

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON FRIDAY 31 MAY 2013, AT
10.00 AM

PRESENT: Councillor Eric Buckmaster (Chairman).
Councillors M McMullen and J Taylor.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Paul Newman	- Licensing Manager
George Robertson	- Legal Services Manager

1 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor M McMullen and seconded by Councillor J Taylor that Councillor E Buckmaster be appointed Chairman of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor E Buckmaster be appointed Chairman of the Licensing Sub-Committee for the meeting.

2 MINUTES – 24 APRIL AND 26 APRIL 2013

RESOLVED – that the Minutes of the meetings held on 24 April and 26 April 2013 be confirmed as correct records and signed by the Chairman.

3 DOG AND WHISTLE, RAILWAY STREET, HERTFORD –
CONSIDERATION OF OBJECTIONS TO A TEMPORARY
EVENT NOTICE

The Chairman outlined the procedure to be followed. All those present were introduced. The Licensing Manager advised the Sub-Committee of the details of the

application and that objections had been received from the Police and Environmental Health.

Police Officers were in attendance and were invited to give their views on the application for a Temporary Event Notice (TEN). In summary, the Police concerns were based on the fact that the licensing objective relating to the prevention of Crime and Disorder would not be supported. A Police Officer advised the Sub-Committee, in detail, of a report which had been filed by a Duty Officer regarding an event which had been held on 12 April 2013 and the subsequent complaint which had been submitted.

The Event Organiser, Mr Harding was in attendance. He accepted the statement as submitted by the Police. He questioned the complaint which had been registered by a local individual and business owner who he said, had not been present at the event. He suggested that the complaint had been submitted because of the downturn of the complainant's own business.

Mr Harding admitted that, in relation to the April event, he had been "naive" and provided an explanation regarding some of the issues which had been raised by the Police relating to the "door staff", the allegations of "free-pouring", over attendance and underage drinking.

Mr Harding explained that he had consulted with the Fire Service, who had advised that the event should be restricted to 60 people. He further stated that he would be happy to work with the Police regarding the co-ordination of further events.

The Licensing Manger explained that SIA registered door staff were not necessary in relation to TENs applications. In response to a comment by Councillor J Taylor regarding people living nearby, Mr Harding acknowledged that he knew that there were people living locally but was not aware that people thought that the event music was loud. Mr Harding summarised his statement adding that he would be happy to work with the Police on future

events.

At the conclusions of the representations, the Sub-Committee withdrew with the Legal Services Manager and the Democratic Services Officer to consider the evidence. Following this, they returned and the Chairman announced the decision of the Sub-Committee.

The Sub-Committee had carefully considered the evidence from the applicant and the Police and had noted that the applicant had accepted that, on the last occasion, he had been naive and had operated outside the terms of the licence. The Sub-Committee was not convinced that the applicant was sufficiently prepared to hold such an event and therefore upheld the police objection.

The Sub-Committee reminded the applicant that he should hold discussions with the Police regarding future appropriate conditions.

RESOLVED – that the objection notices be upheld.

4 EXCLUSION OF PRESS AND PUBLIC

The Sub-Committee passed a resolution pursuant to Section 100 (A)(4) of the Local Government Act 1972 as amended, to exclude the press and public during consideration of the business referred to in Minute 5 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the said Act.

5 APPLICATION NUMBER 022865

The Chairman outlined the procedure to be followed. All those present were introduced. The Licensing Manager advised the Sub-Committee of the details of the application. The applicant was in attendance and provided a summary of events of his working life and why he should be considered for a private hire drivers' licence. Following the statement, the Sub-Committee was asked

to consider whether the applicant was a “fit and proper person” to hold a Taxi Driver’s Licence.

At the conclusion of representations, the Sub–Committee withdrew with the Legal Services Manager and the Democratic Services Officer to consider the evidence. Following this, they returned and the Chairman announced the decision of the Sub–Committee.

The Sub–Committee had carefully considered the evidence but was very concerned at the conviction regarding the absence of insurance, which was relatively recent. The Sub–Committee was not satisfied with the explanation given. For that reason, the Sub–Committee was not prepared for the applicant to proceed to the next stage and agreed that the application be refused.

RESOLVED – that the application be refused.

6 NAVIGATOR, BRIDGEFOOT, WARE – APPLICATION FOR A GAMING MACHINE PERMIT FOR THREE MACHINES

The Chairman outlined the procedure to be followed. The Licensing Manager advised the Sub–Committee of the details of the application. The applicant was not in attendance. The Licensing Manager drew the Sub–Committee’s attention to the revised layout for the location of the gaming machines which had been emailed to Members of the Sub–Committee.

The Sub–Committee considered the application and the revised layout of where the machines would be located and approved the application.

RESOLVED – that the application be approved.

The meeting closed at 11.45 am

Chairman
Date