

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 15
NOVEMBER 2017, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors P Ballam, R Brunton,
Mrs R Cheswright, G Cutting, B Deering,
J Jones, M McMullen, T Page and
R Standley.

ALSO PRESENT:

Councillors L Haysey and P Ruffles.

OFFICERS IN ATTENDANCE:

Jonathan Geall	- Head of Housing and Health
Peter Mannings	- Democratic Services Officer
Oliver Rawlings	- Service Manager (Licensing and Enforcement)

247 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors N Symonds and J Taylor.

248 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to a number of unexpected or
unanticipated outcomes following on from decisions of the
Licensing Sub-Committee. He stated that Licensing and
Legal Officers had been looking at case law in
consultation with the Chairman.

Members were advised that the Executive Member for
Environment and the Public Space had been in touch with

the Local Government Association (LGA) on this matter. The Chairman commented on the possibility of the Executive Member meeting with a government minister on the subject of recent decisions of the magistrate's court regarding appeals.

The Chairman advised that the presentation on Public Health, Alcohol Misuse and Licensing had been deferred to the March 2018 meeting as the speaker was unfortunately unavailable at short notice.

249 MINUTES – 28 JUNE 2017

RESOLVED – that the Minutes of the meeting held on 28 June 2017 be confirmed as a correct record and signed by the Chairman.

250 LICENSING SUB-COMMITTEE – 26 JUNE, 4 AUGUST, 25 AUGUST AND 16 OCTOBER 2017

RESOLVED – that the Minutes of the Licensing Sub-Committee meetings held on 26 June, 4 August, 25 August and 16 October 2017, be received.

251 PRESENTATION – THE IMPACT OF ALCOHOL MISUSE ON POLICE RESOURCES

Hertfordshire Constabulary Police Sergeant Clare Ramirez gave a presentation covering the night time licensed economy and the impact on police resources. She referred to certain reported incidents and reported crime linked to these activities being higher over the night time than at other times. She also referred to incidents of noise and anti-social behaviour, such as intoxicated persons relieving themselves on street, as well as incidents of fighting when door staff of licensed premises had ejected intoxicated persons.

Sergeant Ramirez referred to assaults involving friends on nights out or those which were domestic incidents.

Allegations were also received by Police in relation to assaults against or by door staff of licensed premises. She referred to criminal damage involving cars and drug related arrests when door staff or police located controlled substances on people.

Sergeant Ramirez highlighted reports of drinks being spiked, which was classified as Actual Bodily Harm (ABH). She also commented on sexual assaults and the theft of bags and phones. She detailed the shift patterns required to cater for the policing of the licensed night time economy in East Herts.

Members were advised of the accepted principle that alcohol impaired judgement and reduced inhibitions. Sergeant Ramirez commented on the principle that it was frequently 20% of people causing 80% of the problems for the Police.

The Licensing Committee was reminded of the importance of working closely with the police on the introduction of Scannet, a form of Live ID. Sergeant Ramirez commented on the importance of door staff being trained in conflict and premises management as well as how to effectively use Live ID systems.

She concluded by detailing what actions were necessary in ensuring a healthy night time economy in East Herts. She also commented on the importance of training for the Police and Officers who worked in Licensing at East Herts Council.

Sergeant Ramirez responded in detail to a wide range of questions from the Committee. Members received the presentation.

RESOLVED – that the presentation be received.

252 LICENSING ACTIVITY QUARTER 1 AND QUARTER 2 OF
2017

The Head of Housing and Health submitted a report updating Members in relation to statistics on processing licences, enforcement activity and implementation of the Service Plan for Quarters 1 and 2 of the 2017/18 financial year. The Service Manager (Licensing and Enforcement) provided a summary of the report and referred to Essential Reference Papers 'B' and 'C' regarding licensing data for the relevant period.

The Service Manager referred in particular, to the revocation of taxi drivers' licences and a successful appeal against a revocation. He also reported that Officers had recently been informed that they had been successful in seeking to have a decision judicially reviewed.

Members were provided with a detailed breakdown of the licensing activity in both quarter 1 and quarter 2. The Service Manager advised that in August 2017, the Shared Internal Audit Service (SIAS) had audited the arrangements for making decisions under the Council's Convictions Policy. SIAS had reported that full assurance could be provided that there were effective controls in operation for the elements of the risk management processes that were covered by the review.

The Head of Housing and Health advised that Officers would draft a position statement regarding licensing decision making related to Licensed Premises. This would form part of the Council's Statement of Licensing Policy. Members were advised of the matters that would be captured within the position statement including details of relevant stakeholders and details of reasonable expectations of the licensing process.

The position statement would include the expectations of responsible authorities, notably, how they could make representations so as to ensure that decisions were

transparent, evidence-based and robust. Officers were also reviewing any policies which had not be reviewed over the last 18 months including, amongst others, gambling and the distribution of free literature. This would culminate in revised policies coming to Licensing Committee for consideration prior to being submitted to Council. It was anticipated that this work would be completed by the end of March 2018.

The Committee Chairman commented on the law governing evidence submitted at Licensing Sub-Committee hearings. The Head of Housing and Health emphasised that decision making had to be evidence based and decisions were open to challenge. The position statement would also set out that there had to be evidence for enforcement action.

The Committee Chairman commented on the situation where an interested party could negotiate with Officers right up to the start of a Licensing Sub-Committee hearing whereas local residents were excluded from this part of the process. The Head of Housing and Health noted that if the public raised concerns during the consultation period, Officers and others, such as the police, could negotiate to deal with any concerns right up to the point of decision. Councillor P Ballam emphasised that the public needed to become more inclined to complain to and engage with Officers where there were problems with a licensed premises.

Councillor T Page commented on online gambling and the damage that could be caused by fixed odds betting. The Service Manager commented that this was being monitored by betting establishments in consultation with the Gambling Commission.

Councillor T Page commented on charity street collectors calling on residents. The Service Manager referred to a list of charities that carried out such activities. The Committee Chairman referred to a national scheme of resident organised no cold call zones coordinated by

neighbourhood watch organisers. No cold calls to residential properties were permitted and residents could report cold calling to the police 101 number.

The Committee received the report.

RESOLVED – that the report be received.

The meeting closed at 8.52 pm

Chairman
Date