



**Jeff Hughes**  
*Head of Democratic and Legal  
Support Services*

**MEETING** : LICENSING COMMITTEE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : THURSDAY 4 NOVEMBER 2010  
**TIME** : 4.30 PM

### **MEMBERS OF THE COMMITTEE**

Councillor M P A McMullen (Chairman)  
Councillors A L Burlton (Vice-Chairman), L O Haysey, W Ashley,  
P R Ballam, K A Barnes, R Beeching, Mrs R F Cheswright, J Demonti,  
N C Poulton, R A K Radford, P A Ruffles, R I Taylor, J J Taylor, N Wilson  
and B M Wrangles

### **Substitutes:**

Conservative Group: Councillors A D Dodd, J Mayes and A L Warman  
Liberal Democrat Group: Councillor M Wood  
Independent Group: Councillor

*(Note: Substitution arrangements must be notified by the absent Member  
to Democratic Services 24 hours before the meeting)*

**CONTACT OFFICER: Linda Bevan**

## PERSONAL AND PREJUDICIAL INTERESTS

1. A Member with a personal interest in any business of the Council who attends a meeting of the Authority at which the business is considered must, with certain specified exemptions (see section 5 below), disclose to that meeting the existence and nature of that interest prior to the commencement of it being considered or when the interest becomes apparent.
2. Members should decide whether or not they have a personal interest in any matter under discussion at a meeting. If a Member decides they have a personal interest then they must also consider whether that personal interest is also prejudicial.
3. A personal interest is either an interest, as prescribed, that you must register under relevant regulations or it is an interest that is not registrable but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of the Council more than it would affect the majority of inhabitants of the ward(s) affected by the decision.
4. Members with personal interests, having declared the nature of that personal interest, can remain in the meeting, speak and vote on the matter unless the personal interest is also a prejudicial interest.
5. An exemption to declaring a personal interest applies when the interest arises solely from a Member's membership of or position of general control or management on:
  - any other body to which they have been appointed or nominated by the authority
  - any other body exercising functions of a public nature (e.g another local authority)

In these exceptional cases, provided a Member does not have a prejudicial interest, they only need to declare their interest if they speak. If a Member does not want to speak to the meeting, they may still vote on the matter without making a declaration.

6. A personal interest will also be a prejudicial interest in a matter if all of the following conditions are met:
  - the matter does not fall within one of the exempt categories of decisions
  - the matter affects your financial interests or relates to a licensing or regulatory matter
  - a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgement of the public interest.
  
7. Exempt categories of decisions are:
  - setting council tax
  - any ceremonial honour given to Members
  - an allowance, payment or indemnity for Members
  - statutory sick pay
  - school meals or school transport and travelling expenses: if you are a parent or guardian of a child in full-time education or you are a parent governor, unless it relates particularly to the school your child attends
  - housing; if you hold a tenancy or lease with the Council, as long as the matter does not relate to your particular tenancy or lease.
  
8. If you have a prejudicial interest in a matter being discussed at a meeting, you must declare that interest and its nature as soon as the interest becomes apparent to you.
  
9. If you have declared a personal and prejudicial interest, you must leave the room, unless members of the public are allowed to make representations, give evidence or answer questions about the matter, by statutory right or otherwise. If that is the case, you can also attend the meeting for that purpose. However, you must immediately leave the room once you have finished or when the meeting decides that you have finished (if that is earlier). You cannot remain in the public gallery to observe proceedings.

## AGENDA

1. Apologies

To receive apologies for absence.

2. Chairman's Announcements

3. Declarations of Interest

4. Minutes (Pages 7 - 12)

To confirm the Minutes of the meeting of the Committee held on 22 July 2010.

5. Licensing Sub-Committee (Pages 13 - 62)

To receive the Minutes of meetings of the Licensing Sub-Committee:

25 June 2010

12 July 2010

12 August 2010

19 August 2010

2 September 2010

13 September 2010

21 September 2010

6. Attendance at Licensing Sub-Committee (Pages 63 - 68)

7. Licensing Update (Pages 69 - 76)

8. Enforcement Update - 1 January -30 April 2010 (Pages 77 - 82)

9. Enforcement Update - 1 May - 30 August 2010 (Pages 83 - 86)

10. Review of licensing enforcement policy (Pages 87 - 110)

11. Feedback on Statement of Licensing Policy (Pages 111 - 114)

12. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information