

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 10 JULY
2024, AT 7.00 PM

PRESENT: Councillor M Connolly (Chair)
Councillors T Deffley, J Dunlop, G Hill,
S Marlow, C Redfern, V Smith and
R Townsend

OFFICERS IN ATTENDANCE:

Michele Aves	- Committee Support Officer
Oliver Rawlings	- Service Manager (Licensing and Enforcement)

82 APPOINTMENT OF THE VICE-CHAIR FOR 2024/25

It was moved by Councillor Smith and seconded by Councillor Townsend that Councillor Marlow be appointed as Vice-Chair of the Licensing Committee for 2024/2025. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor Marlow be appointed as Vice-Chair of the Licensing Committee for 2024/2025.

83 APOLOGIES

There were no apologies for absence.

84 MINUTES - 25 OCTOBER 2023

It was moved by Councillor Dunlop and seconded by Councillor Townsend that the Minutes of the meeting of the Committee held on 25 October 2023 be confirmed as a correct record and signed by the Chair. After being put

to the meeting and a vote taken the motion was declared CARRIED. It was noted that Councillor Redfern abstained from the vote.

RESOLVED – that the Minutes of the Committee meeting held on 25 October 2023 be confirmed as a correct record and signed by the Chair.

85 MINUTES - LICENSING SUB-COMMITTEE 28 NOVEMBER 2023

It was moved by Councillor Connolly and seconded by Councillor Marlow, that the Minutes of the meeting of the Licensing Sub-Committee held on 28 November 2023 be confirmed as a correct record and signed by the Chair. After being put to the meeting and a vote taken the motion was declared CARRIED.

RESOLVED – that the Minutes of the Licensing Sub-Committee meeting held on 28 November 2023 be confirmed as a correct record and signed by the Chair.

86 MINUTES - LICENSING SUB-COMMITTEE 8 APRIL 2024

It was moved by Councillor Connolly and seconded by Councillor Smith, that the Minutes of the meeting of the Licensing Sub-Committee held on 8 April 2024 be confirmed as a correct record and signed by the Chair. After being put to the meeting and a vote taken the motion was declared CARRIED.

RESOLVED – that the Minutes of the Licensing Sub-Committee meeting held on 8 April 2024 be confirmed as a correct record and signed by the Chair.

87 CHAIRMAN'S ANNOUNCEMENTS

The Chair welcomed all to the meeting. She said that although there had recently been limited business for the

Licensing Committee, there was a lot of work being undertaken by the Licensing Department.

The Chair said that this work included two decisions made by the Head of Housing and Health. The first resulted in an amendment to the East Herts Council Pavement Policy and associated fees, the second concerned an amendment to the legislative basis for East Herts Council's licensing and regulation of markets.

The Service Manager (Licensing and Enforcement) expanded upon these changes and answered questions from the Committee.

88 DECLARATIONS OF INTEREST

There were no declarations of interest.

89 REVIEW OF ANNUAL LICENSING ACTIVITY IN THE FINANCIAL YEAR 2023-24

The Service Manager (Licensing and Enforcement) introduced the report, he apologised for the absence of Quarter 3 and Quarter 4 data and explained that this was due to the time constraints caused by the current staff vacancies within the Licensing Department. He assured the Committee that future quarterly reports would be forthcoming.

The Service Manager (Licensing and Enforcement) said that despite the reduction in staff, all inspections had been maintained with the assistance of the Environmental - Crime Officer, and that all notices had been checked in Quarters 3 and 4. He said all performance indicators had also been met for 2023/24.

The Service Manager (Licensing and Enforcement) said that Licensing Sub-Committee hearings which were subsequently withdrawn required as much work as those which took place. He explained that for such hearings

liaison still took place, reports were still prepared, and hearings were still organised.

The Service Manager (Licensing and Enforcement) referred to the hearing for AMAFest and said that lessons had been learnt and processes changed. He added that the Licensing Department also now had an improved working relationship with Hertfordshire County Council's Highways Department.

The Service Manager (Licensing and Enforcement) said that the applicant for Ermines Café was unhappy with the conditions attached to their licence. He explained that this resulted the applicant appealing and Legal (in consultation with the Members of the Licensing Sub-Committee) agreeing to a consent order.

The Service Manager (Licensing and Enforcement) referred to Appendix A of the report. He summarised that there were less new premises licences than in 2022/23, and that the number of clubs remained as last year. He said that there had been more Temporary Event Notices (TENS) than in the past two years, with gambling activity remaining consistent.

The Service Manager (Licensing and Enforcement) said that there had been an increase in applications for Private Hire drivers, as well as an increase in the number of new Hackney Carriage and Private Hire vehicles being changed to comply with omissions policies. He said that applications for dual drivers had also increased following a slump last year.

The Service Manager (Licensing and Enforcement) said that the number of Pavement Licenses was low, but as explained, a review of these was to be undertaken following recent policy change.

The Chair thanked the Service Manager (Licensing and Enforcement) for the report.

Councillor Dunlop asked what action was taken against the AMAFest applicant who did not conform with this licence conditions.

The Service Manager (Licensing and Enforcement) said that breaches to the conditions for AMAFest could not be proved. He said that therefore advice was given, and should the applicant reapply, this advice would be considered.

Councillor Dunlop asked for clarification of the £50 fees which related to gaming machines.

The Service Manager (Licensing and Enforcement) said that the £50 fee was set by Government. He said that this applied to a premises without an alcohol licence, which had two or less category C gaming machines.

Councillor Deffley referred to the Ermines Café application and asked if the appeal process could have been concluded more quickly.

The Service Manager (Licensing and Enforcement) said that an appeal takes approximately six months to get to Court. He said that discussion with the Ermines Café applicant and Legal's input with the case was lengthy.

Councillor Marlow asked if applications which were subsequently withdrawn were charged for, and asked if there were any 'serial offenders' who withdrew.

The Service Manager (Licensing and Enforcement) said that the statutory fee for applications had remained at the same level since 2005. He said that the Council received £100 for applications whatever the size of the event, and so the revenue raised was never enough to cover costs. He said that lobbying to change fees had occurred, but this could cause disparity, hitting small businesses.

The Service Manager (Licensing and Enforcement) said that it was unusual to have three applications withdrawn

in a six-week period (as had recently occurred), and confirmed that there were no ‘serial offenders’.

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

RESOLVED – that Members review and comment on the Licensing activity in the financial year 2023-24.

90 URGENT BUSINESS

There were no urgent items.

The meeting closed at 7.35 pm

Chairman
Date