



MEETING : LICENSING COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : THURSDAY 7 NOVEMBER 2013
TIME : 4.30 PM

MEMBERS OF THE COMMITTEE:

Councillor R Beeching (Chairman).
Councillors W Ashley, P Ballam, E Bedford, E Buckmaster,
Mrs R Cheswright, K Crofton, Mrs D Hone, J Jones, M McMullen
(Vice-Chairman), P Moore, J Taylor, A Warman and B Wrangles, Vacancy.

Substitutes:

Conservative Group: Councillors G Jones and P Ruffles.
Liberal Democrat Group:
Independent Group: Councillor M Newman.

(Note: Substitution arrangements must be notified by the absent Member to Democratic Services 24 hours before the meeting).

CONTACT OFFICER:
Peter Mannings
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DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.
4. It is a criminal offence to:
 - fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
 - fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
 - participate in any discussion or vote on a matter in which a Member has a DPI;
 - knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

AGENDA:

1. Apologies

To receive apologies for absence.

2. Chairman's Announcements

3. Declarations of Interest

To receive any Member(s)' declaration(s) of interest.

4. Minutes – 11 July 2013

To confirm the Minutes of the meeting of the Committee held on Thursday 11 July 2013 (Previously circulated as part of the Council Minute book for 24 July 2013).

5. Licensing Sub-Committee Minutes – 13 August 2013, 4 October 2013, 14 October 2013 and 25 October 2013 ('to follow'). (Pages 7 – 28).

To receive the Minutes of meetings of the Licensing Sub-Committee held on:

13 August 2013
4 October 2013
14 October 2013
25 October 2013 – 'To Follow'.

6. Feedback on Consultation on Statement of Licensing Policy (Pages 29 – 36).

7. Report on Licensing Activity – Quarter 2 of 2013 (Pages 37 – 44).

8. Report on Licensing Activity – Quarter 3 of 2013 (Pages 45 – 52).

9. Attendance at Licensing Sub-Committee (Pages 53 – 58).

10. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

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MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON TUESDAY 13 AUGUST
2013, AT 2.15 PM

PRESENT: Councillor Rose Cheswright (Chairman).
Councillors E Bedford and K Crofton.

ALSO PRESENT:

Councillors D Andrews, P Ballam, J Jones,
M McMullen and S Rutland-Barsby.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Richard Kalu	- Senior Specialist Licensing Officer
Claire Mabbutt	- Licensing Officer
George Robertson	- Legal Services Manager
Brian Simmonds	- Head of Community Safety and Health Services

9 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor K Crofton and seconded by Councillor E Bedford that Councillor Mrs R Cheswright be appointed Chairman of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor Mrs R Cheswright be appointed Chairman of the Licensing Sub-Committee for the meeting.

10 MINUTES – 31 MAY 2013 (PM)

RESOLVED – that the Minutes of the meeting held on 31 May 2013 (pm) be confirmed as a correct record and signed by the Chairman.

11 APPLICATION FOR A PREMISES LICENCE – THE JUNGLE BAR, 117 FORE STREET, HERTFORD SG14 1AX

The Chairman outlined the procedure to be followed. All those present were introduced. The Senior Specialist Licensing Officer advised the Sub-Committee of the details of the application and summarised the amendments which had been put forward by the applicant and agreed with the Police. The details of the eight further conditions and amendments were made available at the meeting.

The Senior Specialist Licensing Officer drew Members' attention to the numerous letters of objection which had been submitted to the proposed application and summarised the content of the objections, the detail of which was set out in the report now submitted. These related to public nuisance, anti-social behaviour, crime and disorder, noise and nuisance generally, (including those patrons using the "smoking area"), proposed long opening hours, and disturbance to residents in Bluecoats and Belvedere Apartments from live music.

The Legal Services Manager explained that before residents objections could be heard, he had been made aware of a resident's request for an adjournment and the Sub-Committee needed to consider whether there was a legitimate reason to adjourn the proceedings to allow residents to arrange their own noise survey to challenge that of the applicant's consultant and to challenge the Police decision not to oppose the application.

An objecting local resident referred to the late production of the acoustic / noise report which had been commissioned by the applicant and the fact that it had not

been possible for the residents to pay for their own independent report. The Legal Services Manager stressed that there was no requirement for the objectors to undertake their own noise report or to incur such costs and that Members of the Licensing Panel would consider the consultants report and the evidence of local residents as to likely disturbance and that residents would have every opportunity to question the applicant on the issue of noise and other possible disturbance. The Legal Services Manager advised that there was no grounds for suggesting any inappropriate decision on the part of the Police, that an adjournment was not justified. It was suggested that, with the consent of Members, the hearing proceed but that there be a 10 minute adjournment to allow objectors an opportunity to review the revised application and the conditions agreed with the Police. Members agreed to a 10 minute adjournment and the meeting resumed at 2.45pm.

The applicant referred to the application as amended. She queried why residents had not raised the issue of the unlocked gate which, she felt would stop a lot of anti-social behaviour. The applicant referred to a number of noise reduction initiatives which she had installed at the premises. A Hertford Town Councillor was in attendance and indicated his support for the application, adding that there was no noise pollution from the premises and referred to other sources of local noise pollution such as cars. He referred to gates at Red House which could be locked to deter anti-social behaviour.

In response to a query from Councillor K Crofton, the applicant explained the existing nature of the business and how it intended to change. The applicant explained how bottles would be dealt with at the end of the evening, of the "Over 21" policy, the use of SIA doormen and where the smoking area would be located.

In response to a query from Councillor E Bedford regarding noise emanating from open windows, the applicant explained that the premises were air

conditioned and a number of doors would be sealed with smokers having to go through three doors before reaching a designated smoking area.

Objectors were provided with an opportunity of asking the applicant questions with particular reference to their individual objections. The applicant was questioned by two residents as to music audible inside their premises which they confirmed was at an unacceptable level during recent tests at the premises; the residents challenged a Hertford Town Councillor's evidence that noise was not an issue and could not be heard at the nearby residential premises. Residents were not convinced by the responses provided to the concerns raised.

On the issue of noise, the applicant's partner advised that he had walked around the building and that he could only get a "sense of a bass line" being played. He suggested that if there was a problem, equipment could be put into residents apartments to monitor levels of disturbance.

Councillor S Rutland-Barsby, as a local ward Member, raised a number of issues with the applicant concerning the acoustic report, noise, exits, the smokers' area and the entry age "Challenge Policy". The applicant provided clarification.

Councillor S Rutland-Barsby stated that, as a Councillor for more than 10 years, she was very concerned at the interest that the proposal had generated and the levels of concern expressed by local residents.

The Legal Services Manager asked the objectors whether they were satisfied that they had had an opportunity to state their concerns. They agreed that they had. A resident referred to the residential nature of the area and of the number of retirement apartments which were occupied by over 55s. The resident added that the proposed business did not fit well within the area.

The applicant was provided with an opportunity to

comment further on their application and how residents' concerns would be addressed.

At the conclusion of the representations, the Sub-Committee withdrew with the Legal Services Manager and the Democratic Services Officer to consider the application. Following this, they returned and the Chairman announced the decision of the Sub-Committee.

The Sub-Committee had listened carefully to the comments put forward by the applicant and had noted all the proposals from the applicant and the conditions agreed with the Police. The Sub-Committee was concerned about the considerable number of objectors' concerns and evidence from a number of them, that noise from the premises was audible within their properties at an unacceptable level.

In the light of the considerable number of local residents' concerns, the Sub-Committee was concerned that noise from people congregating in the smoking area, noise from music and from people leaving the premises, would constitute a public nuisance and was not prepared to approve the application.

RESOLVED – that the application be refused for the reasons now detailed.

The meeting closed at 4.40 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON FRIDAY 4 OCTOBER 2013,
AT 10.00 AM

PRESENT: Councillor Eric Buckmaster (Chairman).
Councillors Mrs R Cheswright and
Mrs D Hone.

ALSO PRESENT:

Councillors M McMullen and N Symonds.

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Oliver Rawlings	- Senior Specialist Licensing Officer
George Robertson	- Legal Services Manager

12 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor Mrs R Cheswright and seconded by Councillor Mrs D Hone that Councillor E Buckmaster be appointed Chairman of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor E Buckmaster be appointed Chairman of the Licensing Sub-Committee for the meeting.

13 MINUTES – 31 MAY 2013 (AM) AND 13 AUGUST 2013

RESOLVED – that the Minutes of the meetings held on 31 May 2013 (am) and 13 August 2013 be confirmed as correct records and signed by the Chairman.

14 APPLICATION BY MEHMET EMIN TEKAGAC TO VARY A PREMISES LICENCE AT FLAMES GRILL, 3 NORTHGATE END, BISHOP'S STORTFORD, HERTFORDSHIRE, CM23 2ET

The Chairman outlined the procedure to be followed. All those present were introduced. The Senior Specialist Licensing Officer advised the Sub-Committee of the details of the application and summarised an amendment which had been put forward by the applicant. The details of a number of additional conditions put forward by the applicant were made available at the meeting.

The Sub-Committee was advised that Hertfordshire Constabulary felt that the applicant had not demonstrated how the application satisfied the 4 licensing objectives. Officers were of the opinion that the application would undermine these objectives.

Members were advised that there had been 15 objections from residents in relation to all 4 of the licensing objectives. Residents had mentioned a number of existing problems and were of the view that this application would exacerbate these issues.

The Senior Specialist Licensing Officer advised that 2 local business had objected on the grounds that the application would cause crime and disorder as well as problems with noise and litter. Concerns had also been expressed in relation to the proximity of the premises to the YMCA hostel.

Police Constable Alexandra Nicolaou summarised the police objection on the grounds that the daytime sale of alcohol from a fast food establishment would exacerbate problems of anti-social behaviour in a Designated Public Places Order (DPPO) area.

Officers did not feel that the amendment to the application, whereby alcohol would be delivered to private dwellings after 11 pm, would prevent anti-social

behaviour as the alcohol would be readily available from Flames Grill during the day and Officers were aware of 10 incidents where alcohol had been a contributing factor to anti-social behaviour.

Police Sergeant Andrew Palfreyman stated that there was an element of unknown risk with this application. He commented that even when adhering to the Challenge 25 policy, the applicant would have limited control over who was being sold alcohol.

In response to a query from the applicant's consultant, Police Sergeant Palfreyman confirmed that whilst the anti-social behaviour logs could not be directly attributed to Flames Grill, reports of this nature were often made away from the premises where incidents had occurred.

Councillor N Symonds, in her capacity as Chairman of the Health and Wellbeing Panel, stated that a key aim of the East Herts Public Health Strategy was reducing the harm caused by alcohol. She expressed concerns regarding the proximity of the YMCA hostel and the Northgate End Youth Centre to Flames Grill. She concluded that the amended application and the suggested conditions did not address her concerns.

The Chairman of the Chantry Residents Association commented that the late amendment to the application, whereby no alcohol would be sold from the premises after 11 pm, had not altered his views and concerns.

He referred to the profound potential impact of this application on the local community in terms of traffic, litter and anti-social behaviour. Residents supported responsible drinking but could not support the late night sale of alcohol where the control of such sales would be difficult.

In conclusion, the representative of the Residents Association stated that residents felt the application contravened all 4 of the licensing objectives and were

particularly concerned that customers, who had already been drinking in town centre pubs, would be served.

Residents were also concerned that public safety was being compromised due to the consistently inconsiderate parking of the staff and delivery drivers working for and with Flames Grill. The nearby pedestrian crossing was regularly blocked by parked cars.

In response to a query from Councillor Mrs R Cheswright, a local resident confirmed that a nearby pedestrian access to residential properties was often blocked by vehicles associated with Flames Grill. He stated that the Flames Grill staff, when asked to move vehicles, were always polite and moved their cars when asked, but the access was then repeatedly blocked in subsequent days causing frustration for residents.

The local resident went on to explain that residents continued to object to the amended application on the grounds that the sale of alcohol would encourage on-street consumption in close proximity to residential dwellings.

Residents were conscious that the police and the licensing authority could not monitor the sale of alcohol and there was a reliance on trust that the terms of the premises license were followed.

Residents were frustrated by the continued lingering of intoxicated persons outside residential properties causing a public nuisance. Litter was also a major problem with the bin to the rear of Flames Grill overflowing with rubbish.

The resident stated that an alcohol licence was an incredible responsibility and Flames Grill was in close proximity to the Bishop's Stortford YMCA hostel and a local youth club. Should this application be approved, the Authority would have no logical grounds to refuse similar applications from other nearby takeaways.

Members were advised that this application would have a profound effect on the local area and contravened the East Herts corporate priority of enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.

The applicant's representative stated that the applicant wished to further amend the application so that no alcohol would be served from the shop and all alcohol sales would be by home delivery only. Police Sergeant Palfreyman stated that the police concerns were unchanged by this further amendment to the application.

The applicant's representative stated that the applicant hoped this application would enhance the viability of Flames Grill. The delivery drivers would not deliver alcohol to anyone suspected of being underage via the challenge 25 system. The applicant would also do what he could to discourage discourteous parking.

As regards the bins, the applicant had requested an additional bin and collection from East Herts Council. The applicant would ensure that notices were displayed in Flames Grill explaining that alcohol could not be purchased at the premises but could be delivered to a private dwelling, subject to a minimum £7 spend per order.

There was a general debate in respect of whether the applicant was in a position to use the Waitrose Car Park to avoid continued disruption for the local residents and a continued risk to public safety.

At the conclusions of the representations the Sub-Committee withdrew with the Legal Services Manager and the Democratic Services Officer to consider the evidence. Following this, they returned and the Chairman announced the decision of the Sub-Committee.

The Sub-Committee had listened to the comments of the

applicant, the police, residents and the Senior Specialist Licensing Officer and had decided to approve the amended application subject to the amended conditions now detailed.

RESOLVED – that the application, as amended, be approved, subject to the following amended conditions:

1. No display of alcohol in the shop.
2. Alcohol sales will be by way of home delivery only.
3. A minimum spend of £7.00 on food is required for a sale of alcohol. No alcohol will be sold unless a minimum food order of £7.00 is placed and accompanies the alcohol.
4. All orders for home delivery of alcohol to be phoned through to the restaurant. Records of orders to be produced to Police & Council Officers if required.
5. Alcohol will only be delivered to persons at the residential address given.
6. Alcohol will not be delivered to any person other than at a residential address. It will not be delivered to persons in the vicinity, in a park, street or similar location.
7. Challenge 25 to be operated as the proof of age scheme.
8. Credible proof of age to be seen in respect of a person appearing to be under 25 for home deliveries of alcohol. Proof of age for deliveries to be a passport, photo driving licence or a Proof of age card with the PASS logo on it.
9. A valid refusals record to be kept and produced to Police / Council Officers on request.
10. A maximum of 8 cans of beer or 2 bottles of wine per order.
11. No spirits or alcopops to be offered for home delivery.
12. Alcohol only to be delivered by trained

competent staff over the age of 21. All such delivery staff to receive training on induction and refresher training at quarterly intervals. Written training logs to be kept.

- 13. All menus / delivery menus to state the proposed conditions and that no alcohol will be delivered to a person under 18.
- 14. No deliveries of alcohol to a person under 18.
- 15. All drivers instructed to be quiet when loading cars, not to leave engines running or otherwise make a noise.
- 16. An additional refuse bin to be provided for waste produced by the business.
- 17. Rubbish must not be allowed to overflow outside the bins to the rear of the premises.

Residents and the police are reminded of the review process. The applicant, the Chief Officer of Police and Persons who have made relevant representations also have the right to appeal this decision at the magistrates court within 21 days of being notified of the decision of the Licensing Authority.

The meeting closed at 11.43 am

Chairman
Date

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MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON MONDAY 14 OCTOBER
2013, AT 2.00 PM

PRESENT: Councillor Roger Beeching (Chairman).
Councillors P Ballam and E Buckmaster.

ALSO PRESENT:

Councillors M McMullen, P Moore, P Ruffles
and S Rutland-Barsby.

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Oliver Rawlings	- Senior Specialist Licensing Officer
George Robertson	- Legal Services Manager
Brian Simmonds	- Head of Community Safety and Health Services
Steve Wilson	- Environmental Health Officer

15 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor E Buckmaster and seconded by Councillor P Ballam that Councillor R Beeching be appointed Chairman of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor R Beeching be appointed Chairman of the Licensing Sub-Committee for the meeting.

16 MINUTES – 4 OCTOBER 2013

RESOLVED – that the Minutes of the meeting held on 4 October 2013 be confirmed as a correct record and signed by the Chairman.

17 APPLICATION BY SUE ADAMS FOR A PREMISES LICENCE AT JUNGLE BAR, 117 FORE STREET, HERTFORD, SG14 1AX

The Chairman outlined the procedure to be followed. All those present were introduced. The Senior Specialist Licensing Officer advised the Sub-Committee of the location of the premises and advised that the applicant had applied to supply alcohol for consumption “on” the premises from 09:00 to 23:00 Sunday to Monday, 09:00 to 23:30 Tuesday and Wednesday, 09:00 to 00:00 on Thursday and 09:00 to 00:30 on Friday and Saturday.

The applicant had also applied to provide recorded music from 09:00 to 23:00 Sunday to Monday, 09:00 to 23:30 Tuesday and Wednesday, 09:00 to 00:00 on Thursday and 09:00 to 00:30 on Fridays and Saturdays. Late Night Refreshment (Indoors) would also be provided on Tuesdays and Wednesdays from 23:00 to 23:30, Thursday 23:00 to 00:00 and on Fridays and Saturdays from 23:00 to 01:00.

Finally, the applicant proposed that the opening hours of the premises would be Monday 09:00 to 23:00, Tuesdays and Wednesdays 09:00 to 23:30, Thursday 09:00 to 00:00, Fridays and Saturdays 09:00 to 01:00 and on Sunday 09:00 to 23:00.

The Sub-Committee was advised that 29 representations had been received from local residents, living at 19 separate addresses, raising concerns in respect of this application. Carers in Hertfordshire had also objected to the application, as had the owner of the Red House. A petition had been received from 9 local businesses and a local church. The concerns of all of the above centred on

the view that the application would undermine the 4 licensing objectives.

The Chauncy Court Residents Association had objected on the grounds that the application would exacerbate problems of public nuisance and anti-social behaviour. Members were advised that it was for the Sub-Committee to consider all the representations and come to a decision on the application.

The applicant's solicitor detailed the history of the application and commented that the applicant understood the concerns of local residents and had sought to adopt a proactive approach to addressing these concerns.

The Sub-Committee was reminded of the detail of the application as referred to by the Senior Specialist Licensing Officer. Members were advised that certain types of live music were permitted without a premises licence. Members were also advised that no representation had been received to date from Environmental Health or the Police.

The solicitor detailed the history of the use of the premises and summarised the intended business model for the Jungle Bar. Members were advised of the key people involved with the premises and their backgrounds and experience. The applicant hoped to manage a well run business that would promote the 4 licensing objectives.

The applicant intended to ensure that all smokers were directed to the front of the premises and it was anticipated that there would be no more than a couple of people with a few more on Friday and Saturday evenings. No patrons would be permitted to take drinks outside as the Applicant was well aware that she would be breaking the law by allowing this to happen.

The applicant hoped to ensure than no more than 15 smokers would be allowed outside at any one time. She

confirmed that a lesser figure of 10 would be accepted as a condition if Members felt this was an appropriate solution. Members were advised that the applicant had offered to pay for a lock to secure a side gate to prevent rubbish and other waste affecting pedestrian access to nearby properties.

The applicant also believed that the suggested conditions were achievable, appropriate and proportionate. The applicant had a full CCTV system at the premises and a dispersal policy would be overseen by door staff to ensure that customer ingress and egress were well managed.

The applicant's solicitor concluded that the applicant would attend pub watch meetings and would not permit under 18s into the Jungle Bar. The challenge 21 policy would be applied and the DJ would be tailoring the style of music to an older audience to attract an older clientele. If any member of the public was persistently rowdy, they would be barred from the premises. A noise limiter had also been installed to the satisfaction of Environmental Health.

The applicant stated that she had a vested interest in the premises and hoped to live above the Jungle Bar. She believed she had done her best to resolve residents' concerns and she had a very experienced team ready to ensure a smooth dispersal from the venue at closing time.

The Environmental Health Officer present commented that he had attended the premises with the applicant and had played a very loud "rock" style song through the sound system at 113 decibels (db) with colleagues listening in two adjacent flats and this extremely loud musical output was not audible in either flat.

Members were advised that Officers had subsequently set the noise limiter to 'trip' above 112db and signed security seals would show if this level had been adjusted by the applicant. Officers were aware that the

background noise levels were high but remained of the view that the music would not be audible in the nearby flats.

In response to Members' queries, the Environmental Health Officer confirmed that 112db was higher than the usually permitted level of 101db. Members were advised that the noise limiter would not control the noise level from drums although the system would monitor the overall amount of sound energy that was being created.

Members were advised that the shell of the building was massive and would be very good at keeping sound within the structure. Officers had recorded a noise level of 75db outside the Jungle Bar with a background outside noise level of 68db.

In response to a query from Councillor S Rutland-Barsby regarding noise being most noticeable late at night, the Environmental Health Officer confirmed that the night-time background noise level was only 6db less than the daytime reading of 68db. Members were advised that a condition could be imposed that all sound should pass through the Automatic Volume Limiter System (AVLS).

In response to concerns from Councillors E Buckmaster and P Ballam, the applicant's solicitor confirmed that noise would be contained within the premises. The Sub-Committee was reminded that no one lived directly opposite the premises.

Councillor S Rutland-Barsby, as local ward Member, detailed the residents she was representing. She stated that their concerns related to noise nuisance late at night and the residents had a right to expect to be able to enjoy their properties in peace. She reminded the Sub-Committee that 200 people lived close to the premises, and these were predominantly the elderly, plus working age adults with children.

Councillor Rutland-Barsby stated that residents were also

concerned that the proximity of the Jungle Bar to Bosphorus Kebab would prevent dispersal late at night and there would also be delays to taxi transport due to the demands placed on this service. Finally, residents were concerned that the applicant had no control over the public once they had left the premises.

The interested parties objecting to the application asked a range of questions at this point in the meeting. The applicant and her solicitor plus the Environmental Health Officer responded to the questions, which related to the numbers permitted to use the smoking area, noise from within the premises and the dispersal of patrons at closing time. A concern was also raised that it only took one or two people to make a significant amount of noise.

The applicant's solicitor commented that there was an excellent taxi marshalling service in Hertford, which was never oversubscribed. A number of the likely patrons of the Jungle Bar would leave the premises on foot and would not therefore require a taxi.

The applicant would employ highly trained door staff to ensure a smooth dispersal once the premises closed. Members were reminded that this was a new application and a lot of the residents' concerns were speculative as these were new premises.

At the conclusion of the final representations, the Sub-Committee withdrew with the Legal Services Manager and the Democratic Services Officer to consider the evidence. Following this, they returned and the Chairman announced the decision of the Sub-Committee.

The Sub-Committee had listened to the comments of the applicant, Environmental Health and residents and had decided to approve the application for the following amended hours (for the sale of alcohol, recorded music and late night refreshments, with closing 30 minutes after the terminal hour shown):

Mondays: 09:00 to 23:00
 Tuesdays: 09:00 to 23:30
 Wednesdays: 09:00 to 23:30
 Thursdays: 09:00 to 23:30
 Fridays: 09:00 to 00:00
 Saturdays: 09:00 to 00:00
 Sundays: 09:00 to 23:00

The remaining conditions agreed with the applicant and detailed in the Operating Schedule, including those added in agreement with Environmental Health, would be applied with an amended additional condition 5 agreed with Environmental Health that there should be no more than 10 customers at any one time allowed outside to smoke on any evening.

Members had imposed these conditions and made changes to the licence hours in light of concerns as to noise during dispersal and potential noise from customers leaving the premises.

The Sub-Committee would encourage residents to meet with the management of the premises following opening to review matters. Residents and the police could apply for a review of the premises licence at any time.

RESOLVED – that subject to the conditions now detailed, the application for a premises licence at Jungle Bar, be approved for the following amended hours (for the sale of alcohol, recorded music and late night refreshments, with closing 30 minutes after the following terminal hours):

Mondays: 09:00 to 23:00
 Tuesdays: 09:00 to 23:30
 Wednesdays: 09:00 to 23:30
 Thursdays: 09:00 to 23:30
 Fridays: 09:00 to 00:00
 Saturdays: 09:00 to 00:00
 Sundays: 09:00 to 23:00

The meeting closed at 4.41 pm

Chairman

Date

EAST HERTS COUNCIL

LICENSING COMMITTEE – 7 NOVEMBER 2013

REPORT BY DIRECTOR NEIGHBOURHOOD SERVICES

6. FEEDBACK ON CONSULTATION ON STATEMENT OF LICENSING POLICY

WARD(S) AFFECTED: ALL

Purpose/Summary of Report:

- To present responses to consultation to Statement of Licensing Policy.

<u>RECOMMENDATION FOR LICENSING COMMITTEE: that</u>	
(A)	Licensing Committee consider the consultation responses; and
(B)	The revised Statement of Licensing Policy be recommended to Full Council for approval.

1.0 Background

1.1 Section 5 of the Licensing Act 2003 required the Licensing Authority to determine and publish its Licensing Policy at least every 3 years (extended to 5 years for future reviews¹). As the current policy was determined in February 2011 for a period of 3 years the policy must be re-determined at Full Council by 31 January 2014. The Statement of Licensing Policy sets out the principles that the authority will apply when exercising its functions under the Licensing Act 2003. The Act also requires that the Statement of Licensing Policy is kept under review, and appropriate revisions are made.

2.0 Report

2.1 In 2013 the Statement of Licensing Policy was reviewed, and on 11 July 2013 Licensing Committee approved the draft revised

¹ Section 5 of the Licensing Act 2003 was amended by the Police Reform and Social Responsibility Act 2011 with effect from 25 April 2012. This extended the maximum period between future reviews of the Licensing Policy from 3 years to 5 years.

policy subject to consideration of responses to public consultation at this meeting.

- 2.2 During the 3 month public consultation, between 15 July 2013 and 18 October 2013, one response was received and this was from PS Andrew Palfreyman of the Community Safety Unit, Hertfordshire Constabulary. The comments are below in paragraphs 2.3-2.7 with officer's observations on the validity.
- 2.3 Paragraph 17.1 states 'If 10 clear working days advance notice (not including Bank Holidays, day of receipt of the notice, or first day of the event) is given to the police and the council'.

This does not take into account the changes made under the Police Reform and Social Responsibility Act 2011 which introduced 'late' TENs so I would suggest the wording be amended as follows: *The Licensing Authority, the Police and Environmental Health require 10 clear working days advance notice for a 'standard' Temporary Event Notice and 5 for a 'late' Temporary Event Notice (not including Bank Holidays, day of receipt of the notice, or first day of the event).*

Officers would suggest that this amendment would make paragraph 17.1 clearer and reflect the changes in legislation.

- 2.4 Paragraph 17.2 states: 'Where representation is received (by means of an objection notice) and not withdrawn, the Council will hold a hearing. The police can withdraw the objection notice by amending the TEN with the agreement of the premises user, and serving a copy on the council'.

This is inaccurate and does not reflect the changes in legislation so I would suggest the following wording: *Where representation is received against a 'standard' Temporary Event Notice (by means of an objection notice) and not withdrawn, the Council will hold a hearing. The Police or Environmental Health can withdraw their objection notice if, following negotiation with the premises user, the TEN is amended to address their concerns. Any such amendment should be confirmed in writing to the Licensing Authority.*

Officers would agree that this is a clearer description of how the process works but would suggest amending the last sentence to read 'Any such amendment should be confirmed in writing to the Licensing Authority by the premises user'. This is an important

point as the premises user (who submitted the TEN) is the only person who can amend the activities or timings requested.

- 2.5 Paragraph 17.4 states: 'The law states that a minimum of ten working days notice must be given, not including the day the notice is received, or the day of the event. A notice of less than 10 full clear working days is not valid, and the Licensing Authority has no power to remedy the invalidity. Applicants are encouraged to give more than 10 days notice, as the right of appeal is not exercisable if an application is refused on ten working days notice'.

This is inaccurate and does not reflect the changes in legislation so I would suggest the following wording: *A Temporary Event Notice submitted with less than 5 full clear working days notice can never be considered valid, and the Licensing Authority has no power to remedy the invalidity. Applicants are encouraged to give more than the statutory minimum notice to allow discussions with the Police and Environmental Health if concerns about the event are raised. In addition premises users should note that the right of appeal against the refusal of a TEN (by way of counter notice) will not be exercisable before the date of the event if only the minimum notice period is observed.*

Officers agree that the wording of this paragraph does not reflect the changes in legislation and that the amended wording is more accurate and should be clearer for people reading the policy.

- 2.6 Paragraph 17.6 states: 'Up to 3 TENs may be served late or 5 if served by a Personal Alcohol Licence Holder, on 5 working days notice. Late TENs may be rejected without appeal on receipt of an objection notice from either the Police, or the Environmental Health Service, on the grounds of any of the Licensing Objectives.'

This is inaccurate and also uses the wrong term so I would suggest the following wording: *There are limits on the number of 'late' TENs that a premises user can serve in a calendar year, 10 for the holder of a personal alcohol licence and 2 for premises users without a personal alcohol licence. If an objection notice, based on one or more of the Licensing Objectives, is received regarding a 'late' TEN it may be rejected without the Council having to hold a hearing. There is no statutory right of appeal of this decision.*

The comment is correct in that the suggested wording of paragraph 17.6 does contain the wrong figures for the number of 'late' TENs allowed. Officers agree that the word 'appeal' is used in the wrong context in as it refers to a 'hearing'. Officers consider the suggested wording to be clearer and more accurate than the wording originally proposed in the consultation.

- 2.7 I would suggest that the following sentence be added to the end of paragraph 17.7: *Such conditions must be appropriate to the licensable activity requested and may be attached through agreement by the premises user or by a Licensing Sub-Committee at a hearing held following the receipt of an objection notice.*

Officers would agree that this sentence would help to further clarify the situation regarding conditions from the premises licence being attached to a TEN for that premises. Ensuring that premises users are aware that they can agree to appropriate conditions being attached to a TEN will help to avoid unnecessary Licensing Sub-Committees being held. The Police and/or Environmental Health can withdraw their objection notices based on the agreement rather than the Council having to go to the time and expense of a hearing to achieve the same outcome.

- 2.8 **Essential Reference Paper 'B'** shows the wording of paragraphs as they appeared in the consultation and how the paragraphs would appear if Members agree with the consultation response.

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

Revised Statement of Licensing Policy.

Contact Member: Councillor Malcolm Alexander – Executive Member for Community Safety and Protection.

Contact Officer: Brian Simmonds – Head of Community Safety and Health Services, Extn: 1498.

Report Author: Oliver Rawlings – Senior Specialist Licensing Officer, Extn: 1629.

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS:

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	<p>People This priority focuses on enhancing the quality of life, health and wellbeing, particularly for those who are vulnerable, and delivering strong services</p> <p>Place This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p>Prosperity This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.</p>
Consultation:	Public consultation took place during the period 15 July 2013 and 18 October 2013. One response was received from the Police as a responsible authority under the Licensing Act 2003.
Legal:	To comply with the council's legal responsibilities, the revised Statement of Licensing Policy must be published by 30 January 2014.
Financial:	No implications other than those detailed in the report.
Human Resource:	No implications other than those detailed in the report.
Risk Management:	No implications other than those detailed in the report.

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ESSENTIAL REFERENCE PAPER 'B'

Wording suggested in draft revised licensing policy	Change suggested by response to consultation (changes in bold)
<p>17.1 The Licensing Act 2003 provides an exemption from the need for a licence at small scale events of no more than 499 people at a time (including staff & performers) and lasting for no more than 168 hours, if 10 clear working days advance notice (not including Bank Holidays, day of receipt of the notice, or first day of the event) is given to the police and the Council. Only the police and Environmental Health can object to a Temporary Event Notice and only on the basis of one or more of the licensing objectives.</p>	<p>17.1 The Licensing Authority, the Police and Environmental Health require 10 clear working days advance notice for a 'standard' Temporary Event Notice and 5 for a 'late' Temporary Event Notice (not including Bank Holidays, day of receipt of the notice, or first day of the event). Only the police and Environmental Health can object to a Temporary Event Notice and only on the basis of one or more of the licensing objectives.</p>
<p>17.2 Where representation is received (by means of an objection notice) and not withdrawn, the Council will hold a hearing. The police can withdraw the objection notice by amending the TEN with the agreement of the premises user, and serving a copy on the council.</p> <p>(The 2013 revision of the policy did not suggest any changes to this paragraph as part of the consultation)</p>	<p>17.2 Where representation is received against a 'standard' Temporary Event Notice (by means of an objection notice) and not withdrawn, the Council will hold a hearing. The Police or Environmental Health can withdraw their objection notice if, following negotiation with the premises user, the TEN is amended to address their concerns. Any such amendment should be confirmed in writing to the Licensing Authority.</p>
<p>17.4 The law states that a minimum of ten working days notice must be given, not including the day the notice is received, or the day of the event. A notice of less than 10 full clear working days is not valid, and the Licensing Authority has no power to remedy the invalidity. Applicants are encouraged to give more than 10 days notice, as the right of appeal is not exercisable if an application is refused on ten working days notice.</p> <p>(The 2013 revision of the policy did not suggest any changes to this paragraph as part of the consultation)</p>	<p>17.4 A Temporary Event Notice submitted with less than 5 full clear working days notice can never be considered valid, and the Licensing Authority has no power to remedy the invalidity. Applicants are encouraged to give more than the statutory minimum notice to allow discussions with the Police and Environmental Health if concerns about the event are raised. In addition premises users should note that the right of appeal against the refusal of a TEN (by way of counter notice) will not be exercisable before the date of the event if only the minimum notice period is observed.</p>

ESSENTIAL REFERENCE PAPER 'B'

<p>17.6 Up to 3 TENS may be served late (or 5 if served by a Personal Alcohol Licence Holder, on 5 working days notice. Late TENS may be rejected without appeal on receipt of an objection notice from either the Police, or the Environmental Health Service, on the grounds of any of the Licensing Objectives.</p>	<p>17.6 There are limits on the number of 'late' TENS that a premises user can serve in a calendar year, 10 for the holder of a personal alcohol licence and 2 for premises users without a personal alcohol licence. If an objection notice, based on one or more of the Licensing Objectives, is received regarding a 'late' TEN it may be rejected without the Council having to hold a hearing. There is no statutory right of appeal of this decision.</p>
<p>17.7 Where a TEN is served to permit licensable activities on Licensed Premises, the Police and Environmental Health may require that conditions on the Premises Licence shall apply to the licensable activities under a TEN.</p>	<p>17.7 Where a TEN is served to permit licensable activities on Licensed Premises, the Police and Environmental Health may require that conditions on the Premises Licence shall apply to the licensable activities under a TEN. Such conditions must be appropriate to the licensable activity requested and may be attached through agreement by the premises user or by a Licensing Sub-Committee at a hearing held following the receipt of an objection notice.</p>

EAST HERTS COUNCIL

LICENSING COMMITTEE – 7 NOVEMBER 2013

REPORT BY DIRECTOR OF NEIGHBOURHOOD SERVICES

7. REPORT ON LICENSING ACTIVITY – QUARTER 2 OF 2013

WARD(S) AFFECTED: ALL

Purpose/Summary of Report:

To update members on activity in the licensing department in respect of:

- Processing licences,
- Enforcement activity, and
- Other implementation of the Service Plan.

<u>RECOMMENDATION FOR LICENSING COMMITTEE: that</u>	
(A)	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 See **Essential Reference Paper 'B'** for performance data for quarter 2 of 2013: 1 April – 30 June 2013. This contains the numbers of applications or notices received.

2.2 During this quarter the enforcement team have undertaken 71 actions which are divided between visits, inspections and

investigations. These have been analysed further and are recorded as:

• Taxi Inspections and Investigations	12
• Premises Complaints and Visits	31
• Gambling Premises visits	0
• Blue Notice visits	8
• Invoice Visits/chase ups	17
• House to House Collection complaints	1
• Taxi Camera Investigations	0
• TENS Complaints and Investigations	2

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. At the end of the period there were 10 outstanding invoices. No premises licences were suspended or revoked during this period for non payment of fees.
- 2.4 A significant part of the enforcement team's work is to ensure that all documentation for taxi drivers and vehicles are current and licenses are valid. During this quarter 38 letters were produced.
- 2.5 Under the licensing points system a total of 77 points have been issued to 32 licence holders. This is part of the authority's continuing efforts to improve standards and behaviour amongst drivers and proprietors.
- 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 Environment.
malcolm.alexander@eastherts.gov.uk

Contact Officer: Brian Simmonds – Head of Community Safety and Health Services, Extn: 1498.

brian.simmonds@eastherts.gov.uk

Report Author:

Claire Mabbutt and Jenny Mills – Licensing
Enforcement Officers, Extn: 1674.
claire.mabbutt@eastherts.gov.uk or
jenny.mills@eastherts.gov.uk

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS:

<p>Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):</p>	<p>People This priority focuses on enhancing the quality of life, health and wellbeing, particularly for those who are vulnerable, and delivering strong services</p> <p>Place This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p>Prosperity This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.</p>
<p>Consultation:</p>	<p>For information only, and no partner or external consultation has taken place.</p>
<p>Legal:</p>	<p>No issues identified by report author or contact officer</p>
<p>Financial:</p>	<p>No issues identified by report author or contact officer</p>
<p>Human Resource:</p>	<p>No issues identified by report author or contact officer</p>
<p>Risk Management:</p>	<p>No issues identified by report author or contact officer</p>

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ESSENTIAL REFERENCE PAPER 'B'

Q2 2013 – 01 April 2013 to 30 June 2013

Licensing Act 2003

Premises Licence	Totals
New	4
Variation	7
Minor Variation	0
Transfer of premises licence	0
Change of designated premises supervisor	4
Change of name and/or address	3
Cancelled/surrendered	2
Suspended	0

Club Premises Certificates	Totals
New	0
Variation	0
Minor Variation	1
Transfer of premises licence	0
Change of designated premises supervisor	0
Change of name and/or address	0
Cancelled/surrendered	0
Suspended	0

Personal Alcohol Licences	Totals
New	19
Amendments (change of address etc)	13

Temporary Event Notices	Totals
TENs received	226
TENs withdrawn by premises user	3
Amended by premises user	0
Objections (Police or Environmental Health)	6

GAMBLING ACT 2005

Club Machine Permits	1
Small Society Lotteries – New and Renewal	21
Other (fast track, amendment to permit etc)	3
Betting Premises Licence	0
Licensed Premises Gaming Machine Permit	1
Notification of Gaming Machines	0

TAXIS

New Dual Drivers	2
Renewed Dual Drivers	52
Other (amendment to existing driver records etc)	7

New Private Hire Drivers	2
Renewed Private Hire Drivers	5
Cancelled/Surrendered/Lapsed	1
Other (amendment to existing driver records etc)	1

New Private Hire Operators	0
Renewed Private Hire Operators	4
Cancelled/Surrendered/Lapsed	1
Other (amendment, reissue of documents etc)	1

New Hackney Carriage Vehicles	6
Renewed Hackney Carriage Vehicles	41
Cancelled/Surrendered	4
Change of vehicle	11
Other (amendment, reissue of plate etc)	3

New Private Hire Vehicles	6
Renewed Private Hire Vehicles	3
Cancelled/Surrendered/Lapsed	3
Change of vehicle	1
Other (amendment, reissue of plate etc)	0

TOTAL NUMBERS OF LICENSING SUB-COMMITTEE HEARINGS BETWEEN 01 APRIL 2013 and 30 JUNE 2013

Premises Licences	2
Temporary Events Notice	4
Licensed Premises Gaming Machine Permit	1

EAST HERTS COUNCIL

LICENSING COMMITTEE – 7 NOVEMBER 2013

REPORT BY DIRECTOR OF NEIGHBOURHOOD SERVICES

8. REPORT ON LICENSING ACTIVITY QUARTER 3 OF 2013

WARD(S) AFFECTED: ALL

Purpose/Summary of Report:

To update members on activity in the licensing department in respect of:

- Processing licences,
- Enforcement activity, and
- Other implementation of the Service Plan.

<u>RECOMMENDATION FOR LICENSING COMMITTEE:</u> that
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(A)	The report be received.
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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 **See Essential Reference Paper 'B'** for performance data for quarter 3 of 2012: 1 July – 30 September 2012. This contains the numbers of applications or notices received, and totals of current licences.

2.2 During this quarter the enforcement team have undertaken 120 actions which are divided between visits, inspections and investigations. These have been analysed further and are recorded as:

- Taxi Inspections and Investigations 24
- Premises Complaints and Visits 73
- Gambling Premises visits 0
- Blue Notice visits 3
- Invoice Visits/chase ups 17
- House to House Collection complaints 1
- Taxi Camera Investigations 0
- TENS Complaints and Investigations 2

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. Currently at the time of reporting there are 10 outstanding invoices. There have been 4 premises suspended and 1 premises licence revoked due to non payment of fees.

2.4 A significant part of the enforcement team's work is to ensure that all documentation for taxi drivers and vehicles are current and licenses are valid. During this quarter 46 letters were produced.

2.5 Under the licensing points system a total of 80 points have been issued to 40 licence holders. There will be 2 drivers attending a Licensing Sub-Committee having accumulated 12 or more points. This is part of the authority's continuing efforts to improve standards and behaviour amongst drivers and proprietors.

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 Environment.
malcolm.alexander@eastherts.gov.uk

Contact Officer: Brian Simmonds – Head of Community Safety and Health Services, Extn: 1498.
brian.simmonds@eastherts.gov.uk

Report Author: Claire Mabbutt and Jenny Mills – Licensing Enforcement Officers, Extn: 1674.
claire.mabbutt@eastherts.gov.uk or
jenny.mills@eastherts.gov.uk

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS:

<p>Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):</p>	<p>People This priority focuses on enhancing the quality of life, health and wellbeing, particularly for those who are vulnerable, and delivering strong services</p> <p>Place This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p>Prosperity This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.</p>
<p>Consultation:</p>	<p>For information only, and no partner or external consultation has taken place.</p>
<p>Legal:</p>	<p>No issues identified by report author or contact officer</p>
<p>Financial:</p>	<p>No issues identified by report author or contact officer</p>
<p>Human Resource:</p>	<p>No issues identified by report author or contact officer</p>
<p>Risk Management:</p>	<p>No issues identified by report author or contact officer</p>

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ESSENTIAL REFERENCE PAPER 'B'

Q3 2013 – 01 July 2013 to 30 September 2013

Licensing Act 2003

Premises Licence	Totals
New	1
Variation	8
Minor Variation	8
Transfer of premises licence	1
Change of designated premises supervisor	4
Change of name and/or address	2
Cancelled/surrendered	4
Suspended	1

Club Premises Certificates	Totals
New	0
Variation	0
Minor Variation	0
Transfer of premises licence	0
Change of designated premises supervisor	0
Change of name and/or address	0
Cancelled/surrendered	0
Suspended	0

Personal Alcohol Licences	Totals
New	21
Amendments (change of address etc)	9

Temporary Event Notices	Totals
TENs received	150
TENs withdrawn by premises user	3
Amended by premises user	2
Objections (Police or Environmental Health)	0

GAMBLING ACT 2005

Club Machine Permits	0
Small Society Lotteries – New and Renewal	8
Other (fast track, amendment to permit etc)	1
Betting Premises Licence	0
Licensed Premises Gaming Machine Permit	0
Notification of Gaming Machines	0

TAXIS

New Dual Drivers	5
Renewed Dual Drivers	69
Other (amendment to existing driver records etc)	15

New Private Hire Drivers	3
Renewed Private Hire Drivers	8
Cancelled/Surrendered/Lapsed	3
Other (amendment to existing driver records etc)	1

New Private Hire Operators	0
Renewed Private Hire Operators	4
Cancelled/Surrendered/Lapsed	1
Other (amendment, reissue of documents etc)	1

New Hackney Carriage Vehicles	9
Renewed Hackney Carriage Vehicles	50
Cancelled/Surrendered	10
Change of vehicle	18
Other (amendment, reissue of plate etc)	0

New Private Hire Vehicles	2
Renewed Private Hire Vehicles	8
Cancelled/Surrendered/Lapsed	2
Change of vehicle	0
Other (amendment, reissue of plate etc)	6

TOTAL NUMBERS OF LICENSING SUB-COMMITTEE HEARINGS BETWEEN 30 JUNE 2013 and 30 SEPTEMBER

Premises Licences	1
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TOTAL NUMBERS OF LICENCES AS AT 30 SEPTEMBER 2013

Premises Licences	491
Club Premises Certificates	40
Personal Licences	1412
Dual Driver	298
Hackney Carriage Vehicles	250
Private Hire Drivers	53
Private Hire Vehicles	46
Private Hire Operators	23

EAST HERTS COUNCIL

LICENSING COMMITTEE – 7 NOVEMBER 2013

REPORT BY DIRECTOR OF NEIGHBOURHOOD SERVICES

9. ATTENDANCE AT LICENSING SUB-COMMITTEE

WARD(S) AFFECTED: All.

Purpose/Summary of Report:

- Members have asked for details of attendances at Licensing Sub-Committees including Members attending as observers. This was in order to show work was being shared equally. These are detailed in **Essential Reference Paper 'B'**.

<u>RECOMMENDATION FOR LICENSING COMMITTEE: that</u>	
(A)	The report be received.

1.0 Background

1.1 Members of Licensing Sub-Committees are drawn from the Council's Licensing Committee. These Members are required to complete appropriate training and attend meetings before serving on Licensing Sub-Committees.

2.0 Report

2.1 The tables in **Essential Reference Paper 'B'** give details of attendances at Licensing Sub-Committee during the current civic year.

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

Licensing Sub-Committee minutes.

Contact Member: Councillor M Alexander, Deputy Leader and Executive Member for Community Safety and Environment. malcolm.alexander@eastherts.gov.uk

Contact Officer: Jeff Hughes, Head of Democratic and Legal Support Services, Extn: 2170. jeff.hughes@eastherts.gov.uk

Report Author: Peter Mannings, Democratic Services Officer, Extn: 2174. peter.mannings@eastherts.gov.uk

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS:

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	<p>People This priority focuses on enhancing the quality of life, health and wellbeing, particularly for those who are vulnerable, and delivering strong services</p> <p>Place This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p>Prosperity This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.</p>
Consultation:	None.
Legal:	The Council is required to ensure that licensing matters are dealt with by suitably qualified Members in an impartial manner.
Financial:	None.
Human Resource:	None.
Risk Management:	The Council's reputation could be at risk if licensing matters are not dealt with in a correct manner.

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ESSENTIAL REFERENCE PAPER 'B'

**Training and attendance needed (training is consider to be essential before Members are selected for a Licensing Sub–Committee hearing).

* Attendance needed at Licensing Sub–Committee to gain experience as an observer (this is considered to be a preferred prerequisite before Members are selected for a Licensing Sub–Committee hearing).

Licensing Committee Members attending as Members of Sub-Committee									
Members	Total	From 15 May 2013							
Ashley W									
Ballam P	1	14/10							
Bedford E	1	13/08							
Beeching R	1	14/10							
Buckmaster E	3	31/05 am	04/10	14/10					
Cheswright R	2	13/08	04/10						
Crofton K	2	31/05 pm	13/08						
Hone D	2	31/05 pm	04/10						
Jones J *									
McMullen M	1	31/05 am	25/10						
Moore P									
Taylor J	1	31/05 am							
Warman A	1	31/05 pm	25/10						
Wrangles B	1	25/10							

Jones G									
Newman M									
Ruffles P									

Licensing Committee Members attending as Observer

Members	Total	From 15 May 2013							
Ashley W									
Ballam P	1	13/08							
Bedford E									
Beeching R									
Buckmaster E									
Cheswright R									
Crofton K									
D Hone									
Jones J *	1	13/08							
McMullen M	3	13/08	04/10	14/10					
Moore P	1	14/10							
Taylor J									
Warman A									
Wrangles B									

Substitutes:									
Jones G									
Newman M									
Ruffles P	1	14/10							