



**MEETING** : LICENSING COMMITTEE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 19 MARCH 2025  
**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  
Labour Group: Councillor D Willcocks  
Green Group: Councillors G Williams and D Woolcombe

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

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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. Minutes - 22 October 2024 (Pages 5 - 11)

To approve the Minutes of the meeting of the Committee held on Wednesday 22 October 2024.

3. Chair's Announcements

4. Declarations of Interest

To receive any Members' declarations of interest.

5. Environmental Health Regulated and Licenced Activities Performance Update (Pages 12 - 36)

6. Review of Licensing Activity for Quarters 1, 2, & 3 of 2024-25 Financial Year (Pages 37 - 49)

7. 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 TUESDAY 22 OCTOBER  
2024, AT 7.00 PM

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

ALSO PRESENT:

Councillors S Hopewell

OFFICERS IN ATTENDANCE:

Michele Aves	- Committee Support Officer
Paul Thomas-Jones	- Service Manager – Environmental Health

186 APOLOGIES

There were no apologies for absence.

187 MINUTES - 10 JULY 2024

It was moved by Councillor Townsend and seconded by Councillor Deffley, that the Minutes of the meeting of the Licensing Committee held on 10 July 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 Committee meeting held on 10 July 2024 be confirmed as a correct record and signed by the Chair.

188 MINUTES - LICENSING SUB-COMMITTEE - 11 JULY 2024

It was moved by the Chair and seconded by Councillor Bull, that the Minutes of the meeting of the Licensing Sub-Committee held on 11 July 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 11 July 2024 be confirmed as a correct record and signed by the Chair.

189 MINUTES - LICENSING SUB-COMMITTEE - 17 JULY 2024

It was moved by the Chair and seconded by Councillor Townsend, that the Minutes of the meeting of the Licensing Sub-Committee held on 17 July 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 17 July 2024 be confirmed as a correct record and signed by the Chair.

190 MINUTES - LICENSING SUB-COMMITTEE - 22 JULY 2024

It was moved by the Chair and seconded by Councillor Redfern, that the Minutes of the meeting of the Licensing Sub-Committee held on 22 July 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 22 July 2024 be confirmed as a correct record and signed by the Chair.

191 CHAIRMAN'S ANNOUNCEMENTS

The Chair welcomed all to the meeting she said that she did not have any news or updates to share with the Committee.

192 DECLARATIONS OF INTEREST

There were no declarations of interest.

193 ENVIRONMENTAL HEALTH REGULATED AND LICENCED ACTIVITIES PERFORMANCE UPDATE

The Executive Member for Wellbeing introduced the report, explaining that the function of the Environmental Team came under her portfolio. She said that the report had been brought to the Committee following requests from Members for further information about the Environmental Health Department.

The Executive Member for Wellbeing said that the report included content on both the issues relating to the registration and regulatory oversight of food premises, and, although not within the remit of the Licensing Committee, the report also included information pertaining to the other activities licenced by the Environmental Health Team.

The Executive Member for Wellbeing said that despite the demands on the Environmental Team they had received external recognition, being awarded the RSPCA gold level PawPrints Award for their commitment to animal welfare and having their Air Quality Action Plan published on the Department for Environment, Food and Rural Affairs (DEFRA) website as an example of good practice.

The Environmental Health Service Manager drew Members attention to key areas of the report. He said that pages 35 – 38 gave an overview of the functions of the three teams within the department and included a table

which gave a summary of the licences issued by Environmental Health.

The Environmental Health Service Manager said that it had been noted that content regarding private water supplies was missing from the report. He said that there were currently 1600 food premises within the district, and that this number fluctuated due to openings and closures.

The Environmental Health Service Manager said that the vacancy within the department for a Senior Technical Officer - Commercial had now been recruited to, with the successful candidate due to take up the post in November 2024. He said that due to staffing issues the department had focused on areas of high risk, which had caused the Food Standards Agency (FSA) to implement the Stage 1 improvement process. He said that as a consequence of an action plan being approved (as seen at Appendix A of the report) this action had been de-escalated as of April 2024.

The Chair thanked the Environmental Health Service Manager for his report.

Councillor Townsend asked for clarification of Power BI training, which could be seen in the action plan.

The Environmental Health Service Manager said that Power BI was a reporting tool, which linked to the department's data base and enabled information to be extracted.

Councillor Dunlop asked if the department were able to hold the Environment Agency (EA) and the Health and Safety Executive (HSE) to account.

The Environmental Health Service Manager said that they could informally approach and discuss matters with the EA and HSE, and that issues could be raised on a political level. He said that he would investigate if any other avenues were available.



The Chair asked for clarification of the three Executive Members who held portfolios within the department.

The Environmental Health Service Manager said that this was Councillor Hoskin for air pollution, Councillor Goldspink for housing and Councillor Hopewell for all other areas.

The Chair said that the report was useful and informative, and asked how frequently future reports would be brought before the Committee.

The Environmental Health Service Manager said that Environmental Health did not generally attend the Licencing Committee, and so there was no precedence. He said that he was therefore happy to leave the frequency of reports at the Chair's discretion, adding that it may be beneficial for reports to be delivered in tandem with the progress of the action plan.

Councillor Townsend referred to page 45 of the report and asked why there were camp sites in the district, but none were licenced.

The Environmental Health Service Manager said that there were exemptions within the legislation, which included clubs having their own regimes, and sites not requiring a licence should they operate below a certain number of days.

Councillor Marlow asked why there were staff shortages within Environmental Health departments nationally.

The Environmental Health Service Manager said that the Local Government Association (LGA) was investigating this, and that avenues were being explored to expand qualifications, i.e., via apprenticeships as an alternative to university courses. He said that promotion for the vocation had previously been undertaken in schools, and that this needed to be restarted.

Councillor Marlow asked if options had been explored in relation to reducing agency staffing costs.

The Environmental Health Service Manager said that both a shared service and using a company to carry out inspections had been considered. He said that these options had proved expensive, with it cheaper for the department to continue to carry out all duties themselves.

It was moved by Councillor Deffley and seconded by Councillor Townsend 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 performance of Environmental Health with regards to regulated and licenced activities pertaining to food premises be considered and scrutinised and any comments passed onto the Executive Member for Wellbeing for consideration; and

B) that the performance of other activities regulated and licenced by Environmental Health be considered and any comments be passed onto the Executive Member for Wellbeing for consideration.

194 URGENT BUSINESS

There were no urgent items.

The meeting closed at 8.20 pm

Chairman .....
Date .....



# Agenda Item 5

## East Herts Council Report

### Licensing Committee

**Date of meeting:** 19/03/2025

**Report by:** Councillor Sarah Hopewell, Executive Member for Wellbeing

**Report title:** Environmental Health Regulated and Licenced Activities  
Performance Update

**Ward(s) affected:** All

**Summary** – The council’s Licensing Committee’s remit, as laid out under paragraph 6.5.2 of the council’s Constitution, includes to *‘address issues relating to the registration and regulatory [oversight] of... food premises’*. Thus, this report presents an overview of the regulated and licenced activities undertaken by Environmental Health in relation to food premises. While not within the remit of the Licensing Committee, to aid members’ understanding of the delivery of the wider range of services across Environmental Health, information pertaining to other activities licensed by the team is also included.

**RECOMMENDATIONS FOR** Licensing Committee members:

- a) consider and scrutinise the performance of Environmental Health with regards to regulated and licenced activities pertaining to food premises and pass any comments to the Executive Member for Wellbeing for consideration
- b) consider the performance of other activities regulated and licenced activities by Environmental Health and pass any comments to the Executive Member for Wellbeing for consideration.

### 1.0 Background

- 1.1 The council’s Licensing Committee’s remit, as laid out under paragraph 6.5.2 of the council’s Constitution, includes to *‘address issues relating to the*

*registration and regulatory [oversight] of... food premises'*. For contextual purposes, information on other Environmental Health functions is also included, although the Licensing Committee's remit does not extend to address issues relating to these other services.

- 1.2 Thus, this report will principally review the council's activities relating to food premises, with other activities included for context. While the Environmental Health team issues licences, registrations and permits on behalf of the council, for brevity, these will collectively be referred to herein as licences, though each has the following distinct meaning:
- a) **Licence** – an official permission granted by the council that allows a person or entity to engage in a particular activity. These typically require meeting certain qualifications, standards or criteria
  - b) **Registration** – an official recording or listing of a person or activity with the council. This process is mandatory for tracking, identification or legal purposes.
  - c) **Permit** – a formal permission that allows a company to undertake specific activities that would otherwise be restricted. Permits are issued for activities that may impact the environment.

## **2.0 Environmental Health overview**

- 2.1 While this report is focused on activities which the Environmental Health are required to licence, it is important to put this work into context. Within the council, Environmental Health covers a wide range of statutory public health functions; ranging from the air we breathe, the food we eat and the water we drink to the wider impacts on health derived from poor air quality or poor housing conditions.
- 2.2 **Appendix A** lists the functions undertaken by the three constituent teams within Environmental Health – commercial (pertaining to business activities), environment and residential.
- 2.3 The Chartered Institute of Environmental Health (CIEH) in their latest workforce survey, the findings from which were published in 2021, identified that that across local authorities there is a shortage of environmental health staff, with 56% of local authorities reporting they

have had vacancies left unfilled for six months or more. The full survey can be found on the [CIEH website](#).

- 2.4 East Herts Council is not immune to the challenges faced by Environmental Health services up-and-down the country; we have struggled to recruit and retain staff, for example one of our Technical Officer (Commercial) posts has been vacant for the past four months simply because of the paucity of suitably qualified and experienced officers in the jobs market.
- 2.5 To help combat the paucity of suitably qualified and experienced officers in the jobs market the council has two Technical Officer (Commercial) posts which have been occupied by two 'trainees'.
- 2.6 Operating with a high number of vacancies / trainee posts has a significant impact on the team's performance and ability to deliver statutory services. To help mitigate some of these risks, we tend to use underspends arising from vacancies to fund temporary agency cover. We match agency spend to underspend in the staffing budget so as not to incur overspend pressures.

### 3.0 Summary of licences issued by Environmental Health

3.1 The table below provides a summary of the licences issued by Environmental Health, the type of licence, their duration and the current number of licences issued by the council. The table demonstrates that food premises licences are by far the large single area of licensing activity within the service. For comparison the table includes the figures at the time of the last report to Licensing Committee.

Licensable activity	Licence type	Licence duration	Number as of 20/09/24	Number as of 04/02/25
Food premises <i>See paragraph 4.2</i>	Registration / Approval	In perpetuity	1,658	1,592
Skin piercing <i>See paragraph 5.2</i>	Registration	In perpetuity	485	546
Houses in multiple occupation	Licence	Up to 5 years	102	106
Animal activities <i>See paragraph 5.3</i>	Licence	Up to 3 years	60	57
Environmental permits <i>See paragraph 5.4</i>	Permit	In perpetuity	34	34
Mobile homes sites	Licence	In perpetuity <sup>[1]</sup>	11	11
Cooling towers	Registration	In perpetuity	6	7
Dangerous wild animals	Licence	Up to 2 years	1	1
Zoos	Licence	Up to 6 years	1	1
Camp sites	Licence	In perpetuity <sup>[1]</sup>	0	0

<sup>[1]</sup> Or until planning permission for the site expires.

3.2 Some of the licensable activities listed in the table in paragraph 3.1 have been grouped together, based on their similarities. Where this is the case additional tables have been included in the following paragraphs expanding these groupings.

#### 4.0 Food hygiene interventions

4.1 As noted above, the Licensing Committee has a specific remit within the council's Constitution with regard to activities relating to food premises.

4.2 Food businesses need to be registered with the council. In addition, certain businesses which process meat, fish or animal products will need approval and are subject to additional regulatory control. The table below shows the number of different businesses in the district under categories used by the Food Standards Agency (FSA).

Category of food premises	Number as of 04/02/25
Restaurants and catering	1,183
Retail	325
Manufacturers and packers	40 <sup>[2]</sup>
Distributors and transporters	24
Primary producers	14
Importers and exporters	6

4.3 As set out in the report received by the Licensing Committee on the [22 October 2024](#), following a focused audit by the FSA, the council was placed on 'Stage 1' of the FSAs four-stage performance improvement process (PIP) in February 2024, which resulted in the council drawing up an action plan to address the shortfalls. The action plan was agreed by the FSA who subsequently de-escalated the council and committed to scrutinise our progress against the action plan.

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<sup>[2]</sup> Figure includes three approved premises consisting of two dairy products producers and one meat products producer.



- 4.4 In order to address the backlog of food premises inspections and thus recover acceptable performance levels, the council has appointed several temporary contractors to accelerate the rate of food hygiene inspections.
- 4.5 The action plan, together with an update on progress against each action, can be found in **Appendix B**. Of the 21 actions within the action plan, 12 have been completed, six are on track to be completed within target times, two have been delayed and one has missed its target.
- 4.6 The missed target relates to the backlog of the category 'C' premises. The backlog of inspections was due to be cleared by the end of December 2024, however one premises remains overdue for their inspection. This premises is a seasonal business who is not currently trading. This business will be inspected later in the calendar year when trading again.
- 4.7 To reassure members, it is worth noting that the delayed actions do not relate to a customer-facing issue, it is concerned with training officers on the new performance monitoring software and a review of the service.
- 4.8 **Appendix B** shows that that while good progress is being made to recover the inspection plan and gain performance data on the service, we are yet to identify how best to maintain the performance gains. As part of the council's ongoing budget reviews and transformation work, officers are considering how best to ensure another backlog does not build up once the additional short-term injection of resources come to an end.
- 4.9 The next report to the FSA on the performance of the food safety and hygiene service is due in April 2025. In light of the recent audit, we expect this return to be closely scrutinised by the FSA.

## **5.0 Overview of other activities regulated and licensed by Environmental Health**

- 5.1 As set out in the report received by the Licensing Committee on the [22 October 2024](#), the Environmental Health team are still producing reports to allow the council to extract meaningful management information relating to the licences it produces, which is why the information in this section is limited to a count of licences rather than how many were licences within target times.

- 5.2 **Skin piercing activities** - These activities include ear piercing, tattooing, acupuncture and electrolysis. To operate a skin piercing businesses both the business and the skin piercer need to be registered with the council. The table below shows our current registrations.

<b>Type of skin piercing registration</b>	<b>Number of premises as of 04/02/25</b>	<b>Number of operators as of 04/02/25</b>
Acupuncture	44	73
Cosmetic piercing including ear piercing	37	95
Derma-rolling	2	2
Electrolysis	16	18
Microneedling	7	12
Semi-permanent skin colouring	64	72
Tattooing	45	59

- 5.3 **Animal activity licences** - This covers a range of different activities. The table below breaks these down into each type of activity, not the number of premises who operate these licences; a premises may operate with more than one licence type.

<b>Type of animal activity licence</b>	<b>Number as of 04/02/25</b>
Animal boarding (dogs)	20
Animal boarding (cats)	11
Animal boarding (home boarding for dogs)	7
Riding establishments	5
Animal boarding (day care for dogs)	4
Dog breeding	4
Pet shops	3
Performing animals	3

- 5.4 **Environmental permits** - These permits are needed where a business's activity could pollute air, water or land. These permits set out the monitoring that needs to be undertaken by the business and the levels at which the business must operate below. The table below shows the current permits issued by the council.

Type environmental permit	Number as of 20/09/24
Stage 1 & Stage 2 – Petrol vapor recovery	12
Bulk cement	6
Dry cleaning	6
Vehicle refinishing	4
Mobile crushing and screening	3
Crematorium	1
Road coating	1
Vehicle coating	1

- 5.5 **Houses in Multiple Occupation (HMOs)** - Landlords who rent out a property to five or more people (who form more than one household) with shared amenities need to be licenced by the council. The council currently licences 107 HMOs, which house up to 708 people.
- 5.6 **Mobile homes sites** - If someone allows caravans on their land for more than 28 days per year, they are likely to need a mobile homes site licence. There are some exemptions to this, for example those sites who are a member of an approved organisation, such as the Caravan and Camping Club do not need a licence (though they will still need the correct planning permission). The council currently has 11 registered sites.
- 5.7 **Cooling towers** - Cooling towers are not only registered by the council for premises where the council enforces health and safety legislation, they also register those sited on premises where the Health and Safety Executive (HSE) have enforcement responsibility. The council currently has six sites registered with cooling towers.

- 5.8 ***Dangerous Wild Animals*** – If someone houses an animal listed in the [Schedule](#) of the Dangerous Wild Animals Act 1976 and they are not covered by a zoo licence, then they will require a licence from the council. The council currently has one dangerous wild animals licence holder.
- 5.9 ***Zoos*** – Someone needs a zoo licence if they intend to keep wild animals and open the premises to the public for seven or more days a year. The council currently has one zoo licenced within the district.
- 5.10 ***Camp sites*** – Someone needs a campsite licence if they plan to use land as a campsite for tents for more than 42 consecutive days or 60 days in a year. The council currently has no licensed camp sites.

## **6.0 Conclusion**

- 6.1 Given the current staffing and financial challenges of the council as well as the backlog from the unprecedented COVID-19 pandemic, the Environmental Health team are correctly focusing their work on higher-risk activities, most notably food safety and hygiene work, along with housing standards, planning consultations and statutory nuisances.
- 6.2 The team will continue to review working practices to ensure they are making best use of their time and technology as it becomes available and actively participate in any review proposals as a result of the council-wide structure review.

## **7.0 Implications/Consultations**

- 7.1 Community Safety
- a) None arising directly from this report.
- 7.2 Data Protection
- a) None arising directly from this report.
- 7.3 Equalities
- a) None arising directly from this report.
- 7.4 Environmental Sustainability
- a) None arising directly from this report.
- 7.5 Financial

- a) None arising directly from this report although the need to ensure capacity to avoid a reemergence of a food premises inspection backlog is being kept under close review.

#### 7.6 Health and Safety

- a) None arising directly from this report.

#### 7.7 Human Resources

- a) None arising directly from this report.

#### 7.8 Human Rights

- a) None arising directly from this report.

#### 7.9 Legal

- a) None arising directly from this report.

#### 7.10 Specific Wards

- a) N/A

### **8.0 Background papers, appendices and other relevant material**

#### 8.1 Background Information:

- a) Licensing Committee report from 22 October 2024  
<https://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=120&MIId=5388&Ver=4&j=2>

#### 8.2 Appendices

- a) Appendix A – Overview of Environmental Health functions
- b) Appendix B – Update on the 2024 FSA action plan.

### **Contact Member**

Councillor Sarah Hopewell, Executive Member for Wellbeing

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## **Contact Officer**

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## **Report Author**

Paul Thomas-Jones, Service Manager – Environmental Health

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## Appendix A – Overview of functions undertaken by Environmental Health

### ***Commercial team***

- a) Food safety / hygiene
- b) Animal licences (animal boarding, dangerous wild animals, dog breeding, performing animals, pet shops, riding establishments and zoos)
- c) Private water supplies / private distribution networks
- d) Infectious diseases / outbreaks
- e) Other licences/consents (caravan sites, camp sites and skin piercing)
- f) Smoke-free
- g) Occupational health and safety

### ***Environment team***

- h) Nuisances (bonfires, light, noise, odour, smoke)
- i) Drainage (private sewers, cesspools, septic tanks & treatment works)
- j) Exhumations / public health burials
- k) Contaminated land
- l) Air quality monitoring, reporting, declaration of AQMA's, action planning.
- m) Permits to control emissions to air (dry cleaners, petrol stations, roadstone coating, vehicle refinishers)
- n) Asbestos work/removal in domestic premises (complaints)

### ***Residential team***

- o) Housing standards
- p) Housing complaints (disrepair, overcrowding, lack of facilities, pests within the property)
- q) Houses in Multiple Occupation (HMO) investigation, inspection and licensing
- r) Grants and loans (decent homes loans, overseeing disabled facilities grants (DFG) and discretionary DFGs)
- s) Immigration inspections
- t) Filthy & verminous people and/or premises
- u) House condition survey
- v) Illegal eviction and harassment
- w) Tenant protections including electrical safety standards and tenant fees act

## Action plan for East Hertfordshire District Council

Updated 20/09/2024

What? Issue to be addressed	How? Planned action to secure improvement	By whom? Name of lead officer	By when? Date	Notes	Status
<p><b>Service plan</b></p> <p>A new service plan will be needed for 2024/25.</p>	<p>1. 2024/25 service plan submitted to FSA, reflecting the actions detailed in this action plan.</p>	<p>Head of Housing and Health</p>	<p>April 2024</p>	<p><b>11/06/2024</b> Action achieved.</p> <p>Service plan agreed by the Head of Housing and Health through delegated authority.</p>	<p>Completed</p>
<p><b>Preparation</b></p> <p>Actions needed to facilitate the action plan being delivered in a timely manner.</p>	<p>2. The Chief Executive and Deputy Chief Executive briefed and support given to remedial action plan to clear the backlog.</p>	<p>Service Manager (Environmental Health)</p>	<p>March 2024</p>	<p><b>22/03/2024</b> Action achieved.</p> <p>Draft action plan considered and finalised with CEO and DCEO. Approval given to submit action plan to the FSA.</p>	<p>Completed</p>



# Action plan for East Hertfordshire District Council

Updated 20/09/2024

What? Issue to be addressed	How? Planned action to secure improvement	By whom? Name of lead officer	By when? Date	Notes	Status
	3. Seek agreement to appoint competent contractors from agencies other than Matrix due to the urgency of the work.	Service Manager (Environmental Health)	March 2024	<b>14/03/2024</b> Action achieved.  CEO agreed for the outsourcing of inspections outside of Matrix.	Completed
	4. Contractors appointed to assist current staff to clear the backlog of inspections.	Service Manager (Environmental Health)	March 2024	<b>March 2024</b> Action achieved.  Reputable agencies approached and contractors assessed, appointed and work started on backlog.	Completed
	5. Raise with the Executive Member for Wellbeing (portfolio holder for environmental	Head of Housing and Health	March 2024	<b>11/04/2024</b> Action achieved.  Meeting with the Executive Member for	Completed

## Action plan for East Hertfordshire District Council

Updated 20/09/2024

What? Issue to be addressed	How? Planned action to secure improvement	By whom? Name of lead officer	By when? Date	Notes	Status
	health) the contents of the recent performance report from the FSA and our action plan.			Wellbeing where we went through the requirements of the legislation and code of practice then reviewed the FSA findings and action plan.	
<p><b>Backlog of new unrated food business</b></p> <p>Recovery of the backlog of new food businesses which have not yet be risk assessed under the Food Law Code of Practice.</p>	6. Backlog of unrated businesses to be cleared by March 2025, or sooner if possible. Inspections will be spread evenly over the next twelve months.	Service Manager (Environmental Health)	March 2025	<p><b>20/09/2024</b></p> <p>On track to achieve target.</p> <p>There are currently 19 uninspected premises that were registered before 1<sup>st</sup> April 2024. In addition, there are a further 64 premises which have registered</p>	On track

# Action plan for East Hertfordshire District Council

Updated 20/09/2024

What? Issue to be addressed	How? Planned action to secure improvement	By whom? Name of lead officer	By when? Date	Notes	Status
				since 1 <sup>st</sup> April 2024 to be inspected.	
<b>Backlog of inspections for existing risk rated premises</b>  Recovery of the backlog of established food businesses which are overdue for an inspection under the Food Law Code of Practice. This excludes category 'E' premises which are detailed separately below.	7. Backlog of category 'A' inspections to be cleared by April 2024.	Service Manager (Environmental Health)	April 2024	<b>09/04/2024</b> Target achieved.  Although the backlog has been cleared, there is one category 'A' inspection due in Quarter 3 of 2024/25.	Completed
	8. Backlog of category 'B' inspections to be cleared by April 2024.	Service Manager (Environmental Health)	April 2024	<b>09/04/2024</b> Target achieved.  Although the backlog has been cleared, there are 18 inspections due in Quarter 3 and Quarter 4 of 2024/25.	Completed

## Action plan for East Hertfordshire District Council

Updated 20/09/2024

What? Issue to be addressed	How? Planned action to secure improvement	By whom? Name of lead officer	By when? Date	Notes	Status
	9. Backlog of category 'C' inspections to be cleared by December 2024, or sooner if possible. Inspections will be spread evenly over the next nine months.	Service Manager (Environmental Health)	December 2024	<p><b>12/02/2025</b></p> <p>There is currently one category 'C' premises which remains overdue for inspection. With a further 3 due by the end of March 2025.</p> <p>The overdue premises is a seasonal business who is currently not trading. This will be picked up when it commences trading again.</p>	Overdue
	10. Backlog of category 'D' inspections to be cleared by July 2025, or sooner if	Service Manager (Environmental Health)	July 2025	<p><b>28/09/2024</b></p> <p>On track to achieve target.</p>	On track

# Action plan for East Hertfordshire District Council

Updated 20/09/2024

What? Issue to be addressed	How? Planned action to secure improvement	By whom? Name of lead officer	By when? Date	Notes	Status
	possible. Inspections will be spread evenly over the next sixteen months.			There are currently 23 category 'D' premises which remain over-due for inspection.	
<p><b>Backlog of inspections for existing 'E' risk rated premises</b></p> <p>Recovery of the backlog of established food businesses which are overdue for an inspection under the Food Law Code of Practice.</p>	<p>11. Develop a questionnaire as part of an alternative enforcement strategy which will encourage the lowest risk businesses in the district to self-assess against food hygiene standards in line with the Food Law Code of Practice.</p>	<p>Service Manager (Environmental Health)</p>	<p>April 2024</p>	<p><b>29/08/2024</b> Target achieved.</p> <p>Questionnaires have been developed and deployed on the council's website.</p>	<p>Completed</p>

## Action plan for East Hertfordshire District Council

Updated 20/09/2024

What? Issue to be addressed	How? Planned action to secure improvement	By whom? Name of lead officer	By when? Date	Notes	Status
	12. Use existing staff and agency staff (where needed) to target those businesses where the questionnaire indicates further intervention may be needed (such as a change in processes or a new business is operating from the premises) or where the questionnaires have not been returned.	Service Manager (Environmental Health)	May 2024 onwards	<b>28/09/2024</b> – On track to achieve target.	On track
	13. Backlog of category 'E' inspections to be cleared by March 2027, or sooner if	Service Manager (Environmental Health)	March 2027	<b>29/08/2024</b> On track to achieve target.	On track

# Action plan for East Hertfordshire District Council

Updated 20/09/2024

What? Issue to be addressed	How? Planned action to secure improvement	By whom? Name of lead officer	By when? Date	Notes	Status
	possible. Inspections will be spread evenly over the next thirty-five months.			While we have been delayed developing the questionnaires, we are still in a position to be able to recover this overall target of clearing the backlog of category 'E' premises by March 2027. The current number of outstanding inspections is 533.	
<b>Interventions due 2025/26 onwards</b>	14. Following the current council-wide review (anticipated to be completed by September 2024), undertake a specific service review of Environmental	Head of Housing and Health and	March 2025	<b>12/02/2025</b> Target unlikely to be met.  Preliminary work is underway to compare us to other local authorities, however	Delayed

## Action plan for East Hertfordshire District Council

Updated 20/09/2024

What? Issue to be addressed	How? Planned action to secure improvement	By whom? Name of lead officer	By when? Date	Notes	Status
	Health to identify resources and structures to meet food hygiene statutory duties.	Service Manager (Environmental Health)		the DMA review is on-going. Until the DMA has concluded we are unable to review the structure.	
	15. Work with HR to assess the environmental health team's eligibility to benefit from the council's recruitment and retention options.	Service Manager (Environmental Health)	March 2025	<p><b>12/02/2025</b> On track to achieve target.</p> <p>HR have confirmed there is no corporate approach to this. Research started to identify what other local authorities offer and have had success with.</p>	On track



# Action plan for East Hertfordshire District Council

Updated 20/09/2024

What? Issue to be addressed	How? Planned action to secure improvement	By whom? Name of lead officer	By when? Date	Notes	Status
<b>Communication of risk to the portfolio holder</b>	16. Review and, if necessary, amend the performance indicators to ensure they accurately reflect the performance against the Food Law Code of Practice.	Service Manager (Environmental Health)	April 2024	<b>09/04/2024</b> Target achieved.  New departmental targets agreed with the Head of Housing and Health.	Completed
	17. Schedule regular updates to the Executive Member for Wellbeing (portfolio holder for environmental health) who has responsibility for overseeing food safety and hygiene work. Reports to	Service Manager (Environmental Health)	April 2024	<b>11/04/2024</b> Target achieved.  It has been agreed to update the Executive Member for Wellbeing on a quarterly basis via email.	Completed

## Action plan for East Hertfordshire District Council

Updated 20/09/2024

What? Issue to be addressed	How? Planned action to secure improvement	By whom? Name of lead officer	By when? Date	Notes	Status
	update progress on the action plan.				
<b>Provision of data / information to the FSA</b>	18. Ensure regular dialogue with the FSA and ensure prompt response to any communications from them.	Service Manager (Environmental Health)	March 2024 onwards	<p><b>28/09/2024</b></p> <p>On track to achieve target.</p> <p>The FSA have been kept informed of progress on the action plan. Emails responded to ASAP after they are received.</p>	On track
	19. Review the new template for the annual return, develop a report to extract this	Service Manager (Environmental Health)	April 2024	<p><b>24/04/2024</b></p> <p>Target achieved.</p> <p>Power BI reports produced to enable the council to extract</p>	Completed

# Action plan for East Hertfordshire District Council

Updated 20/09/2024

What? Issue to be addressed	How? Planned action to secure improvement	By whom? Name of lead officer	By when? Date	Notes	Status
	information from Uniform.			the data needed for the annual return.	
	20. Arrange for Power BI licences to be issued to key officers. Officers currently using a free trial which expires in April.	IT service	April 2024	<b>29/04/2024</b> Target achieved.  IT have issued the correct licences to the team.	Completed.
	21. Arrange for suitable Power BI training.	Service Manager (Environmental Health)	Summer 2024	<b>08/04/2024</b> Target not met.  IT have confirmed this would be part of a council-wide project	Delayed

## Action plan for East Hertfordshire District Council

Updated 20/09/2024

<b>What?</b> Issue to be addressed	<b>How?</b> Planned action to secure improvement	<b>By whom?</b> Name of lead officer	<b>By when?</b> Date	<b>Notes</b>	<b>Status</b>
				which is being scoped out at the moment.	

## **East Herts Council Report**

### **Licensing Committee**

**Date of Meeting: 19 March 2025**

**Report by: Oliver Rawlings, Service Manager - Licensing & Enforcement**

**Report title: Review of licensing activity for Quarters 1, 2, & 3 of 2024-25 financial year (01 April 2024 – 30 June 2024, 01 July 2024 –**

**30 September 2024 & 01 October 2024 – 31 December 2024)**

**Ward(s) affected: All**

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**Summary** – Quarterly reports are presented to Licensing Committee to ensure the supervision of key areas of regulation and allow the members to review the evidence to ensure the council is fulfilling its responsibilities.

### **RECOMMENDATIONS FOR Licensing Committee:**

- (a) That members review and comment on the Licensing activity from the first, second and third quarters of the 2024-25 financial year.**

#### **1.0 Proposal(s)**

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

#### **2.0 Background**

- 2.1 The council's Licensing and Enforcement Team covers Hackney Carriage and Private Hire licensing, alcohol, entertainment and late-night refreshment licensing and notices, along with more infrequent applications relating to, among other things, scrap metal dealing, pavement licensing, street trading and gambling.

2.2 This report presents data from the first and second quarters of the 2024 financial year (1<sup>st</sup> April 2023 – 30<sup>th</sup> September 2023) on processing and enforcement, delegated decisions, and on 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 under the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847.

### **3.0 Reason(s)**

#### ***Complaints handling***

3.1 Members have previously requested that details be provided in relation to any trends in the types of complaints received.

#### ***Licensing Act***

3.2 During Q1 there were four complaints relating to purported breaches of the Licensing Act including:

- 3 complaints relating to noise from premises.

One related to playing music in an outside area and the premises were reminded about the conditions on their licence.

The other two complaints were for a premises using a TEN. The premises were spoken to by Hertfordshire Constabulary as they had also received complaints of anti-social behaviour at the same event.

3.3 During Q2 there were the following complaints relating to licensed premises:

- 1 complaint relating to noise from premises.

The Environmental Health Team were notified of the complaint.

- 1 complaint of a premises being used by individuals selling drugs.

This was passed to Hertfordshire Constabulary.

- 1 allegation of a premises serving alcohol to underage persons.

Intelligence was passed to the police for them to investigate.

- 2 allegations of premises using their outside area for activities they were not licensed for – one for recorded music and the other for an outside bar.

Premises were spoken to and advised of the Live Music Act deregulation. Discussed what they were permitted to have in their outside area and management were confident that they were operating within their permissions as the recorded music being played was being played by a DJ who blends the tracks which would fall under live music rather than playing them from a play list which would be recorded music.

Officers were informed that drinks were only dispensed from the outside bar to relieve the pressure on the main bar when it was busy. Orders were taken by staff and payments were made at the main bar area. Premises have now applied for a variation of their premises licence to include the bar in the outside area.

- 1 allegation of a premises operating without a designated premises supervisor (DPS).

The officer was informed that the premises supervisor named on the licence was still in post. A few days later an email was received from the DPS stating that they no longer wished to be responsible for the premises. The agent was contacted and informed of this information along with the police who stated they would be following this up.

- 1 allegation of a premises breaching their licensing conditions.

Premises licence and conditions were looked at. From the allegations made no breaches could be found as the activities being complained about had stopped during permitted hours.

3.4 During Q3 there were the following complaints relating to licensed premises:

- Sign of the Times Festival

Complainants regarding the operation of this festival were received from members of the public and partner agencies. Officers reviewed the complaints and were unable to evidence any breaches of licence conditions or unauthorized licensable activity.

- 3 complaints relating to noise from premises.

Two premises licensed for on sales of alcohol spoken to, with one having been contacted previously following a complainant received.

The third complaint related to noise from a shop that is open 24 hours and was from a resident that lives above. Licensing Enforcement visited to ensure compliance with conditions, Environmental Health made aware and the resident advised regarding a possible review of the licence.

- Indecent exposure by a member of staff.

A complaint was received from a member of the public that a member of female bar staff would put her breast into the top of a pint of Guinness for £20.00. Evidence supporting the claim was found on social media and the premises were visited by Licensing Enforcement. The premises management took action to ensure that this did not continue.

3.5 In quarter 1 of 2024 the remaining part-time licensing enforcement officer and the senior licensing & enforcement officer both left the organisation. Whilst the remaining team were able to cover the statutory functions and the reactive complaints driven work, proactive enforcement had to be carefully managed.

3.6 In quarter 3 of 2024 these vacant posts were successfully filled. The enforcement officer roles were filled internally with a secondment from within the licensing team and an officer with licensing experience from a previous role joining us part-time in addition to their other part-time role. Recruitment to the senior role attracted strong candidates with the new officer joining us



from St Albans.

- 3.7 It is worth bearing in mind that enforcement of licensing conditions is not a statutory matter, it is a discretionary function for individual councils to choose to provide should they wish. To date, the council has chosen to have a licensing enforcement function. It is the council's part time licensing enforcement officer along with the support of the senior licensing and enforcement officer who has been undertaking increased out of hours observations in the evenings and at weekends, including into the early hours of Sunday mornings, to address the increase in complaints. Out of hours working allows officers to witness any issues and reach a conclusion regarding the validity of a complaint.

### ***Hackney carriage and private hire***

- 3.8 The enforcement team's work involves ensuring that all documentation for taxi drivers and vehicles is received, therefore ensuring licenses are valid. The enforcement team ensures that people with expired documents are suspended until they produce the required proofs.
- 3.9 In Q1-Q3 of 2024, no Licensing Record Points (LRP) were issued. This is the scheme which was implemented to aid in a stepped approach to compliance relating to licensed drivers, vehicles and operators.
- 3.10 In Q1, five complaints were received in relation to private hire and hackney carriage licences, these related to:
- Careless driving. Both drivers involved were spoken to and given words of advice.
  - Issues around Bishop's Stortford Train Station. Four complaints were received from the licensed trade regarding issues around parking and picking up from the station. Words of advice were given.
- 3.11 In Q2 six complaints were received. These related to:
- Five relating to roof lights. The roof lights were either not working or damaged. All drivers were spoken to, and the roof lights were either repaired or replaced.

- One complaint regarding a TFL private Hire driver touting for business in Hertford. Attempts were made to identify the driver through enquiries with TFL.

3.12 In Q3 seven complaints were received. These related to:

- One regarding a private hire operator running his business from home. The complaint was regarding the number of vehicles parked in the street. The owner was spoken to, and all the vehicles were either parked on his driveway or directly outside his house.
- One complaint regarding a licensed vehicle parked in the pavement and blocking pedestrian access. The driver was called into the office and given words of advice.
- One from a passenger who was refused a journey because they wanted to pay with a card. The driver was called in and he explained that his card machine was not working at that time. He provided evidence that the card machine was now working.
- Four complaints from an Epping Forest licensed driver stating that number plates of some East Herts licensed vehicles working at Bishop's Stortford Train Station were illegal as they had raised numbers. All the proprietors were contacted. The BSAU standard was checked, and all provided proof that the number plates were made correctly and were compatible with ANPR and car parking cameras.

### ***Street trading and pavement licenses***

3.13 In Q1-Q3 no complaints were received regarding street trading.

3.14 No complaints were received regarding pavement licences in either Q1 or Q3.

3.15 In Q2 there were three complaints regarding noise from areas covered by pavement licences. Licence holders were contacted and environmental health informed. No breaches of the conditions of the pavement licences were identified,

### ***Charity collections***

- 3.16 One complaint was received in Q3 from a local resident regarding a Street Collection being made on behalf of 'Homeless in Need'.
- 3.17 Upon further investigation, 'Homeless in Need', is not a charity but a Community Interest Company. The Charity Commission was contacted, and they confirmed that 'Homeless in Need' would be required to apply for a street collection permit. The company were emailed and reminded that an application must be made for every collection.

### ***Performance monitoring***

- 3.18 The figures for the quarterly performance indicators for licensing for Q1, Q2 and Q3 are detailed in the table below.

<b>Performance indicator – cumulative (reported quarterly) within the year unless otherwise stated</b>	<b>2023/2024 target</b>	<b>Q1, Q2 &amp; Q3 2024 performance</b>		
		<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
Percentage of valid personal licences processed within 2 weeks	90%	100%	94%	96%
Percentage of valid temporary event notices processed within 72 hours	90%	99%	98% 96%	
Percentage of applications for new and variation of premises licences processed within 2 calendar months (from date of validation to date of determination)	90%	100%	100%	100%
Percentage of driver's licences issued within 30 working days of validation	90%	100%	100%	100%

3.19 Performance data for Q1 – Q3 can be found at **Appendix A**.

## **4.0 Options**

4.1 To not provide the members of the Licensing Committee with quarterly reports. This option has been dismissed at previous meetings as it would not allow members to oversee this area of regulation.

## **5.0 Risks**

5.1 None identified by author.

## **6.0 Implications/Consultations**

### **Community Safety**

Proper scrutiny of the work of the Licensing & Enforcement team helps to ensure that policies and procedures promote community safety.

### **Data Protection**

None

### **Equalities**

None

### **Environmental Sustainability**

None

### **Financial**

None as any work either carried out or proposed will be possible within existing budgets.

### **Health and Safety**

Some parts of the regulatory regimes covered in this report contribute to health & safety by ensuring standards are maintained.

### **Human Resources**

None

## **Human Rights**

None

## **Legal**

None

## **Specific Wards**

None

## **7.0 Background papers, appendices, and other relevant material**

- 7.1 **Appendix A** – Performance data from 01 April 2024 – 30 June 2024, 01 July 2024 – 30 September 2024 and 01 October 2024 – 31 December 2024. Including figures for applications and granted licences, notices and other permissions.

### **Contact Member**

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for Planning & Growth

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### **Contact Officer**

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### **Report Author**

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Q1 2024 Data – 1<sup>st</sup> April to 30<sup>th</sup> June 2024Q2 2024 Data – 1<sup>st</sup> July to 30<sup>th</sup> September 2024Q3 2024 Data – 1<sup>st</sup> October to 31<sup>st</sup> December 2024**Licensing Act 2003**

<b>Premises Licence Applications</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
Change of designated premises supervisor	25	17	17
New	12	3	6
Transfer of premises licence	6	3	8
Variation	3	0	0
Minor Variation	6	2	5
Review	0	1	0
Interim Authority notice	0	0	0
Suspended	0	0	0

<b>Club Premises Certificates Applications</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
New	0	0	0
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

<b>Personal Alcohol Licences Applications</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
New	27	20	8
Refused	0	0	0

<b>Temporary Event Notices (TENs)</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
TENs received	233	143	203
Objections (Police or Environmental Health)	5	1	0
Granted (with conditions)	5	0	0
Refused (counter notice issued)	1	1	0

## GAMBLING ACT 2005

<b>New Applications</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
Small Society Lotteries	14	14	29
Notification of Gaming Machines	3	1	0
Betting Premises Licence (Betting shops)	0	0	0
Club Machine Permits	0	0	0
Licensed Premises Gaming Machine Permit	0	0	0

## CHARITY COLLECTIONS

<b>New Applications</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
Street Collections	15	9	10
House To House	2	3	6

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

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
Currently issued	7	5	6
New applications	3	3	3

## TAXIS

<b>Dual Drivers (Hackney Carriage and Private Hire)</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
New	4	4	2
Renewed	6	5	22

<b>Private Hire Drivers</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
New	6	11	8
Renewed	3	0	2

<b>Private Hire Operators</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
New	5	3	1
Renewed	0	0	0

<b>Hackney Carriage Vehicles</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
Renewed	57	37	56
Change of vehicle	1	6	0
New	0	0	0

<b>Private Hire Vehicles</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
Renewed	9	16	9
New	2	7	7
Change of vehicle	0	4	8

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
Courtesy vehicles*	5	5	4

\*vehicles temporarily replacing those damaged in accidents.

### **PAVEMENT LICENCES**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
New Applications	9	11	3
Refused	0	0	0
Invalid	1	2	1

### **STREET TRADING**

	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>
New Applications	2	3	3



## TOTALS NUMBERS OF LICENCES

<b>Type of Licence</b>	<b>End of year 21/22</b>	<b>End of year 22/23</b>	<b>End of year 23/24</b>	<b>End of Q3 2024</b>
Personal Alcohol Licences	2162	2256	2318	2355
Premises Licence	637	636	653	670
Club Premises Certificates	35	34	34	34
Dual Drivers (able to drive both Private Hire and Hackney Carriage vehicles)	246	209	219	220
Hackney Carriage Vehicles	199	200	196	180
Private Hire Vehicles	48	58	67	68
Private Hire Drivers	47	52	59	57
Private Hire Operators	27	30	36	42
Betting Premises Licence	14	13	13	13
Pavement Licences	11	8	9	16