, charges should not be introduced since this would result in another barrier from sites coming forward;

- (b) For sites that had between two and four pitches, it was being proposed that these would still be charged for five pitches.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to adopt the Park Homes Fees and Charges Policy (as outlined at Appendix A of the presented agenda report).

L.06/15

SUMMARY OF LICENSES ISSUED BETWEEN 1 JANUARY 2015 AND 30 SEPTEMBER 2015

The summary of licences issued between 1 January and 30 September 2015 was presented to the Committee.

In discussion, reference was made to:-

- (a) the licence granted at the Firewood Restaurant and Bar, Marldon. Having been invited by the Chairman, the local ward Member reiterated a number of his concerns in relation to the granting of this licence. In particular, the Member expressed his disappointment that the Sub-Committee had failed to undertake a site inspection prior to reaching its decision and the public safety concerns arising from the access. Following a lengthy debate, the local ward Member was reminded that, in the event that there was a breach of the licensing objectives, a review could be invoked. Furthermore, the Member was encouraged to await the outcome of the planning enforcement investigation which was currently taking place on this site;
- (b) the variation licence at Endsleigh Garden Centre. It was noted that the variation licence could not be implemented until the ongoing planning matters were resolved.

(Meeting commenced at 10.00 am and concluded at 10.40 am).

Chairman

