



MEETING : LICENSING COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 10 JULY 2024
TIME : 7.00 PM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE COMMITTEE

Councillor Maura Connolly (Chair)
Councillors S Bull, N Cox, T Deffley, J Dunlop, G Hill, S Marlow, C Redfern,
V Smith, R Townsend, F Woolf and J Wyllie

Substitutes

Conservative Group: Councillors I Devonshire and A Parsad-Wyatt

Liberal Democrat Group: Councillor M Adams

Green Group: Councillors G Williams and D Woollcombe

Labour Group: Councillor D Willcocks

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

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- must not participate in any vote taken on the matter at the meeting;
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AGENDA

1. Appointment of the Vice-Chair for 2024/25

2. Apologies

To receive apologies for absence.

3. Minutes - 25 October 2023 (Pages 5 - 12)

To approve the Minutes of the meeting of the Committee held on 25 October 2023.

4. Minutes - Licensing Sub-Committee 28 November 2023 (Pages 13 - 19)

5. Minutes - Licensing Sub-Committee 8 April 2024 (Pages 20 - 25)

6. Chairman's Announcements

7. Declarations of Interest

To receive any Members' declarations of interest.

8. Review of Annual Licensing Activity in the Financial Year 2023-24 (Pages 26 - 35)

9. 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.

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 25
OCTOBER 2023, AT 7.00 PM

PRESENT: Councillor M Connolly (Chairman)
Councillors S Bull, N Cox, T Deffley,
J Dunlop, G Hill, S Marlow, V Smith,
R Townsend, D Willcocks and J Wyllie

ALSO PRESENT:

Councillors

OFFICERS IN ATTENDANCE:

Michele Aves	- Democratic Services Officer
Oliver Rawlings	- Service Manager (Licensing and Enforcement)
Dimple Roopchand	- Litigation and Advisory Lawyer
Brad Wheeler	- Senior Licensing and Enforcement Officer

195 APOLOGIES

There were no apologies for absence.

196 MINUTES - 7 JUNE 2023

It was moved by Councillor Cox and seconded by Councillor Marlow, that the Minutes of the meeting of the Committee held on 7 June 2023 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken the motion was declared CARRIED.

RESOLVED – that the Minutes of the Committee meeting held on 7 June 2023 be confirmed as a correct record and signed by the Chairman.

197 MINUTES OF THE LICENSING SUB-COMMITTEE MEETINGS - 22 MAY, 6 JUNE, 14 AUGUST, 22 AUGUST, AND 12 SEPTEMBER 2023

The Committee received the minutes from the Licensing Sub-Committee meetings held on 22 May, 6 June, 14 August, 22 August and 12 September 2023.

198 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all to the meeting. She said that a Members briefing was to be organised to provide training on how the application process works and the handling of Licensing complaints from constituents.

199 DECLARATIONS OF INTEREST

There were no declarations of interest.

200 CONSIDERATION OF MANDATING CARD PAYMENT FACILITIES IN LICENSED VEHICLES

The Licensing and Enforcement Service Manager introduced his report and outlined that the key purpose of the hackney carriage and private hire licensing regimes was to ensure public safety. He said that the proposed policy to mandate card payment facilities in all licensed vehicles would help ensure that people would be able to pay for a hackney carriage or private hire vehicle and get home safely. He therefore asked that the members of the Licensing Committee scrutinise the consultation responses and the draft Policy.

The Licensing and Enforcement Service Manager said that the East Herts licensed trade were surveyed regarding the use of card payment facilities in March

2023. He said that 97 responses were received and 95% of the respondents already operated card payment facilities. He drew Members' attention to the survey results contained in Appendix A of the report.

The Licensing and Enforcement Service Manager said that the licensed trade were formally consulted in May 2023 regarding the Policy to mandate the provision of card payment facilities. He said that the consultation document included the proposed wording for the Policy and a link to an online survey to respond. He said that when the survey closed on 31 May 2023, 34 responses had been received, and drew Members' attention to the consultation wording and responses at Appendix B of the report.

The Licensing and Enforcement Service Manager said that several possible issues with the Policy were raised in the responses, and these are addressed at paragraph 3.6 of the report. He said that in addition to the online survey responses, 2 licensed drivers sent in additional emails which raised the four points shown at paragraph 3.9 of the report. He drew Members' attention to these emails which could be seen in Appendix C of the report and raised similar issues to those addressed in paragraph 3.6.

The Licensing and Enforcement Service Manager said that overall, 76% of the responses to the formal consultation were supportive of the Policy and that 94% already had card facilities. He said that this was a very similar figure to that found through the informal survey.

The Licensing and Enforcement Service Manager advised Members that the final proposed wording for the policy was amended following the consultation, and that this could be found at Appendix D of the report. He said that where the Policy, if implemented, would require changes to other parts of the existing Policies this was also highlighted in Appendix D. He said that the Licensing Committee's comments will be passed to the Executive Member for Planning and Growth for her consideration

prior to a report going to the Executive.

Councillor Marlow said that he was generally in favour of the policy, and asked if it could be legislated that fares could still be paid in cash should a passenger wish.

The Licensing and Enforcement Service Manager said that this was possible.

Councillor Willcocks asked if a working card payment machine would be included in a taxi vehicle check.

The Licensing and Enforcement Service Manager said that should the policy be agreed, a working card payment machine would be included in a taxi vehicle check. He said that there would be a three-month period to enable vehicles to have a card payment machine installed, and that this would then be an item to be checked in accordance with the vehicle's inspection cycle.

Councillor Townsend said that it was good that both cash and other means of fare payment would be accepted. He asked for clarification on the process for faults and failures with a vehicle's card payment machine, and how long would be given for drivers to resolve such issues.

The Licensing and Enforcement Service Manager said that there was originally expectation for such faults to be repaired/replaced within 72 hours, but this had since been amended to one week in line with neighbouring Councils' Policies. He said that if there was no resolution to the issue within that period then the reasons for this would be looked at. And that any action taken by the Licensing Team would be based on the individual circumstances of the case.

Councillor Wyllie asked if the report's recommendation should also include wording to allow cash as a method of fare payment.

The Licensing and Enforcement Service Manager said

that this comment could be passed to the Executive Member for Planning and Growth, but that the policy was not advocating a move away from allowing fares to be paid by cash.

Councillor Townsend said that the policy was well thought through and asked for the time frame for its implementation.

The Licensing and Enforcement Service Manager said 94% - 95% of the trade already had card payment machines, and that therefore 3 months was a suitable and reasonable amount of time for those who did not have this facility to comply.

Councillor Dunlop asked who would report any card payment facilities faults or failures.

The Licensing and Enforcement Service Manager said that the vehicle owner would be required to report such faults or failures and repair them in the given timeframe. He said that any related complaints from the public would be investigated by the Licensing Team. He drew Members' attention to Appendix D of the report which gave the final proposed Policy wording and detailed changes to the Licensing Record Points scheme.

Councillor Dunlop asked if the Licensing Department had the resources to deal with any complaints regarding card payment facilities.

The Licensing and Enforcement Service Manager said that as 94% - 95% of vehicles already had card payment facilities he was not expecting a large number of complaints. He said that to date, the Licensing Department had received no complaints regarding taxis which did not have card payment facilities.

Councillor Marlow asked if taxis which had faulty card machines should put signs up to advise passengers.

The Licensing and Enforcement Service Manager said that this was not part of the policy, and that it would be expected that the driver would make passengers aware as they would want to get paid. He said that should this be included in the policy the type of sign, its wording, size and placement would have to be stipulated.

The Chairman thanked the Licensing and Enforcement Service Manager for his report.

It was proposed by Councillor Marlow and seconded by Councillor Willcocks 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 provide comments to the Executive Member for Planning and Growth on the proposal to introduce a requirement to provide card payment facilities in all vehicles licensed by East Herts to inform the Executive's consideration of any recommendation to Council for approval.

201 REVIEW OF LICENSING ACTIVITY FOR QUARTERS 1 AND 2 OF 2023 FINANCIAL YEAR (01 APRIL 2023 - 30 JUNE 2023 AND 01 JULY 2023 - 30 SEPTEMBER 2023)

The Licensing and Enforcement Service Manager introduced the report which gave Members oversight of the Licensing activity for Quarters 1 and 2 of 2023. He said that all complaints received by the Licensing Department were detailed within the report, which also showed monitoring against performance indicators that the Department constantly met.

The Licensing and Enforcement Service Manager drew Members' attention to Appendix A of the report which gave detail on decision making, policy and project work and Appendix B of the report which gave year-on-year comparison figures.

Councillor Deffley asked if it was normal for no Licensing Record Points (LRP) to have been issued to taxi drivers within the period.

The Licensing and Enforcement Service Manager said that generally some points would be issued, but in some circumstances alternative resolutions had been applied, as detailed in the report. He said that due to the number of festivals which had taken place over the period, Enforcement Officers had not spent so much time out on the taxi ranks. He said that on average it would be expected that approximately 3% of the trade would be issued LRP over the quarter.

Councillor Smith referred to paragraph 3.5 of the report and asked how out of hours Licensing Enforcement was being managed with limited resources.

The Licensing and Enforcement Service Manager said that there was currently one vacancy within the Enforcement Team. He said that he would like to have more officers, but enforcement was not a statutory function and that the current level of enforcement being carried out meant that there was no increased risk to public safety.

Councillor Dunlop referred to page 87 of the report and asked if there was a reason for the decrease in dual driver taxi renewal applications.

The Licensing and Enforcement Service Manager said that the cycle for such renewal applications was previously every three years and was now annually. He said that there were therefore fewer renewals, but no less drivers. He cited page 89 of the report which detailed the increase to the 212 dual drivers who were licenced as of September 2023.

The Chairman thanked the Licensing and Enforcement Service Manager for his report.

It was proposed by Councillor Dunlop 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 from the first and second quarters of the 2023 financial year (01 April 2023 – 30 June 2023 and 01 July 2023 – 30 September 2023)

202 URGENT BUSINESS

There were no urgent items.

The meeting closed at 7.26 pm

Chairman
Date

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON TUESDAY 28 NOVEMBER
2023, AT 10.00 AM

PRESENT:

Councillors M Connolly, T Deffley and
S Marlow

ALSO PRESENT:

Sandra Bennison	- Objector
Neil Howard	- Applicant
James Mason	- Objector
Stacey Wray	- Applicant

OFFICERS IN ATTENDANCE:

Michele Aves	- Democratic Services Officer
Peter Mannings	- Democratic Services Officer
Dimple Roopchand	- Litigation and Advisory Lawyer
Brad Wheeler	- Senior Licensing and Enforcement Officer

48 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor Connolly and seconded by Councillor Deffley that Councillor Marlow be appointed Chairman for the meeting. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor Marlow be appointed Chairman for the meeting.

49 APOLOGIES

There were no apologies for absence.

50 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all to the meeting and reminded those present to use the microphones when speaking.

51 DECLARATIONS OF INTEREST

There were no declarations of interest.

52 MINUTES - 12 OCTOBER 2023

It was moved by Councillor Connolly and seconded by Councillor Deffley that the Minutes of the Sub-Committee meeting held on 12 October 2023 be confirmed as a correct record and signed by the Chairman. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the Sub Committee meeting held on 12 October 2023 be confirmed as a correct record and signed by the Chairman.

53 SUMMARY OF PROCEDURE

The Chairman drew the hearing's attention to the Summary of Procedure which was included in the main agenda pack at pages 14 – 20.

54 APPLICATION FOR A NEW PREMISES LICENCE FOR ERMINE'S CAFÉ AND STORES, 39 ERMINE STREET, THUNDRIDGE, HERTFORDSHIRE (23/1450/PL)

The Senior Licensing and Enforcement Officer presented his report and summarised the application which could be found at pages 40 – 60 of the agenda pack.

The Senior Licensing and Enforcement Officer answered questions from the Interested Parties. There were no questions from the Sub-Committee or the Applicant.

The Applicant gave their submission and answered questions from the Sub-Committee and Officers. There were no questions from the Interested Parties.

The Interested Parties gave their submissions. They answered questions from the Sub-Committee, there were no questions from the Applicant.

Both the Interested Parties and the Applicant gave their closing statements.

Councillor Marlow proposed and Councillor Deffley seconded a motion to adjourn the meeting for ten minutes to allow the Applicant and the Interested Parties to discuss any mutually agreeable variations to the application. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the meeting be adjourned for approximately ten minutes.

The meeting reconvened at 11:40, with all participants in agreement that they were happy to proceed.

The Applicant said that following discussion they were happy to remove the 12 events per year and the live and recorded music from the application. The Applicant said that they wished to proceed with the application to allow the supply of alcohol (for consumption On and OFF the premises) Monday -Sunday 09:00 – 22:00.

In line with procedure the Sub-Committee retired to consider the evidence presented to the hearing. They were accompanied by the Democratic Services Officer and the Litigation and Advisory Lawyer.

The Sub-Committee reconvened in public session to give

its decision. The Chairman said that the Licensing Sub-Committee had noted the Applicant's submissions during the meeting to remove the application for Live and Recorded Music (indoors only) and the application to licence 12 events per year.

The Chairman said that the Sub-Committee had noted the changes to the application and had decided to grant a premises licence for 09:00 – 17:00 Sunday to Thursday and 09:00 – 18:00 Friday and Saturday.

Members reviewed the conditions offered up by the Applicant within the Operating Schedule and imposed the following conditions be added to the licence:

1. The premises shall install and maintain a CCTV system. All entry, exit and point of sale areas will be covered by the cameras, and the images shall enable frontal identification of every person entering in any light condition. The system shall continually record whilst the premises is open for licensable activities and during all times when staff and customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available to a Police Officer or an authorised officer of the licensing authority upon request throughout the preceding 31-day period, providing that such requests are in connection with the prevention or detection of crime.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show a Police Officer or an authorised officer of the licensing authority data or footage upon request.
3. The premises licence holder, designated premises supervisor or other person nominated in writing shall carry out a daily a daily check that the CCTV system is operational and shall keep a record of the checks.

4. A member of staff, aged 18 and over, must be present at the premises at all times during the hours that the licensed premises are in operation.
5. The premises licence holder shall ensure that at all times when the public are present on the licensed premises there is at least one competent person able to administer First Aid, also that an adequate and appropriate supply of First Aid equipment and materials is available on the premises. A record of the provision of any First Aid treatment shall be taken and maintained at the premises. This record must include:
 - the name of any person who was treated, or a description of the person if they are unable to communicate
 - the date and time of the treatment
 - the person providing the treatment
 - a description of the injury or ailment which requires treatment
 - details of the treatment provided, and
 - whether any emergency services were called to provide assistance.
6. At least one First Aider trained to deal with problems associated with alcohol and drugs will be on duty when the premises are open for licensable activities.
7. A written record of all ID checks and refused sales shall be kept on the premises. Records to detail as a minimum the time and date that the sale was refused or ID checked, the staff member who refused the sale or checked the ID and the reason why. The record shall be made available to Police and / or local authority immediately upon request and shall be kept for at least one year from the date of last entry'.
8. The age verification policy operated at the premises shall be "Challenge 25". This means that whilst

alcohol may be sold to persons aged 18 years or over, any person who appears under 25 years of age shall be required to provide proof of age using an acceptable form of ID. Notices advertising that the premises operate a "Challenge 25" scheme shall be displayed in a clear and prominent position at the premises entrance(s)/and inside at the premises serving area. The only forms of ID that may be accepted shall be:

- Proof of age card bearing the PASS hologram logo
- Passport
- UK photo driving licence

9. All alcohol displays will be close to the serving counter and in easy view of any staff member at the counter. Spirits will be located where they are only accessible to staff.

Clearly visible signage is to be displayed at the entrances and at points of sale indicating it is illegal to sell alcohol to people under the age of 18. Outside tables and chairs in the garden shall be rendered unusable by the close of business each day.

10. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
11. No rubbish, including bottles, shall be disposed of in outside receptacles or outside areas between 19:00 hours and 08:00 hours.
12. The Licence holder shall provide staff training to all management and staff relating to the licensing objectives and the sale of alcohol. Such training is to be refreshed annually or when required and the licence holder is required to keep a training record of all staff training provided to staff regardless of their role.

- 13. Children under the age of 10 years old eating or drinking at the premises must be accompanied by an adult.
- 14. No alcohol deliveries may be made to the premises between 18:00 – 08:00 hours.

The applicant was advised that the decision would be sent to them in writing and that there was the right of appeal within 21 days to the magistrate’s court.

55 URGENT BUSINESS

There were no urgent items.

The meeting closed at 1.38 pm

Chairman
Date

Agenda Item 5

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MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON MONDAY 8 APRIL 2024,
AT 10.00 AM

PRESENT: Councillors M Connolly, V Smith and
R Townsend

OFFICERS IN ATTENDANCE:

Michele Aves	- Committee Support Officer
Peter Mannings	- Committee Support Officer
Oliver Rawlings	- Service Manager (Licensing and Enforcement)
Dimple Roopchand	- Litigation and Advisory Lawyer

ALSO IN ATTENDANCE

Paul O’Leary	- Interested Party
Darren Grover	- Designated Premises Supervisor (DPS)
Piers Warne	- Applicant’s Legal Representative

56 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor Connolly and seconded by Councillor Smith that Councillor Townsend be appointed as Chairman for the meeting. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor Townsend be appointed Chairman for the meeting.

57 APOLOGIES

There were no apologies.

58 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all to the hearing, and reminded participants to use their microphones when speaking so all could be heard on the webcast.

59 DECLARATIONS OF INTEREST

There were no declarations of interest.

60 SUMMARY OF PROCEDURE

The Chairman drew the hearings attention to the Summary of Procedure which was included in the main agenda pack at pages 5 – 11.

61 APPLICATION FOR A VARIATION OF THE PREMISES LICENCE FOR THE OLD BELL, 38 BELL STREET, SAWBRIDGEWORTH, HERTFORDSHIRE (24/0207/PLV)

The Licensing and Enforcement Service Manager presented his report and summarised the application. He advised that additional evidence had been received from the Interested Party on the 5 and 6 April 2024, and that as this was outside of the required timeframe it had not been circulated. He said that in line with hearing regulations this late additional evidence received from the Interested Party could be included at the acceptance of the other participants.

There were no questions from the Sub-Committee or the applicant, a question was answered from the Interested Party.

The Legal Advisor asked if participants were happy to

accept the additional late evidence received from the Interested Party. Upon receiving such agreement from all participants, the Chairman advised the hearing that copies of the late evidence received from the Interested Party would be made available. He said that there would be an adjournment of ten minutes to allow the Applicant to view and digest this late evidence.

At 10.15, Councillor Townsend proposed and Councillor Connolly seconded, a motion to adjourn the meeting for ten minutes to allow the Applicant to read and digest the late additional evidence received from the Interested Party. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the meeting be adjourned for approximately ten minutes.

The meeting reconvened at 10:19, with all participants in agreement that they were happy to proceed. The Sub-Committee considered the late additional evidence received from the Interested Party.

The Applicant's legal representative presented the application and questions were answered from the Sub-Committee and the Interested Party. There were no questions from officers.

The Interested Party made their submission and questions were answered from the Sub-Committee. There were no questions from the Applicant or officers.

In line with procedure, at the conclusion of closing statements, the Sub-Committee retired to consider the evidence presented to the hearing by the Applicant and the Applicant's Legal Advisor, and the Interested Party. They were accompanied by the Committee Support Officer and the Legal Advisor.

The Sub-Committee reconvened in public session to give its decision.

The Chairman said that the Licensing Sub-Committee had considered the application for a variation of the premises licence for The Old Bell, 38 Bell Street, Sawbridgeworth, Hertfordshire, CM21 9AN (24/0207/PLV) and had read and listened to the comments of the Service Manager of Licensing and Enforcement, and the oral and written representations from the Applicant and the Interested Party.

DECISION OF LICENSING SUB COMMITTEE

In determining this matter, the Sub Committee agreed to grant the application for the variation of the licence sought for:

- (i) The supply of alcohol (for consumption ON and OFF the premises) OUTSIDE

Monday – Saturday 10:00 – 23:00

Sunday 12:00 – 23:00

to include the external area of the premises to allow the use of a mobile bar in the external area but only to the extent of the first drinking area adjacent to the public house, as shown within the plan highlighted in yellow which was attached to the decision notice.

The Sub Committee also accepted the four conditions offered up by the applicant as follows:

1. The external bar servery will close by 22.30h on any day.
2. When in use, the external bar will be constantly supervised.
3. When not in use, all alcohol sold from the external bar will be secured so that it is not accessible to members of the public.
4. A garden management plan will be drawn up and implemented at the premises. A copy of the plan will be made available to the responsible authorities on

request.

REASONS FOR DECISION

1. The Licensing Sub Committee considered all of the evidence before it including the written representations made by the interested party. Members had regard to the Council's Statement of Licensing Policy, the Licensing Act 2003 and the guidance promulgated pursuant to Section 182 of that Act.
2. The Licensing Sub Committee is required to adopt a presumption in favour of granting a variation to a licence unless there is clear evidence upon which to base a refusal or modification. There was insufficient evidence before the Sub Committee to rebut that presumption.
3. In reaching this decision, the Sub Committee was mindful to strike a healthy balance between the interests of the interested party and supporting the local economy. Members were mindful of the concerns addressed by the interested party but noted that the representations regarding the public nuisance licensing objective and planning considerations made were not supported by any Responsible Authorities, i.e. Environmental Health, Planning or the Police.
4. Whilst Members were mindful of the proximity of the premises and the interested party, Members also considered the clear representations made by the Applicant confirming that the use of the mobile bar will be solely limited to the current canopy area. The condition to limit the licensed area was based on the Applicant's submissions that there is no scope at present to extend the use of the mobile bar beyond this boundary that is being licensed.

There was no urgent business.

The meeting closed at 12.20 pm

Chairman

Date

Agenda Item 8

East Herts Council Report

Licensing Committee

Date of Meeting: 10th July 2024

Report by: Oliver Rawlings (Service Manager - Licensing & Enforcement)

Report title: Review of annual licensing activity in the financial year 2023-24

Ward(s) affected: All

Summary – Annual reports are presented to Licensing Committee to ensure oversight of key areas of regulation and allow the authority to evidence that it is fulfilling its responsibilities.

RECOMMENDATIONS FOR Licensing Committee:

- (a) That Members review and comment on the Licensing activity in the financial year 2023-24**

1.0 Proposal(s)

- 1.1 That the report is received by members of the Licensing Committee.

2.0 Background

- 2.1 The council's Licensing and Enforcement Team covers licensing of taxi drivers and operators, licensed premises and temporary events notices, along with more infrequent applications relating to, among other things, scrap metal dealing and gambling.
- 2.2 This report presents data for the last financial year on processing and enforcement, delegated decisions 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.

3.0 Reason(s)

3.1 During the last financial year, 140 actions were undertaken which are divided between visits, inspections and investigations. These have been analysed further and are presented in descending order for 2023/24. The previous two years' information is provided in the table for comparison.

Type	2021/22 totals	2022/23 totals	2023/24 Totals
Licensing Act 2003 visits to check statutory notices displayed following receipt of an application	35	32	47
Licensing Act 2003 premises visits (routine)	8	16	20
Licensing Act 2003 investigations (following complaints)	10	21	19
Licensing Act 2003 invoice visits	0	2	0
Taxi inspections (routine)	75	13	27
Taxi investigations (following complaint)	15	30	21
Street trading visits & inspections (routine)	0	3	6
Street trading investigations (following complaint)	0	2	0
Gambling Act 2006 visits/inspections/complaints	0	0	0
Charity collection visits/inspections/complaints	0	0	0
Total actions	143	119	140

3.2 All complaints have been fully investigated and have resulted in the appropriate action being taken in line with policy.

3.3 The number of taxi inspections was reduced over the previous year due to there being an increase in Licensing Act 2003 premises visits which are often more complex and time consuming. This led to time taken for ad hoc taxi inspections

being reduced.

- 3.4 Under the Licensing Record Points (LRP) scheme for taxis, a total of 18 points have been issued split between four licence holders. The points were issued to address: breaching a Traffic Regulation Order (TRO), roof light not being plugged in, plate not displayed properly and failure to wear a driver's badge.
- 3.5 The figures for the performance indicators for Licensing activity in 2023/2024 are detailed in the table below and compared with that of 2022/2023.

Performance indicator – cumulative within the year unless otherwise stated	Targets	2022/2023	2023/24
Percentage of valid personal licences processed within 2 weeks	85%	100%	90%
Percentage of valid temporary event notices processed within 72 hours	90%	96%	95%
Percentage of applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date)	99%	100%	100%
Percentage of driver's licences issued within 30 working days of validation	95%	99%	96%

- 3.6 During the 2023/24 financial year, eight applications were decided by Licensing Sub-Committees. There were a further two hearings dispensed with after representations or applications were withdrawn. The details of the matters brought before Licensing Sub-Committees are shown below.

Premises and date of hearing	Location	Type of application	Resolved
WH Smith (27/04/2023)	Bishop's Stortford Railway Station	New Premises Licence	Granted
Hertfordshire Oktoberfest (22/05/2023)	Hartham Common, Hertford	New Premises Licence	Granted with amended conditions
Campo Sancho (06/06/2023)	Walkern Hall, Walkern	New Premises Licence	Granted with amended conditions
AMA Fest (27/07/2023)	Silver Leys Polo Club, Little Hadham	New Premises Licence (time limited)	Postponed
AMA Fest (14/08/2023)	Silver Leys Polo Club, Little Hadham	New Premises Licence (time limited)	Granted with conditions
The Horn at the Half Moon (22/08/2023)	North Street, Bishop's Stortford	Summary Review (Police application)	Additional conditions added ¹
The Lounge (12/09/2023)	The Maltings Business Centre, Stanstead Abbots.	New Premises Licence	Granted with conditions
Budgens (12/10/2023)	Baldock Road, Buntingford	New Premises Licence	Granted
Ermines café (28/11/2023)	Ermine Street, Thundridge	New Premises Licence	Granted with Conditions

3.7 More detailed performance data and year-on-year comparison figures can be found in **Appendix A**.

¹ There are variety of options available when a premises licence is reviewed ranging from no action to revocation. In the case the Licensing Sub-Committee chose to amend existing conditions and attach new conditions to ensure that the operation of the premises would promote the Licensing Objectives.

6.0 Implications/Consultations

Community Safety

All decisions are taken and matters considered in line with the prevailing legislation and guidance which, arguably, is primarily concerned with maintaining and promoting community safety.

Data Protection

None arising directly from this report.

Equalities

None arising directly from this report.

Environmental Sustainability

None arising directly from this report.

Financial

None arising directly from this report.

Health and Safety

None arising directly from this report.

Human Resources

None arising directly from this report.

Human Rights

None arising directly from this report.

Legal

None arising directly from this report.

Specific Wards

None arising directly from this report.

7.0 Background papers, appendices and other relevant material

- 7.1 **Appendix A** – Performance data from 1 April 2023 to 31 March 2024. Year-on-Year comparison figures for applications and granted licences, notices and other permissions.

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Licensing Act 2003

Premises Licence Applications	21/22	22/23	23/24
Change of designated premises supervisor	80	81	84
New	23	36	26
Transfer of premises licence	12	27	22
Variation	17	14	13
Minor Variation	16	9	9
Review	2	0	1
Interim Authority notice	0	0	0
Suspended	0	0	0

Club Premises Certificates Applications	21/22	22/23	23/24
New	0	0	1
Variation	0	0	0
Minor Variation	0	0	0
Transfer of premises licence	0	0	0
Interim Authority notice	0	0	0
Review	0	0	0
Cancelled/surrendered	0	0	0
Suspended	0	0	0

Personal Alcohol Licences Applications	21/22	22/23	23/24
New	84	73	69
Refused	0	0	0

Temporary Event Notices (TENs)	21/22	22/23	23/24
TENs received	465	688	747
Objections (Police or Environmental Health)	1	0	0
Refused	1	0	0

GAMBLING ACT 2005

New Applications	21/22	22/23	23/24
Small Society Lotteries	66	84	83
Notification of Gaming Machines	0	2	4
Betting Premises Licence (Betting shops)	1	1	1
Club Machine Permits	0	0	0
Licensed Premises Gaming Machine Permit	0	0	0

CHARITY COLLECTIONS

New Applications	21/22	22/23	23/24
Street Collections	28	48	42
House To House	15	16	14

These figures do not include direct debit collections or those charities with a national dispensation to collect who simply notify us of their intention to collect in East Herts.

DISTRIBUTION OF FREE LITERATURE

	21/22	22/23	23/24
Currently issued	3	5	5
New applications	10	7	4

TAXIS

Dual Drivers (Hackney Carriage and Private Hire)	21/22	22/23	23/24
New	14	6	19
Renewed	61	118	13

Private Hire Drivers	21/22	22/23	23/24
New	28	12	54
Renewed	10	13	2

Private Hire Operators	21/22	22/23	23/24
New	13	5	10
Renewed	10	0	2

Hackney Carriage Vehicles	21/22	22/23	23/24
Renewed	175	131	173
Change of vehicle	47	14	61
New	42	10	16

Private Hire Vehicles	21/22	22/23	23/24
Renewed	28	27	43
New	24	18	33
Change of vehicle	6	6	11

	21/22	22/23	23/24
Courtesy vehicles*	15	25	13

*vehicles temporarily replacing those damaged in accidents.

LICENSING RECORD POINTS ISSUED

	20/21	21/22	22/23	23/24
Points issued	25	25	30**	18
Number of drivers issued points	5	5	4	4
Percentage of licence holders issued points*	1.5%	1.2%	1.5%	1.4%

* Based on 321 drivers in 20/21, 293 drivers in 21/22, 261 drivers in 22/23 & 278 drivers in 23/24.

** 9 of the 30 Licensing Record Points were withdrawn following an appeal.

PAVEMENT LICENCES (Since new arrangements came into effect on 23rd June 2020)

	21/22	22/23	23/24
New Applications	15	9	12
Refused	1	0	0
Invalid	3	1	2

STREET TRADING

	21/22	22/23	23/24
New Applications	80	30	26

TOTALS NUMBERS OF LICENCES

Type of Licence	End of year 21/22	End of year 22/23	End of year 23/24
Personal Alcohol Licences	2162	2256	2318
Premises Licence	637	636	653
Club Premises Certificates	35	34	34
Dual Drivers (able to drive both Private Hire and Hackney Carriage vehicles)	246	209	219
Hackney Carriage Vehicles	199	200	196
Private Hire Vehicles	48	58	67
Private Hire Drivers	47	52	59
Private Hire Operators	27	30	36
Betting Premises Licence	14	13	13
Pavement Licences	11	8	9