

MINUTES OF THE MEETING OF THE  
LICENSING COMMITTEE HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON WEDNESDAY,  
10 MARCH 2009 AT 4.30 PM

PRESENT: Councillor M P A McMullen (Chairman).  
Councillors D Andrews, P R Ballam, K A Barnes,  
R Beeching, A L Burlton, J Demonti,  
Mrs D M Hone, N Poulton, J J Taylor,  
A L Warman, N Wilson and B M Wrangles.

ALSO IN ATTENDANCE:

Councillor P A Ruffles

OFFICERS IN ATTENDANCE:

Linda Bevan	- Committee Secretary
Chris Clowes	- Licensing Enforcement Manager
Simon Drinkwater	- Director of Neighbourhood Services
Paul Newman	- Licensing Process Manager
Oliver Rawlings	- Community Protection Officer

RESOLVED ITEMS

ACTION

618 MINUTES

The Chairman commented that Members had not been invited to the Night Time Economy Group to discuss Police support at Licensing Sub-Committee. It was explained that the work of the Group had been absorbed by the Joint Action Group (JAG) for the time being. Members asked Officers to investigate an invitation to this Group to pursue this.

ACTION

RESOLVED - that (A) the Minutes of the meeting held on 5 November 2008 be confirmed as a correct record and signed by the Chairman; and

(B) Officers investigate the possibility of Members being invited to JAG to discuss Police support at Licensing Sub-Committee.

DNS

619 LICENSING SUB-COMMITTEE

RESOLVED - that the Minutes of the meetings of the Licensing Sub-Committee held on 28 October, 10 November, 10 December, 18 December 2008, 28 January, 11 February and 3 March 2009 be received.

620 ATTENDANCE AT LICENSING SUB-COMMITTEE

The Director of Internal Services submitted a report on details of Members' attendance at Licensing Sub-Committee.

Members asked for a further update at the next meeting of the Committee and expressed an interest in training after the Annual Meeting of the Council, so that Members could refresh or complete their licensing training.

RESOLVED – that (A) a further report on this be submitted to the next meeting; and

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(B) licensing training be arranged after the Annual Meeting of the Council for Members to refresh or complete their licensing training

DIS

621 LICENSING ENFORCEMENT –  
1 JULY – 31 DECEMBER 2008

The Director of Neighbourhood Services submitted a report on compliance and enforcement activities in respect of premises licensed for the sale of alcohol, regulated

ACTION

entertainment and late night refreshments, licences for hackney carriage and private hire drivers, vehicles and operators and smoking and gambling legislation.

The Licensing Enforcement Officer referred to plans for a proof of age card being promoted for young people which would help prevent under-age sales of alcohol among other things.

The Committee decided to note the report.

RESOLVED – that the report be noted.

622 UPDATE ON ALCOHOL AND TAXI LICENSING  
RECENT CASES AND GUIDANCE

The Director of Neighbourhood Services submitted a report to inform the Committee about recent court cases that concerned the Licensing Act 2003 and taxi legislation.

The Licensing Enforcement Officer gave some more details of the cases and explained how they were relevant to the Licensing Sub-Committee's work.

The Committee decided to note the report.

RESOLVED - that the report be noted.

623 CHARITIES ACT 2006 – STREET COLLECTIONS  
AND HOUSE TO HOUSE COLLECTIONS

The Director of Neighbourhood Services submitted a report on the Charities Act 2006. The Act extended the type of collections which would require a permit to include collections of promises of donation, e.g. direct debit collections.

ACTION

Charitable collecting organisations would need a certificate from the Charities Commission except for local and short term collections. This certificate would be needed in order to obtain a permit from the Council. In the case of local and short term collections, the organisation making the collection would need to give the Council notice of it. The Council would be able to issue a counter notice for some collections. In certain cases, the Council would be able to refuse or attach conditions to permits where the collection would cause undue inconvenience to members of the public because of proposed dates, times, frequency or locality.

The Licensing Process Manager explained that these regulations would apply to collections in public places and not on private property, e.g. Tesco car park.

Members noted that the regulations could lead to the Council having to approve collections on every second day. Officers reported that past experiences had shown that collections on more than one or two days a week could lead to complaints from the public and traders.

The Committee decided to note the report.

RESOLVED - that the report be noted.

624 FEEDBACK ON PROPOSED CHANGES TO TAXI  
DRIVER LICENCE APPLICATION PROCEDURE

The Director of Neighbourhood Services submitted a report on a consultation with the taxi trade on changes to taxi licence applications. These changes included a time limit for providing supporting documents and taking and rebooking the knowledge test and testing of drivers who had previously held a taxi licence with East Herts.

It was reported that no feedback had been received from the taxi trade to the proposed changes and changes to the Council's Constitution gave the Licensing Committee

ACTION

authority to approve the Licensing Policy.

In response to questions from Members, more detail of 'The Knowledge' was given.

Members asked that, in order to avoid unnecessary cost, applicants should not be pursued if they failed to proceed with applications and the proposed change to Licensing Policy should be approved.

RESOLVED - that (A) the changes to Licensing Policy as in the report now submitted, be approved; and

DNS

(B) Officers be requested not to pursue applicants who fail to proceed with their applications.

DNS

625 PROPOSED CHANGES TO TAXI VEHICLE LICENCE CONDITIONS

The Director of Neighbourhood Services submitted a report on proposed changes to taxi vehicle licence applications arising from recent cases dealt with by the Licensing Sub-Committee. These concerned vehicles previously licensed as minibuses and Heavy Goods Vehicles. The taxi trade would be consulted on these changes.

Members raised questions on the licensing of limousines and Officers explained there were plans to investigate this situation.

RESOLVED – that the changes to the Licensing Policy as in the report now submitted, be approved subject to consultation with the taxi trade.

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ACTION

626 LICENSING ACT 2003, GAMBLING, SEX SHOP AND TAXI LICENSING – UPDATE

The Director of Neighbourhood Services submitted a report providing statistical information on the various licences issued by the Council under the Licensing Act 2003, Gambling, Sex Shop and taxi licensing.

The Licensing Process Manager commented that the number of personal licence holders active in the licensing trade in East Herts was probably lower than the total licences held because of people retiring but keeping their licences.

In response to questions from Members, the Licensing Process Manager gave some more detail on various aspects of the report.

The Committee decided to note the report.

RESOLVED - that the report be noted.

The meeting closed at 5.45 pm.

Chairman	.....
Date	.....