

LICENSING COMMITTEE

Date: Tuesday 26 May 2020
Time: 5.30 pm
Venue: Legislation has been passed that allows Council's to conduct Committee meetings remotely.

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Mark Devin, Democratic Services Officer (Committees) on 01392 265477 or email mark.devin@exeter.gov.uk

During the Corona Virus outbreak, Licensing Committee meetings will be held by virtual means. If you wish to listen into the hearing, the [live stream can be viewed here](#) at the meeting start time.

Membership -

Councillors Owen (Chair), Buswell (Deputy Chair), Begley, Branston, Henson, D, Mitchell, K, Newby, Oliver, Quance, I, Vizard, Warwick, Wood and Wright

Agenda

Part I: Items suggested for discussion with the press and public present

1 Apologies

To receive apologies from Committee members.

2 Minutes

To approve and sign the minutes of the meeting held on 4 February 2020.

(Pages 3 -
4)

3 Declarations of Interest

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

4 Local Government (Access to Information) Act 1985 - Exclusion of Press and Public

To pass the following resolution:

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for items 5 and 6 on the grounds

that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part I of Schedule 12A of the Act.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Part II: Items suggested for discussion with the press and public excluded

- 5 Application for Consent to Engage in Street Trading at Cofton Road**
To consider the report of the Service Lead - Environmental Health & Community Safety. (Pages 5 - 24)
- 6 Application for Consent to Engage in Street Trading at various locations**
To consider the report of the Service Lead - Environmental Health & Community Safety. (Pages 25 - 48)

Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265107.

LICENSING COMMITTEE

4 February 2020

Present:

Councillor Keith Owen (Chair)

Councillors Buswell, Mitchell, K, Oliver, Vizard, Warwick, Wood and Wright

Apologies:

Councillors Branston, Henson, D, Newby and Quance, I

Also present:

Service Lead - Environmental Health & Community Safety and Democratic Services Officer (MD)

1 **Minutes**

The minutes of the meeting held on 29 October 2019 were taken as read, approved and signed by the Chair as correct, subject to the following amendment:-

Minute No. 21 – The Chair also reiterated that if any complaints should be received from members of the public that the matter could come back for consideration in the intervening period to be considered by the Environmental Health and Licensing Manager in consultation with the Chair of the Licensing Committee.

2 **Declarations of Interest**

No declarations of interest were made by Members.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

3 **Licensing Fees & Charges 2020/21**

The Licensing Committee received the annual report for the proposed licensing fees and charges for 2020/21, which the Licensing Committee had a statutory responsibility to set. The fees set in the report were reflective of the cost of delivering the various licensing functions which were based on an average estimated cost for the year.

Particular reference was made to the fees for the Licensing Act 2003 and Gambling Act 2005, which were set nationally and no changes had been made from the previous year's figures. Member's attention was drawn to the two parts of the licence fees, as detailed in the report which showed, that part A would cover the processing costs of applications and the part B would cover the cost of managing and enforcing the licensing regime.

A notable amendment to the 2020/21 fees and charges, was the animal licensing fees, following the changes made in 2019 which had introduced charges based on a rating scheme. A premises with a rating of 1 and 2 would receive a licence for one year, a rating of 3 and 4 would receive a two year licence and a rating of 5 would be

granted a three year licence. All fees would be collected when the licence was granted.

The notice of variation for vehicles and operator's licence fees would be advertised for 28 days coming into effect on 1 April 2020. The notice would be displayed in the reception of the Civic Centre and in local newspapers. Any challenges to the notice would require the fees and charges to be brought to the next Licensing Committee on 24 March 2020.

RESOLVED that the proposed Fees and Charges for the period 1 April 2020 to 31 March 2021 be approved as set out in the report presented at the meeting.

4 **Approval under Delegation**

The Licensing Committee received a verbal update on a recent approval for the window display at Simply Pleasure, following the receipt for a request to change the display. Approval had been made under delegated powers as authorised by Full Council on 17 December 2019, where the Environmental Health and Licensing Manager, had considered the content of the window display to be appropriate. He had consulted with the Chair and Deputy Chair of the Licensing Committee who had also considered the display to be acceptable.

Members noted the importance of establishments following the rules set out in the policy to ensure that window displays were suitable.

The Licensing Committee noted the approval of the window display content under delegated powers.

The meeting commenced at 5.30 pm and closed at 5.45 pm

Chair

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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