

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 13 MARCH
2014, AT 4.30 PM

PRESENT: Councillor R Beeching (Chairman).
Councillors P Ballam, E Bedford,
E Buckmaster, Mrs R Cheswright,
Mrs D Hone, J Taylor and A Warman.

ALSO PRESENT:

Councillors P Ruffles and D Andrews.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Oliver Rawlings	- Senior Specialist Licensing Officer

605 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors W Ashley, K Crofton, M McMullen and B
Wrangles.

606 CHAIRMAN'S ANNOUNCEMENTS

The Chairman, Councillor R Beeching, stated that
Councillor M McMullen was in hospital recovering from an
operation. On behalf of the Committee, he wished that
Members' good wishes for a speedy recovery be sent to
him.

The Chairman stated that this was the last meeting of the
Committee for the civic year. He thanked all Members
and Officers for their continued support and
professionalism.

The Chairman referred to a seminar due to be held on 3 April 2014 commencing at 6pm and attended by Licensing Chairmen from other Districts and Officers. All Licensing Committee Members from East Herts were invited to attend.

The Chairman stated that, regrettably, he would not be able to attend the seminar and that the meeting had been arranged around the availability of the Police Crime Commissioner, David Lloyd and Jim McManus from Hertfordshire County Council, who would be talking on the health impact of alcohol abuse. It was noted that Hertfordshire County Council had advised that £200,000 was being made available to the District to support public health initiatives and that the terms of its use were being negotiated.

The Chairman announced that Brighton and Hove Council had issued a paper regarding a multi-pronged approach to tackling alcohol abuse. He hoped that East Herts could learn from their initiative and queried whether their approach could be adopted by this Council.

The Chairman stated that if he were to be appointed as Chairman again in the next civic year, there were a number of projects he would like to take forward such as:

- a more “joined” up approach with licensing, public health, policing and development management. The Chairman said that he would be discussing this further with the Executive Member concerned;
- training for Licensing Members on Taxi Licensing and the Points System (in terms of a refresher course); and
- food outlets, pubs, smoking, noise abatement and TENs. The Chairman expressed concern at the number of pubs which were closing and the important role they played as a focal point and as the “heart of the community”.

The Chairman referred to the need to address “preloading” in terms of alcohol abuse. He suggested that after the elections in May 2014, a study might be piloted to review this.

The Chairman reiterated the need to work in a “joined up” manner with the Police. He referred to the new Licensing Policy, which had been adopted by Council and new licensing guidance issued under Section 182 of the Licensing Act, which Members needed to have regard to in relation to Licensing Sub-Committee matters. Copies of the booklet and guidance were made available to all Members present and would be sent to Members who were not present at the meeting.

607 MINUTES – 7 NOVEMBER 2013

RESOLVED – that the Minutes of the meeting held on 7 November 2013 be approved as a correct record and signed by the Chairman.

608 LICENSING SUB-COMMITTEE – 19 NOVEMBER 2013, 6 DECEMBER 2013, 6 JANUARY 2014, 28 JANUARY 2014, 29 JANUARY 2014 AND 14 FEBRUARY 2014

RESOLVED – that the Minutes of the Licensing Sub-Committee meetings held on 19 November 2013, 6 December 2013, 6 January 2014, 28 January 2014, 29 January 2014 and 14 February 2014, be received.

609 REPORT ON LICENSING ACTIVITY – QUARTER 4 OF 2013

The Director of Neighbourhood Services submitted a report providing an update on processing licences, enforcement activity and the implementation of the Service Plan for Quarter 4.

Members were advised that, under the licensing points system, a total of 178 points had been issued to 44

licence holders between 1 October and 31 December 2013. This formed part of the Council's continued efforts to improve standards and behaviour amongst taxi drivers and proprietors.

In response to a query from the Chairman regarding parking on the pedestrianised part of Railway Street, Hertford, the Senior Specialist Licensing Officer explained that this was being kept under review, but that at this time, there was insufficient information to progress the matter.

The Senior Specialist Licensing Officer reminded Members about the policy of issuing parking tickets and the dangers of taxi drivers manoeuvring in this area. He reassured Members that Enforcement Officers would keep a close eye on the location.

Members received the report.

RESOLVED – that the report be received.

610 CONSIDERATION OF AN APPROACH FROM THE PUBLIC FUNDRAISING ASSOCIATION (PFRA) REGARDING POSSIBLE SITE MANAGEMENT AGREEMENTS (SMA)

The Director of Neighbourhood Services submitted a report examining the possible benefits to negotiating Site Management Agreements for Hertford, Ware and Bishop's Stortford for direct debit face-to-face collections.

The Senior Specialist Licensing Officer reminded Members that charities undertaking a cash collection had to contact the Council and were assigned a specific day to prevent the public being bombarded with collectors. He stated that large charities were exempted from the need to advise the Council of proposed collections, but that it was helpful if they did give advance notifications.

In the case of direct debit street collections, no such approach needed to be made to the Council. The Senior

Specialist Licensing Officer provided a brief summary of the rules of the Public Fundraising Regulation Association (PFRA) in relation to street collections and of the mechanisms by which the public could complain.

The Senior Specialist Licensing Officer drew Members' attention to a proposed approach in relation to negotiating a Site Management Agreement for Hertford, Ware and Bishop's Stortford.

Councillor D Andrews stated that it was not just town centres which were "plagued" with the collectors but villages too. He was concerned about the forceful tactics employed by the collectors. This view was supported by Councillor Mrs R Cheswright.

Councillor E Buckmaster agreed that direct debit collections needed more rigorous regulation and he referred to the need to engage with the PFRA on this issue.

Councillor P Ballam supported the suggestion that resilience be built into the system. She referred to vulnerable people who could easily be intimidated to sign up to a direct debit arrangement which they might not be able to afford.

Members received the report and supported the suggestion that Officers engage with the Public Fundraising Regulatory Authority (PFRA) in order to draft Site Management Agreements in respect of Hertford, Ware and Bishop's Stortford and that the Officer report back to Members.

RESOLVED – that (A) the report be received; and

(B) Officers negotiate with the Public Fundraising Regulatory Authority (PFRA) in order to draft appropriate Site Management Agreements in respect of Hertford, Ware and Bishop's Stortford for approval by the Licensing Committee.

611 PROPOSAL FOR ENGAGEMENT WITH THE EAST HERTS
LICENSED HACKNEY CARRIAGE AND PRIVATE HIRE
TRADE

The Director of Neighbourhood Services submitted a report detailing a proposed methodology for engaging with the East Herts hackney carriage and private hire drivers, proprietors and operators.

The Senior Specialist Licensing Officer referred to the need to ensure that the travelling public had a safe and successful journey. He suggested that meetings be arranged to speak with the licensed trade in order to consider any issues they had. The Chairman referred to a scrutiny review of taxi licensing in 2012 when some of the licensed trade had been aggressive.

Members were concerned at the intention to hold 26 separate two-hour meetings over a period of two weeks. The Senior Specialist Licensing Officer stated that this figure was an estimate and that not all of the meetings might be required. He explained that it was important that the entire trade was given the opportunity to comment on their issues.

Councillor Mrs R Cheswright suggested that it might help the process by submitting a questionnaire to the licensed trade asking about their concerns in advance of arranging a meeting. This was supported.

Members received the report.

RESOLVED – that (A) the report be received; and

(B) the plan for engagement with the licensed Hackney Carriage and Private Hire trade, including the use of a questionnaire as a first step, be approved as now submitted.

612 HERTFORD TAXI MARSHALS SCHEME REVIEW AND PROPOSAL FOR THE 2014-2015 SERVICE LEVEL AGREEMENT

The Director of Neighbourhood Services submitted a report detailing the success of the Hertford Taxi Marshall scheme, in particular the review of the current Service Level Agreement (SLA). Members were invited to consider any recommendations for the 2014–15 Service Level Agreement.

The Senior Specialist Licensing Officer provided background information regarding the Taxi Marshal Scheme and that the 2013–14 SLA excluded any nights other than Fridays or Saturdays. He reminded Members of key dates in 2014, some of which fell midweek and the need to amend the SLA to secure the additional funding in the 2014–15 SLA.

The Chairman stated that he had gone out on New Year's Eve and was very surprised to find that there were no taxi marshals around and that the Police had been very concerned about the absence of taxi marshals. It was noted that Hertfordshire County Council had confirmed that they would match fund 50% of the taxi marshal scheme, including any additional nights.

The Chairman stated that, in view of the agreed match funding, Hertford Town Council would only need to find £675 to fund the taxi marshal. Councillor P Ruffles agreed with the need for the service, adding that he thought that the Hertford Town Clerk had agreed to fund the service.

The Chairman referred to the options the Council could pursue in funding the taxi marshal service. He suggested that, initially, Hertford Town Council should be approached and that if this was unsuccessful, then a new Service Level Agreement should be re-drafted. This was supported.

Members received the report.

RESOLVED – that (A) the report be received; and

(B) Hertford Town Council be asked to fund additional shifts not covered within the current Service Level Agreement.

613 ATTENDANCE AT LICENSING SUB-COMMITTEE

The Executive Member for Community Safety and Environment submitted a report detailing Members’ attendance at Licensing Sub-Committees including those attending as observers.

The Chairman stated that he had attended a meeting as an observer on 6 December 2013 and asked that this be noted.

Members received the report, as amended.

RESOLVED – that the report as amended, be received.

The meeting closed at 5.45 pm

Chairman
Date