

EAST HERTS COUNCIL

LICENSING COMMITTEE – 10 MARCH 2011

REPORT BY DIRECTOR OF NEIGHBOURHOOD SERVICES

LICENSING UPDATE QUARTER 4 2010

WARD(S) AFFECTED: ALL

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**Purpose/Summary of Report**

To update members on activity in the licensing department:

- processing licences,
- enforcement activity, and
- other implementation of the Service Plan.

**RECOMMENDATION FOR DECISION – that the report be received.**

1.0 Background

1.1 This report presents data by full quarters on processing and enforcement data, and Licensing Sub Committee involvement, on licences, notices, and permits, and applications including

- Alcohol, entertainment, and late night refreshment licences under the Licensing Act 2003,
- Gaming under the Gambling Act 2005,
- Taxi drivers, vehicle proprietors, and operators.

1.2 This report also records developments in the service that implement the Service Plan.

2.0 Report

2.1 Data is presented in Essential Reference Paper B for Q4 1 October – 31 December 2010, for the numbers of applications or notices received, and totals of current licences.

2.2 During this quarter the enforcement team has undertaken 98 visits or inspections. These have been analysed further and are recorded as:

- Taxi Inspections and Investigations 42
- Premises Complaints and Visits 21
- Gambling Premises visits 0
- Blue Notice visits 7
- Invoice Visits/chase ups 28
- House to House Collection complaints 0
- Taxi Camera Investigations 0
- TENS Complaints and Investigations 0

All complaints regarding taxis and premises have been fully investigated.

- 2.3 In respect of premises, the breaches of the licences have been addressed in accordance with our Licensing Enforcement Policy. In the previous report mention was made of a pending prosecution.
- 2.4 During the previous reporting period a large amount of effort had been made by the team to recover annual fees from licensed premises. During this period the number of visits has fallen dramatically. Invoices are still being collected at a rate of over 95%. Currently at the time of reporting there are two outstanding invoices.
- 2.5 Resident complaints have fallen very slightly, and 22 complaints were received compared to 24 in the last period. All resident complaints were investigated and action taken. These included visits, letters, joint action with partners or enforcement in accordance with the East Herts Licensing Enforcement Policy. Significant complaints received during this period include a resident complaint regarding the Brown Bear, Braughing.
- 2.6 A significant part of the enforcement team's work is to ensure that all documentation for taxi drivers and vehicles are current and licences are valid. During this four month period 75 letters were produced. Where delay occurs without valid reason, it is hoped that the new proposed 'penalty points' system will improve drivers' and proprietors' behaviour. It was not necessary to bring any existing taxi drivers to Licensing Sub-Committees for decision during this quarter.
- 2.7 In order to reduce service costs in line with the service plan, applicants for taxi driver licences are being made to wait for the next available Licensing Sub-Committee that is needed to hear a premises licence application or other urgent matter if there is one, and if not, to wait for a Sub-Committee to be held on the date of the next Licensing Committee. One taxi driver applicant during this period has been deferred for a decision in the next quarter.
- 2.8 Efforts are being made to secure continuing funding for Taxi Marshalls. Hertford Town Council has been requested in writing whether they are willing to contribute to the marshal scheme in Hertford.

### 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

None

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:	For information only, and no partner or external consultation has taken place.
Legal:	No issues identified by report author or contact officer
Financial:	No issues identified by report author or contact officer
Human Resource:	No issues identified by report author or contact officer
Risk Management:	No issues identified by report author or contact officer

Essential Reference Paper B

Licensing Act 2003		
Premises Licences		
Variation;	2	
<i>Masters House Hotel Fore Street Hertford</i>		
<i>Midwest Kebabs (Parliament Square Hertford)</i>		
Reviews;	1	
<i>Sugar Hut</i>		
Minor Variation	1	
<i>Prezzo (Fore Street Hertford)</i>		
Other Processes;		
Disapply DPS	0	
Transfer	4	
Change DPS	14	
Total number of premises licences re-issued		22
New;		5
<i>Breeze Bars (Anchor Street Bishops Stortford)</i>		
<i>Café Rouge (North Street Bishops Stortford)</i>		
<i>Hoops Inn (Much Hadham)</i>		
<i>Prezzo (North Street Bishops Stortford)</i>		
<i>Hockerill Anglo European College</i>		
Club Certificates		0
Other licences and notices		
Personal Alcohol Licence		
New applications	21	
Other processes	10	
		31
Temporary Event Notices		
1 January to 31 March 2010		
Served	169	
Police Objections	0	
Objections upheld	0	
		169
Gambling Act 2005		
New and varied premises;	0	
Gaming Machine Notices	2	
Small Society Lotteries – New and renew	4	
		6

Taxis		
	New Dual Drivers	5
	Renewed Dual Drivers	7
	New Private Hire Drivers	4
	Renewed Private Hire Drivers	87
	Total driver applications processed this quarter	103
	New Operators	6
	Renewed Operators	4
	Total Operator applications processed this quarter	10
	New Hackney Carriage	6
	Renewed Hackney Carriage	46
	New Private hire Vehicles	6
	Renewed Private hire Vehicles	11
	Change of Vehicle	16
	Total vehicle applications processed this quarter	85
	All applications this quarter	431

Sub Committee hearings arranged this quarter;

Review	Sugar Hut, Old Cross Hertford
Taxi applicant with convictions	Taxi applicant
New Premises Licence	Breeze Bars (Since called Nowhere Bar, the former Chicago Rock Café premises) Anchor Street, Bishops Stortford.
Variation of Premises Licence	Masters House, Fore Street, Hertford.
Variation of Premises Licence – Late Night Refreshment	Midwest kebabs WITHDRAWN application with POLICE AGREEMENT