

EAST HERTS COUNCIL

LICENSING COMMITTEE – 4 NOVEMBER 2010

REPORT BY DIRECTOR NEIGHBOURHOOD SERVICES

REVIEW OF LICENSING ENFORCEMENT POLICY

WARD(S) AFFECTED: ALL

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**Purpose/Summary of Report**

- To present a revised Licensing Enforcement Policy

<b><u>RECOMMENDATION FOR DECISION:</u></b>	
<b>(A)</b>	<b>that the Committee approve the revised Licensing Enforcement Policy.</b>

1.0 Background

1.1 On 11th October 2000 East Herts Council signed up to the Enforcement Concordat as commended by the Cabinet Office and the Local Government Association, which lays down the principles of good practice to ensure fair, practical and consistent enforcement. BV166 – Checklist for Environmental Health and Trading Standards places a requirement on Local Authorities to have an Enforcement Policy approved by Members. The Community Safety and Licensing Department has produced its Enforcement Policy in accordance with these principles, to secure compliance with the law whilst minimising the burden on individuals, businesses and the Council.

2.0 Report

2.1 In 2010 the Enforcement Policy was reviewed and this report presents the updated policy.

2.2 Changes have been made to take account of:

- Change of department name and officer post titles (throughout the policy);

- New responsibilities under the Police and Crime Act 2001, and the Gambling Act 2005 (2);
- More detailed reference to the enforcement arrangements under the Gambling Act 2005 (6.4);
- Additional enforcement options of taxi penalty points system under the Authorities revised Taxi Licensing Policy (9.1 and 9.18), and use of closure orders under the Police and Crime Act 2001 (9.1 and 9.20);
- Reference to new delegated powers for the Director of Neighbourhood Services to suspend taxi licences pending a Sub-Committee reference (9.18);

### 3.0 Implications/Consultations

- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

#### Background Papers

Attached Revised Licensing Enforcement Policy.

Contact Member: Councillor Malcolm Alexander – Executive Member for Community Safety and Protection

Contact Officer: Brian Simmonds – Head of Community Safety and Licensing – Extn 1498

Report Author: Paul Newman – Interim Licensing Manager

ESSENTIAL REFERENCE PAPER 'A'

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate)</i> :	<b>Promoting prosperity and well-being; providing access and opportunities</b> <i>Enhance the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.</i>
Consultation:	To be reported at the meeting
Legal:	No implications other than those detailed in the report
Financial:	No implications other than those detailed in the report
Human Resource:	No implications other than those detailed in the report
Risk Management:	No implications other than those detailed in the report