

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 14 MARCH
2018, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors P Ballam, R Brunton,
Mrs R Cheswright, G Cutting, B Deering,
J Jones, M McMullen, T Page and
N Symonds

ALSO PRESENT:

Councillors P Ruffles

OFFICERS IN ATTENDANCE:

Simon Aley	- Interim Legal Services Manager
Jonathan Geall	- Head of Housing and Health
Peter Mannings	- Democratic Services Officer
Oliver Rawlings	- Service Manager (Licensing and Enforcement)

400 APOLOGIES

Apologies for Absence were submitted on behalf of
Councillors R Standley and J Taylor.

401 CHAIRMAN'S ANNOUNCEMENTS

The Chairman introduced and welcomed Robin Trevillion from Hertfordshire County Council (HCC) Public Health to the meeting.

402 MINUTES - 15 NOVEMBER 2017

RESOLVED – that the Minutes of the meeting held on 15 November 2017, be confirmed as a correct record and signed by the Chairman, subject to the addition of the word ‘terminals’ at the end of the 1st sentence in the 8th paragraph in Minute 252 - Licensing Activity Quarter 1 And Quarter 2 Of 2017.

403 LICENSING SUB-COMMITTEE - 27 NOVEMBER 2017

RESOLVED – that the Minutes of the Licensing Sub-Committee meetings held on 27 November 2017, be received.

404 PRESENTATION - THE IMPACT OF ALCOHOL MISUSE ON THE NHS

Robin Trevillion (Public Health – Health Protection and Resilience) at Hertfordshire County Council gave a presentation covering the impact of Alcohol Misuse on the NHS. He referred to a shift in behaviour with younger people drinking less and in particular less binge drinking. Members were advised that a more pressing issue was the significant amount of home drinking taking place.

Councillor G Cutting commented on the impact of anti-social behaviour on the health service and police. He commented on the need to address the sale of alcohol to youngsters by supermarkets and independent retailers.

Robin Trevillion stated that surveys had been distributed to doctors' surgeries and to pharmacies to get an insight into people's drinking habits. Councillor P Ballam questioned the honesty of the answers people gave when completing such surveys.

Members were advised of the £11 billion annual crime and disorder cost of dealing with alcohol related harm. The NHS faced an annual bill of £3.5 billion relating to harm resulting from alcohol consumption. Robin Trevillion commented on the health impacts of alcohol and referred to the increased risks of various conditions such as cancer.

Robin Trevillion concluded that East Herts had the lowest figure for hospital admissions for alcohol related conditions for all ages in Hertfordshire. Councillor T Page questioned why East Herts was doing so well.

Robin Trevillion emphasised that sales of alcohol as an average per person were lower than the national average in East Herts and also lower than Hertfordshire generally. East Herts also compared favourably to other similar local authority areas. He responded in detail to a wide range of questions from the Committee. Members received the presentation.

RESOLVED – that the presentation be received.

405 NIGHT TIME ECONOMY POSITION STATEMENT

The Head of Housing and Health submitted a report inviting Members to consider the draft position statement entitled 'Licensing Decision Making relating to the Night Time Economy'. The Head commented on ward Members being notified of licensing applications being made in their respective wards.

Members were advised that the position statement would make it clearer to responsible authorities how they could input into the decision making process. The Head reminded the Committee that the licensing regime was heavily governed by legislation and in particular by the four licensing objectives.

Members were also advised that the intention was to empower those who wished to make representations to the Authority on licensing matters. The Head commented on the importance of liaising with Town and Parish Councils.

Various Members referred to specific concerns they had with particular premises. The Head reminded Members that any concerns had to relate back to the four licensing objectives. The Chairman referred to the weight that could be attached to the evidence presented to the Licensing Sub-Committee.

Following comments from Councillor B Deering and the Committee Chairman regarding the website and statutory publicity, the Head advised that the Authority

was publicising applications for licensable activity and other relevant information in a number of ways in addition to what is required to meet statutory obligations. The Committee received the report.

RESOLVED – that the wording of the draft position statement be agreed and the need for public consultation be noted.

406 PROPOSED CHANGES TO EAST HERTS COUNCIL HACKNEY CARRIAGE AND PRIVATE HIRE FEES

The Head of Housing and Health submitted a report inviting Members to consider consultation responses to the revised Taxi Licensing fees and charges for the 2018/19 financial year.

The Service Manager (Licensing and Enforcement) reminded Members that East Herts Council had not varied taxi licensing fees since 2013. He referred Members to Essential Reference Paper 'B' for the current 2017/18 fees and Essential Reference Paper 'C' for the proposed 2018/19 fees.

The Service Manager confirmed to Councillor J Jones why Officers were suggesting a reduction in the fee for a new 1 year private hire application. Members were reminded that it would be unlawful to charge more than cost recovery to ensure that the Authority was not open to challenge in the form of judicial review.

The Service Manager advised that East Herts was about average in Hertfordshire in respect of the current Hackney Carriage and Private Hire Fees.

Members received the report.

RESOLVED – that (A) the proposed fees for 2018/19 be considered in the light of the consultation responses; and

(B) the schedule of taxi fees and charges for 2018/19, included in Essential Reference Paper B of the report submitted, be recommended to the Head of Strategic Finance and Property for approval.

407 PROPOSED CHANGES TO EAST HERTS COUNCIL HACKNEY CARRIAGE FARES TARIFF

The Head of Housing and Health submitted a report inviting Members to consider the proposal to change the fares tariff that might be charged by East Herts Licensed Hackney Carriages.

The Service Manager (Licensing and Enforcement) referred to table of fares and the requirement that the meter had to be used in the District. A fee less than that displayed by the meter could be charged in a Hackney Carriage. Journeys that were outside of the District could also be subject to different agreed fares between the taxi driver and a passenger.

The Service Manager referred to the statutory framework for taxi licensing and commented that the taxi trade in East Herts had been asked for an opinion regarding a potential variation to the table of fares.

The proposed 10 % increase in the flag fare would go

before Executive for a decision on 24th April 2018. The consultation on the variation to the table of fares would last for 14 days between 26 April and 10 May 2018. If thereafter, no objections were received then the new table of fares would come into effect on 11 May 2018.

Members were advised that, if during the consultation, objections were received then these would be considered by Executive on 12 June 2018. At this meeting, the final table of fares would be set to come into effect on 13 June 2018.

The Service Manager advised that the proposal would be to review the fares again six months after any variation came into force and then to instigate an annual review. This did not guarantee an increase on every occasion but ensured that the fares are reviewed regularly. Members received the report.

RESOLVED – that (A) the proposed variation to the table of fares listed in paragraph 2.8 of the report submitted and the requirement for consultation be noted; and

(B) that the proposed variation to the table of fares be recommended to the Executive for approval before the consultation commences.

408 REPORT ON LICENSING ACTIVITY QUARTER 3 OF 2017/18
FINANCIAL YEAR

The Head of Housing and Health submitted a report updating Members in relation to statistics on

processing licences, enforcement activity and implementation of the Service Plan for Quarter 3 of the 2017/18 financial year. The Service Manager (Licensing and Enforcement) provided a summary of the report and referred to Essential Reference Papers 'B' and 'C' regarding licensing data for the relevant period.

The Service Manager referred in particular, to a number of cases involving taxi drivers that were going through the appeals process with the magistrate's court and the crown court where Officers had challenged the decisions of the magistrate's court. Members were advised of the praise received for the Council's Licensing Officers from the police following the results of recent legal proceedings.

The Chairman thanked Officers for their efforts in pursuing Taxi Licensing enforcement activity. Councillor J Jones referred to most decisions regarding taxi drivers being made by the Head of Housing and Health in consultation with the Chairman of Licensing Committee. Members asked whether details of court cases could be circulated to the Licensing Committee.

The Head of Housing and Health confirmed that cases were publicised by Officers where appropriate. Officers confirmed to Councillor T Page that all Gambling establishments would be visited by Officers. The Committee received the report.

RESOLVED – that the report be received.

The meeting closed at 8.55 pm

Chairman
Date