

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 3 NOVEMBER
2011, AT 4.30 PM

PRESENT: Councillor A Burlton (Chairman).
Councillors W Ashley, P Ballam, E Bedford,
E Buckmaster, Mrs R Cheswright, K Crofton,
J Demonti, N Poulton, P Ruffles, J Taylor and
N Wilson.

OFFICERS IN ATTENDANCE:

Linda Bevan	- Committee Secretary
Paul Newman	- Interim Licensing Manager
George Robertson	- Legal Services Manager

387 APOLOGIES

Apologies were submitted on behalf of Councillors R Beeching, M McMullen and B Wrangles. It was noted that Councillor P Ruffles was in attendance as a substitute for Councillor R Beeching.

388 CHAIRMAN'S ANNOUNCEMENTS

The Chairman asked Members to consider an item from the Interim Licensing Manger on Roadworthiness Garages. The Interim Licensing Manager explained that he had received a request from a garage in Stanstead Abbotts to offer a service to provide MOT and roadworthiness certificates for taxis. A number of garages offered this service in East Herts but these were not in this village. He asked for Members' views and they said they approved of an additional garage offering the service in that location.

389 MINUTES

RESOLVED - that the Minutes of the meeting held on 1 September 2011 be approved as a correct record and signed by the Chairman.

390 LICENSING SUB-COMMITTEE

RESOLVED – that the Minutes of the Licensing Sub-Committee meetings held on 23 August, 7 September, 19 September and 10 October 2011 be received.

391 ATTENDANCE AT LICENSING SUB-COMMITTEE

The Director of Internal Services submitted a report on details of Members' attendance at meetings of the Licensing Sub-Committee since 18 May 2011.

The Committee commented that Members who had not received training could not be Members of Sub-Committees. The Interim Licensing Manager said Officers were seeking training opportunities for these Members but none were currently available.

The Committee decided to receive the report.

RESOLVED – that the report be received.

392 LICENSING UPDATE QUARTER 3 2011

The Director of Neighbourhood Services submitted a report updating Members on activity in the Licensing Section including processing licences, and other implementation of the Service Plan. The Interim Licensing Manager gave details of enforcement activity at the meeting. He said he expected an increase in taxi licensing activity as a new private hire company was proposed for Hertford.

Members decided to receive the report.

RESOLVED – that the report be received.

393 DCMS CONSULTATION ON DEREGULATION OF
REGULATED ENTERTAINMENT

The Director of Neighbourhood Services submitted a report seeking Members' views on a response to a DCMS (Department of Culture, Media and Sport) consultation on the Deregulation of Regulated Entertainment under the Licensing Act.

The Interim Licensing Manager explained some of the responses suggested by him and the Environmental Health Officer.

Members expressed concern that the proposals would cause increased nuisance to residents in the District. They wanted the Council to be pro-active in dealing with these issues rather than re-active only. They decided to set up a working party to consider a response to the DCMS as detailed below. They also suggested the issue should be considered by the Environment Scrutiny Committee.

RESOLVED – that (A) a working party be set up to consider the Council's response to the consultation on the deregulation of regulated entertainment comprised of Officers from the Licensing and Environmental Health sections, a Police representative and Members drawn from the Licensing and Environmental Scrutiny Committees; and

(B) the report now submitted be considered by the Environmental Scrutiny Committee as an item of urgent business (subject to the agreement of the Chairman of that Committee) on 15 November 2011, so that this consideration could take place before the deadline for a response on the consultation.

394 AMENDMENTS TO LICENSING ACT BY POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011

The Director of Neighbourhood Services submitted a report on amendments to the Licensing Act 2003 introduced by the Police Reform and Social Responsibility Act 2011.

The Interim Licensing Manager explained the benefits of some of the changes. However, he pointed out that if Licensing Authorities were required to advertise applications in the press this would be expensive.

Members decided to receive the report and requested that any funds made available for advertising be allocated to the appropriate section.

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

(B) any funds made available for advertising licensing applications be identified and made available to the Licensing section.

395 DIAMOND JUBILEE

The Director of Neighbourhood Services submitted a report seeking Members' views on a Home Office consultation on the relaxation of licensing restrictions for alcohol licensed premises for the Queen's Diamond Jubilee on 1 to 5 June 2012.

Members decided to send a response approving of the relaxation of restrictions.

RESOLVED – that the Home Office be informed of the Committee's approval of proposals for the relaxation of licensing restrictions for the Queen's Diamond Jubilee.

396 FEEDBACK ON CONSULTATION WITH THE TAXI TRADE

The Director of Neighbourhood Services submitted a

report on feedback from a consultation with the licensed taxi trade on whether a fare increase was appropriate.

A meeting had been held with representatives of the taxi trade to discuss a possible fare increase because of the rise in fuel prices. However, the representatives had felt such a rise would further damage trade which had been adversely affected by the economic downturn. They had asked for a further consultation in January 2012.

Members noted the comments of the taxi trade and decided to receive the report.

RESOLVED – the report be received.

397 ATTENDANCE AT MAGISTRATES' COURT

The Chairman of the Licensing Committee, Councillor M McMullen had requested comments from the Legal Section on the appearance of Councillors in the Magistrates' Court for appeals.

The Legal Services Manager explained that it was possible that Councillors would be asked to appear when there was an appeal to the Magistrates' Court about a decision of the Licensing Sub-Committee. However, recent cases had been dealt with and resolved by Officers, so that no Councillors had been called upon. He hoped the same would apply to a recent case that had arisen in Sawbridgeworth.

In response to concerns expressed by Members, he assured them that they would be given full support by his team although the initial statement giving a view of proceedings at the Sub-Committee would have to come from the Member appearing in Court. He emphasised the need to inform him if Members felt they were not adequately supported in licensing matters. He assured them of his every efforts to ensure this was the case and would address any further concerns they had.

Members noted the comments of the Legal Service

Manager.

RESOLVED – that the comments of the Legal Service Manager on support for them on Licensing matters be noted.

The meeting closed at 5.40 pm

Chairman
Date