

MINUTES OF THE MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS ON
WEDNESDAY, 3 OCTOBER 2007 AT
4.30 PM

PRESENT: Councillor M P A McMullen (Chairman).
Councillors D Andrews, W Ashley, P R Ballam,
K A Barnes, R Beeching, Mrs D M Hone,
N Poulton, P A Ruffles, J J Taylor, R I Taylor.

OFFICERS IN ATTENDANCE:

Linda Bevan	- Committee Secretary
Chris Clowes	- Licensing Enforcement Manager
Paul Newman	- Licensing Process Manager
Jan Spong	- Head of Licensing and Community Safety

285 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors A L Burlton, J Demonti and B M Wrangles.

286 DECLARATION OF INTEREST

Councillor P R Ballam declared a personal interest in
relation to Minute 290 - Taxi Licensing Policy - Criminal
Record Bureau Checks by virtue of the fact that her son
was a taxi driver.

RESOLVED ITEMSACTION287 MINUTES

RESOLVED - that the Minutes of the meeting held on 6 June 2007 be confirmed as a correct record and signed by the Chairman.

288 LICENSING SUB-COMMITTEE MINUTES

Clarification on excluding Members in training for licensing matters from Licensing Sub-Committees was sought as it had been requested at the Licensing Sub-Committee on 2 August 2007. The Chairman confirmed that the press and public could be excluded from Sub-Committee meetings in accordance with the Local Government Act 1972, if reports included personal information about an individual. Members could invoke this power if they felt discussion would be inhibited by the presence of the press and public or the individual concerned requested it. Legal advice had been sought on allowing Members in training to stay in the meeting when the press and public had been excluded. They would be allowed to stay if the individual in question was in agreement with this.

The Chairman also referred to recent advice on the role of substitutes for the Licensing Committee in relation to Licensing Sub-Committees. These would be used in emergencies, for example where a Member had to declare an interest at the last minute or was not able to attend due to unforeseen circumstances, if they had completed their training.

RESOLVED - that the Minutes of the Licensing Sub-Committee meetings held on 22 May 2007, 5 June 2007, 3 July 2007, 13 July 2007, 2 August 2007, 16 August 2007, 7 September 2007 and 18 September 2007 be received.

ACTION289 THE LICENSING ACT 2003 - UPDATE FOR INFORMATION ON LICENSING MATTERS

The Head of Licensing and Community Safety reported on cases dealt with under the Licensing Act 2003. Members noted in particular the recent decisions on late night refreshment places and decided to receive the report.

RESOLVED - that the report be received.

290 TAXI LICENSING POLICY - CRIMINAL RECORD BUREAU CHECKS

The Director of Neighbourhood Services submitted a report on possible changes to the checks made on taxi drivers and operators.

Members noted current practices and changes which might be made to them. Arrangements for new applications were considered adequate but those for renewals and operators could be improved. The Committee decided to consult the taxi trade on the proposals for change before its recommendations were considered by the Executive and Council. A further report would be submitted to the Licensing Committee.

RESOLVED - that, subject to consultation with the taxi trade and a further report to the Licensing Committee, the following changes be suggested, (A) applicants for, or for renewal of, private hire operator licences be required to provide a basic disclosure of their criminal record to support the application, unless they hold a private hire driver's licence with this Authority;

(B) applications for renewal of drivers' licences should be supported by a three yearly CRB enhanced disclosure with a subject access disclosure in other years;

ACTION

(C) Enhanced Disclosure portability should not continue to be permitted; and

DNS

(D) applications to renew taxi drivers' licences should be supported by an up to date DVLA print out of (or access to view on line) the drivers' driving record.

DNS

291 ENFORCEMENT REPORT - 1 JANUARY - 30 JUNE 2007

The Director of Neighbourhood Services submitted a report on compliance and enforcement activities in respect of premises licensed for the sale of alcohol, regulated entertainment and late night refreshments and licences for hackney carriages and private hire drivers, vehicles and operators.

Members welcomed the proactive nature of the enforcement work and recent police efforts to identify premises where problems arose, rather than just general information about problem areas in evidence at Licensing Sub-Committees.

The Licensing Enforcement Officer confirmed that the taxi rank in South Street, Bishop's Stortford would be used at night only in future. He noted Members' comments that taxi ranks in Hertford also needed to be monitored as taxis were causing problems when parking on pedestrianised areas. He reported that he would also be meeting with the owners of Sky, Ware concerning taxi marshalling.

RESOLVED - that the report be received.

292 LICENSING ACT 2003 - REVIEW OF STATEMENT OF LICENSING POLICY

The Director of Neighbourhood Services reported on the draft revised statement of Licensing Policy.

ACTION

Members considered whether they needed to make any amendments. They noted that new guidance suggested names of objectors could be withheld from the applicant where there was a genuine fear of harassment and decided to support the Statement of Licensing policy with this addition.

RESOLVED - that the revised Statement of Licensing policy subject to the amendment discussed at the meeting be supported.

293 PRESENTATION ON MORI SURVEY RESULTS ON LICENSING AND NIGHT TIME ECONOMY

The Head of Licensing and Community Safety gave a presentation on results of questions, which had been included in the Council’s MORI survey, on licensing and the night time economy.

It appeared that most residents did not feel the new licensing legislation had made a difference to their lives. However, many did not seem to be aware of the steps they could take if they had problems with licensing issues. She felt this might be helped by giving details in the “Link” magazine.

Members noted the results and decided to receive the report.

RESOLVED - that the report be received.

HLCS

The meeting closed at 6.30 pm.

Chairman
Date