

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 23 JUNE 2021,
AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors R Bolton, K Crofton,
M Goldspink, A Hall, J Jones, T Page,
C Redfern, S Reed, D Snowdon, N Symonds
and C Wilson

ALSO PRESENT:

Councillors P Boylan and P Ruffles

OFFICERS IN ATTENDANCE:

Steven King	- Finance Management Trainee
Claire Mabbutt	- Licensing Enforcement Officer
Rosalyn Morris	- Licensing Enforcement Officer
Oliver Rawlings	- Service Manager (Licensing and Enforcement)
Dimple Roopchand	- Litigation and Advisory Lawyer
William Troop	- Democratic Services Officer

Brad Wheeler - Senior Licensing
and Enforcement
Officer

73 APPOINTMENT OF VICE-CHAIRMAN

It was moved by Councillor Symonds and seconded by Councillor Reed, that Councillor Bolton be appointed Vice-Chairman of the Licensing Committee for 2021/22. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – Councillor Bolton be appointed Vice-Chairman of the Licensing Committee for 2021/22.

74 APOLOGIES

There were no apologies for absence.

75 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all those present back to the Council Chamber following the resumption of in-person meetings.

76 DECLARATIONS OF INTEREST

There were no declarations of interest.

77 MINUTES - 10 MARCH 2021

It was moved by Councillor Goldspink and seconded by Councillor Snowdon, that the Minutes of the meeting

of the Committee held on 10 March 2021 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Minutes of the Committee meeting held on 10 March 2021 be confirmed as a correct record and signed by the Chairman.

78 LICENSING SUB-COMMITTEE - 29 MARCH AND 6 APRIL 2021

RESOLVED – that the Minutes of the Licensing Sub-Committee meetings held on 29 March and 6 April 2021, be received.

79 CONSIDERATION OF THE RESPONSES TO THE CONSULTATION ON THE DRAFT REVISION OF THE STATEMENT OF LICENSING POLICY 2021-26

The Licensing and Enforcement Service Manager briefly summarised the report. He thanked the respondents to the consultation.

Councillor Wilson said that it was a pity that legislation prevented the Council from advertising licensing applications more widely, in the same way that planning applications were. Members should therefore be active in publicising licensing applications to residents.

The Chairman said that he agreed and had previously delivered letters by hand to notify residents of applications.

Councillor Goldspink and the Chairman said that they were pleased by the number of responses to the consultation, especially given the Committee's concerns over low engagement in the past. The response regarding modern slavery was particularly insightful and interesting.

It was moved by the Councillor Jones and seconded by the Councillor Snowdon that the recommendations, as detailed, be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the report be considered and received; and

(B) the final version of the Statement of Licensing Policy 2021-26 be endorsed for presentation for consideration by the Executive Member for Neighbourhoods.

80 REVIEW AND REVISION OF THE LICENSING RECORDS POINTS SCHEME

Rosalyn Morris, Licensing and Enforcement Officer, briefly summarised the report.

Councillor Wilson referred to the offence of a driver being in possession of illegal drugs while in charge of a licensed vehicle or evidence of drugs or alcohol in the vehicle. He said that this would be a criminal offence and asked to what standard of proof the Licensing Authority would judge this and whether this would

interfere with the work of the Police.

The Licensing and Enforcement Service Manager said that allegations would be decided on the balance of probabilities. Police intelligence could still be considered valid evidence, even if the Police took no further action, as they worked to a higher standard of proof.

Councillor Wilson said that points for the late application for the renewal of a license seemed out of step with the other offences, as this is not something that would put the public at risk.

The Licensing and Enforcement Officer said that this was to encourage drivers to return renewal applications on time and saved Officers spending time chasing applications.

The Service Manager said that each case would be judged on its own merits and there was an appeals process, which meant circumstances such as illness or bereavement would be given due consideration.

Councillor Jones asked about the Licensing Authority's points scheme and how this compared to other local authorities' schemes.

The Service Manager said that practises varied, although the Department for Transport (DfT) recommended using a points system, and Stevenage Borough Council were currently reviewing the Council's scheme with a view to potentially implementing it themselves.

It was moved by the Councillor Crofton and seconded by the Councillor Snowdon that the recommendations, as detailed, be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the report be considered and received; and

(B) Officers be instructed to carry out an 8 week public consultation regarding the proposed changes.

81 LICENSING ANNUAL REPORT 2020-21

Claire Mabbutt, Licensing and Enforcement Officer, briefly summarised the report. She also said that the DfT had implemented the Disclosure and Barring Service (DBS) update service, which should reduce the amount of chasing Officers had been doing to obtain documents from drivers. There was a fast track process to assist drivers who had not worked over the last 12 months or had faced difficulties renewing.

The Chairman said that he was pleased that taxi inspections had continued. He asked about the list of applications decided by the Licensing Sub-Committee.

The Licensing and Enforcement Officer said that the report was for the last financial year and therefore a meeting which related to applications from two Tesco stores was not included, but would be listed in the next report.

Councillor Goldspink and the Chairman said it was clear from the report just how much work had been done and carefully documented, and thanked Officers for their hard work.

Councillor Symonds also thanked Officers for their work regarding a licensing matter in her ward.

RESOLVED – that the report be considered and received.

82 URGENT BUSINESS

There was no urgent business.

The meeting closed at 7.28 pm

Chairman
Date