

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 1 AUGUST
2012, AT 2.00 PM

PRESENT: Councillor Mrs R Cheswright (Chairman).
Councillors J Demonti and N Poulton.

ALSO PRESENT:

Councillors P Moore and P Ruffles.

OFFICERS IN ATTENDANCE:

Monica Bett	- Legal Services Advisor
Peter Mannings	- Democratic Services Officer
Paul Newman	- Interim Licensing Manager

7 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor N Poulton and seconded by Councillor J Demonti that Councillor Mrs R Cheswright be appointed Chairman of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor Mrs R Cheswright be appointed Chairman of the Licensing Sub-Committee for the meeting.

8 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that she would take the matters referred to at Minute 12 below after Minute 11, to give the Applicant the opportunity to attend the hearing.

9 MINUTES - 22 FEBRUARY 2012 AND 14 MAY 2012

RESOLVED – that the Minutes of the meetings held on 22 February and 14 May 2012, be confirmed as correct records and signed by the Chairman.

10 EXCLUSION OF PRESS AND PUBLIC

The Sub-Committee passed a resolution pursuant to Section 100 (A)(4) of the Local Government Act 1972 as amended, to exclude the press and public during consideration of the business referred to in Minute 11 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the said Act.

11 CONSIDERATION OF A STAGE OF AN APPLICATION TO BE A TAXI DRIVER

The Chairman outlined the procedure to be followed. All those present for the application were introduced. The applicant agreed that Councillors P Moore and P Ruffles could remain in the room as observers.

The Interim Licensing Manager advised the Sub-Committee of the details of the application and provided background information relating to the applicant. The Sub-Committee was advised to consider whether the applicant was a fit and proper person to hold a taxi driver's licence.

The Sub-Committee was further advised to consider the facts surrounding this application in relation to the taxi licensing policy, which stipulated that the overriding reason for licensing taxis was to ensure public safety.

The applicant addressed the Sub-Committee in support of his application. He also responded to a number of Members' queries.

At the conclusion of the representations the Sub-Committee withdrew with the Legal Services Advisor and the Democratic Services Officer to consider the evidence.

Following this, they returned and the Chairman announced the decision of the Sub-Committee. The Sub-Committee had listened to the comments of the Applicant and the Officer and notwithstanding some of the evidence presented, the Sub-Committee had decided that the applicant met the fit and proper person standard.

RESOLVED – that the application for a taxi driver's licence be approved.

12 APPLICATION FOR A LICENSED PREMISES GAMING MACHINE PERMIT FOR 4 MACHINES AT BLACKBIRDS, 15 – 17 PARLIAMENT SQUARE, HERTFORD, SG14 1EX

The Chairman outlined the procedure to be followed. In the absence of the applicant, the Interim Licensing Manager summarised the application in that the applicant already had a permit for 3 category C machines at this premises. The Sub-Committee was advised that this application was to increase this by 1 to 4 category C machines.

Members were advised to consider how many additional machines were appropriate before these premises could be judged to be an adult gaming centre rather than simply a pub with opportunities for gambling on category C gaming machines. The Sub-Committee should judge the extent to which 4 machines would change the character of the premises.

The Interim Licensing Manager stated that gaming machines in pubs should be located within sight of the bar area and there should be no gaming that breached gambling commission guidelines. In particular, premises licence holders and all other staff should demonstrate a full understanding of the maximum permissible gambling

stakes and prizes.

Applicants should also have no relevant convictions and there should also be an awareness of local school holiday times and how to identify the local education office should truants be identified.

The Sub-Committee was advised to consider whether the fourth gaming machine would result in an impetus to change the layout of the pub as Officers considered that there was insufficient room to locate the extra machine next to the existing machines.

The Interim Licensing Manager advised that Members could not attach conditions should the Sub-Committee be minded to grant this application. Members could however, attach a form of words to the resolution that stipulated that all gaming machines should be located within sight of the bar area to prevent children and minors from gambling, thereby protecting children from harm. Members were advised that this should also help to ensure no one was gambling to excess.

The Sub-Committee was further advised that Officers could apply for a review of the applicant's gaming machine permit if they considered that the applicant was not acting in accordance with established gambling policies.

At the conclusion of the representations Members resolved that, having listened to the comments of the Officer and considered the written evidence, the application for a fourth category C gaming machine be approved. The Sub-Committee expected this fourth machine to be located in view of the bar to ensure customers were not gambling to excess and to prevent minors and children from gambling, thereby protecting children from harm.

RESOLVED – that the application for a fourth category C gaming machine be approved.

The meeting closed at 3.20 pm.

Chairman

Date