

MINUTES OF A MEETING OF THE  
LICENSING COMMITTEE HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON WEDNESDAY, 23  
APRIL 2008 AT 4.30 PM

PRESENT: Councillor M P A McMullen (Chairman).  
Councillors D Andrews, W Ashley, P R Ballam,  
K A Barnes, R Beeching, A L Burlton, J Demonti,  
N C Poulton, P A Ruffles, J J Taylor, R I Taylor.

OFFICERS IN ATTENDANCE:

Linda Bevan	- Committee Secretary
Chris Clowes	- Licensing Enforcement Manager
Paul Newman	- Licensing Process Manager
Jan Spong	- Head of Licensing and Community Safety

656 APOLOGIES

Apologies for absence were submitted on behalf of  
Councillors Mrs D M Hone and B M Wrangles

RESOLVED ITEMS

657 MINUTES

RESOLVED - that the minutes of the meeting held  
on 3 October 2007 be confirmed as a correct record  
and signed by the Chairman, subject to the  
amendment of Minute 286 to read "by virtue of the  
fact that her son worked for a taxi firm".

658 LICENSING SUB-COMMITTEE MINUTES

The need to correct some minute references was pointed

ACTION

out.

Councillor McMullen explained he was not involved in the McMullens brewery although he was connected with the same family.

RESOLVED - that the minutes of the meetings held on 18 October, 6 November, 23 November, 20 December 2007, 18 January, 4 February, 22 February, 20 March 10 am, 20 March 2 pm, 31 March, 8 April and 16 April 2008 be received.

659 LICENSING ACT 2003, GAMBLING, SEX SHOP AND TAXI LICENSING UPDATE

The Director of Neighbourhood Services submitted a report on cases dealt with under the Licensing Act 2003, gambling, sex shop and taxi licensing.

Members asked for fuller addresses for premises included in future reports. They commented on the need to balance access to taxis for the public with parking on the highway.

The Committee agreed to receive the report.

RESOLVED - that the report be received.

660 CONSULTATION ON PROPOSAL TO INTRODUCE SIMPLIFIED PROCESS FOR MINOR VARIATIONS TO PREMISES LICENCES AND CLUB PREMISES CERTIFICATES

The Director of Neighbourhood Services submitted a report on a consultation by the Government on proposals for a new minor variation procedure under the Licensing Act 2003 and responses which had been submitted on it to the Department for Culture, Media and Sport.

The proposals were for a simplified process to minor changes to premises licences and club premises

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certificates. Businesses would be able to make these changes for a fee without advertising it and informing Responsible Authorities. This would cover changes which did not impact adversely on the promotion of the licensing objectives. It would be for the Licensing Authorities to decide which changes were minor and consult relevant Authorities as necessary. Officers had commented that Responsible Authorities should be able to assess variations themselves. A summary of the responses received by the Government was expected to be received in July 2008.

Members noted the proposals and the Officers' responses to them.

RESOLVED - that the responses submitted by Officers, as attached at Appendix A7 of the report now submitted, be noted.

661 PROPOSED CHANGES TO TAXI DRIVER APPLICATION PROCEDURE

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The Director of Neighbourhood Services submitted a report on proposed changes to taxi licence applications.

A recent application had highlighted the current position that only the Licensing Sub-Committee could refuse an application that had not been completed where the applicant had not progressed the incomplete application for many months.

Officers proposed that:

- Applicants would be given an initial six months from the date of application to provide all necessary supporting documents;
- They would be required to take the knowledge test within six months of making the application;
- While the applicants made Officers aware that they

ACTION

were making reasonable efforts to obtain the necessary supporting documents, the six months would be extended for a further six months from the next relevant date. Applicants would be expected to provide evidence of a relevant date, eg DSA test fail certificates with evidence of re-booked tests, appointments for medicals, or evidence of appointments where an applicant was referred by a GP to a medical specialist;

- Applicants failing the knowledge test would be required to immediately make a new appointment for a further knowledge test at a time to be agreed between the Officer and the applicant;
- Applicants for a new licence (not applicants to renew an existing licence), who had held a taxi driver's licence with East Herts Council in the past would be excused by the requirement of taking the DSA test if their existing DSA test pass certificate was still valid (ie was issued in the 12 months prior to the application), or if their previous taxi drivers licence expired no more than six months before the application for a new licence;
- Applicants for a new licence who had held a taxi driver's licence with East Herts Council in the past would be excused the requirement of taking the knowledge test, if their previous taxi driver's licence expired no more than one year before the application for a new licence, whether or not they had taken a knowledge test in the past.

In response to a question from a Member, the Licensing Process Manager reported that he planned to update software to give a knowledge test including the latest developments in the area.

Members decided to recommend changes to the policy to the Executive and Council following consultation with the taxi trade and consideration of a further report by the

ACTION

Committee.

RESOLVED - that the proposed policy changes submitted by Officers be recommended to the Executive and Council following consultation with the taxi trade and a further report to the Committee.

DNS

662 CONSULTATION WITH LICENSED TAXI TRADE ON CHANGES TO CRIMINAL RECORD BUREAU AND DRIVER AND VEHICLE LICENSING AGENCY LICENCE CHECKS - RESPONSES AND FEEDBACK

The Director of Neighbourhood Services submitted a report on a consultation with the taxi trade on proposed changes to taxi licensing policy.

Proposed changes had been previously agreed by Licensing Committee in October (subject to a further report on the consultation response) and were as follows:

- CRB checks would be done to enhance standard on application and at three yearly intervals thereafter and to basic standard in the other two years. It would be the applicant's responsibility to obtain the basic disclosure certificate, and submit this with the application;
- Portable disclosures would no longer be accepted:
- A mandate for an annual DVLA check to be provided or the applicant to give access to East Herts Council to check the applicant's driving record online.

It was reported that it had been the practice to accept CRB checks from other authorities or organisations (eg Scouts) in the past but that this was no longer considered acceptable.

No responses had been received to the proposals although they had been circulated in the newsletter to all taxi drivers.

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Members decided to recommend the proposed changes.

RESOLVED - that changes to CRB and DVLA licence checks as outlined in Appendix A9 of the report now submitted be agreed.

DNS

663 ENFORCEMENT REPORT 1 JULY - 31 DECEMBER 2007

The Director of Neighbourhood Services submitted a report on compliance and enforcement activities in respect of premises licensed for the sale of alcohol, regulated entertainment and late night refreshments, licences for hackney carriages and private hire drivers, vehicles and operators and smoking and gambling legislation.

Members raised the problem of illegal parking by taxi drivers and expressed a wish that licensing enforcement officers and parking attendants seek to resolve this together.

The Committee agreed to receive the report.

RESOLVED - that the report be received.

664 UPDATE ON NIGHT TIME ECONOMY GROUP

The Director of Neighbourhood Services submitted a report on the Night Time Economy Group.

The Group had been set up to consider the impact of the evening and late night economy with a view to controlling the negative impacts whilst being mindful of the need to facilitate the positive impacts and to provide a forum and network for multi agency discussion, problem identification and resolution.

Actions plans had been produced and most of the requirements of them had been achieved. There had been a significant reduction in the crime figures for Castle Ward and Parliament Square, Hertford.

ACTION

A new Community Safety Co-ordinator had been recruited, new priorities had been issued by the Joint Action Group (JAG) and new action plans had been drawn up for Bishop’s Stortford/Sawbridgeworth and Hertford/Ware.

The Licensing Enforcement Manager explained that the night time economy was flourishing with the help of this Group. A further step would be to help reduce vehicle crime, eg criminal damage by ensuring car parks were safe and used to full capacity instead of parking on the street. The need to stop anti social behaviour in the car parks before this could be done was highlighted. Members raised the need to publicise the work of the Night Time Economy Group and involve Police Community Support Officers in it as much as possible.

In response to a question from a Member, it was explained that photographs were sometimes used to help licensees identify troublemakers but these were not intended for public display.

The Chairman asked that updated action plans be circulated to Members of the Committee.

RESOLVED - that (A) the work of the Night Time Economy Group and its impact on the corporate objectives be noted; and

(B) appropriate publicity be undertaken by the Officers.

DNS

The meeting closed at 6.15 pm.

Chairman	.....
Date	.....