

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY,
15 FEBRUARY 2006 AT 7.30 PM

PRESENT: Councillor M P A McMullen (Chairman).
Councillors W Ashley, D R Atkins, P R Ballam,
A L Burlton, J Demonti, Mrs D M Hone,
B W J Sapsford, J J Taylor, M J Tindale.

ALSO IN ATTENDANCE:

Councillor N Burdett.

OFFICERS IN ATTENDANCE:

Linda Bevan	- Committee Secretary
Paul Newman	- Committee Protection Manager (Process)
Jan Spong	- Head of Community Protection

635 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors R L Pinnell, N Poulton and A L Warman.

636 CHAIRMAN'S ANNOUNCEMENTS

The Chairman circulated a suggested opening statement for Members to use if they were asked to act as Chairman for the Licensing Sub-Committee. He informed Members that there would be a report from the Night-Time Economy Group and further report on the Gambling Act to a future meeting of the Committee. He had agreed that an urgent item on the review process could be added to the agenda for this meeting for training purposes. The Chairman also explained that some confusion over 24 hour opening for the sale of alcohol at Tesco in Hertford had arisen because

of the wording of the minutes of the meeting. The Chairman clarified the decision as having been that the application as amended today ie hours of opening for the sale of alcohol to be follows:

From 8 am on Monday to 11 pm on Friday;
From 4 am to 11 pm Saturday; and
From 9 am to 5 pm Sunday; be approved

RESOLVED ITEMS

ACTION

637 MINUTES

RESOLVED - that the minutes of the meeting held on 23 November 2005 be confirmed as a correct record and signed by the Chairman subject to the addition in respect of Minute 459 that the minutes of the Licensing Committee held on 28 July 2005 be confirmed as a correct record and signed by the Chairman.

638 HUMAN RESOURCES SUB-COMMITTEE MINUTES

RESOLVED - that the minutes of the Human Resources Sub-Committee held on 18 January 2006 be received.

639 LICENSING SUB-COMMITTEE MINUTES

RESOLVED - that (A) the minutes of the Licensing Sub-Committee held on 20 January 2006, 19 January 2006, 2 December 2005, 28 November 2005 (2 pm), 28 November 2005 (10 am), 17 November 2005 and 14 October 2005 be received;

(B) the cancellation of the meeting on 10 February 2006 be noted; and

(C) the rank of police officers be recorded in future in minutes of the Sub-Committee.

ACTION640 LICENSING ACT 2003 - UPDATE ON APPEALS,
REVIEWS AND TEMPORARY EVENT NOTICES

A report was submitted by the Director of Regulatory Services informing the Licensing Committee about a number of appeals against the decisions of the Licensing Sub-Committee and temporary event notices served on the Council. It was expected that two reviews would be requested in the near future.

Members agreed to receive the report.

RESOLVED - that the report be received.

641 UPDATE ON PILOT TAXI MASHALLING SCHEME AT
FORE STREET HERTFORD

The Director of Regulatory Services submitted a report on the operation of the pilot scheme for night time taxi rank marshalling in Hertford.

A Night Time Economy Group had looked at issues in towns during the evening and night time and a problem solving event had been held for Hertford. The issue of dispersal of crowds following closure of restaurants, public houses, clubs and late night refreshment houses had been seen as a particular problem. Funding had been obtained for a pilot scheme for taxi marshalling to help with this dispersal problem until April 2006.

A site in Fore Street had been chosen to encourage people to leave Parliament Square to find a taxi at the rank. The marshalls patrolling the rank had Security Industry Authority (SIA) accreditation and wore high visibility jackets. They ensured the queue for taxis operated as quickly and efficiently as possible.

The scheme had reduced congestion in Parliament Square and there were fewer disputes over taxis. There were more taxis available because taxi drivers appreciated the

ACTION

more orderly dispersal of their customers. Taxi users thought the scheme was working well. Crime and litter appeared to have been reduced during this period.

Officers were trying to obtain funding to continue the scheme. Members noted the success of the taxi marshalling scheme in Hertford.

RESOLVED - that the report be received.

642 THE GAMBLING ACT 2005 - CONSULTATION ON DRAFT GUIDANCE TO LICENSING AUTHORITIES ISSUED BY THE GAMBLING COMMISSION

The Director of Regulatory Services had submitted a report including responses to the draft guidance to licensing authorities issued by the Gambling Commission on the Gambling Act 2005.

The central purpose of the Gambling Act 2005 was to strengthen consumer protection, modernise and consolidate outdated legislation but not to deregulate. There was an emphasis on increased choice within a strong flexible regulatory environment. The licensing objectives were to prevent gambling being a source of, associated with or supporting crime and disorder, to ensure gambling was conducted in a fair and open manner and to protect children and the vulnerable.

It was the responsibility of the Licensing Committee to deal with the District Council's functions as a licensing authority for the Gambling Act 2005.

Members noted that officers considered door staff for casinos and bingo halls should be SIA registered and agreed with the other responses suggested on the draft guidance.

ACTION

RESOLVED - that the response regarding the draft guidance on the Gambling Act 2005 as attached at Appendix 'A' of the report now submitted be approved.

DRS

643 THE GAMBLING ACT 2005 - CONSULTATION ON DRAFT GAMBLING ACT 2005 (LICENSING AUTHORITY POLICY STATEMENT) (ENGLAND AND WALES) REGULATIONS

The Director of Regulatory Services submitted a report on the regulations for the Licensing Authority Policy Statement under the Gambling Act 2005 and the District Council's response to proposals.

The Gambling Act 2005 gave licensing authorities a range of powers to licence gambling premises including issuing premises licences, permits and temporary use notices. Authorities were required to prepare and publish a licensing policy statement which would last for three years.

Members were given details of how many betting shops, bingo halls and amusement arcades there were in the District. They were also informed of the approximate number of amusement machines in public houses and clubs.

Officers had suggested that a framework for a policy working with other Hertfordshire and Bedfordshire authorities would be helpful and Members agreed with this.

RESOLVED - that the response regarding the consultation on the licensing authority policy statement for the Gambling Act 2005 as attached at Appendix 'B' of the report now submitted be approved.

DRS

ACTION

644 THE GAMBLING ACT 2005 - CONSULTATION FROM GAMBLING COMMISSION ON STATEMENT OF PRINCIPLES ON LICENSING AND REGULATION AND THE LICENSING ACT 2003 - INITIAL REVIEW OF STATUTORY GUIDANCE - VIEWS REQUIRED

The Director of Regulatory Services submitted a report on consultation documents on the Gambling Act 2005 and the Licensing Act 2003 and the responses which had been given in consultation with the Chairman of the Licensing Committee and the Executive Member for Community Safety. Further details of the responses on the review of the Licensing Act 2003 were circulated at the meeting.

Members agreed with the responses given.

RESOLVED - that the responses on the consultations in Appendix 'C' of the report and further details now submitted be approved.

DRS

645 REVIEW PROCESS

The Community Protection Manager (Process) gave a presentation on the process for dealing with reviews of the decisions of the Licensing Sub-Committee under the Licensing Act 2003. The Licensing Authority could not request a review itself. The same interested parties and responsible authorities involved in the original applications could ask for a review. Evidence would need to be provided to justify a change to the licence. The same licensing objectives would be used in making a decision. Notices of the review would need to be displayed on site and at the Council Offices. A decision on a review did not take effect immediately. There was a 21 day period for appeal to the Magistrates Court.

RESOLVED - that the presentation be noted.

The meeting closed at 8.25 pm.