

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON FRIDAY 21 MARCH 2014,
AT 2.00 PM

PRESENT: Councillor Roger Beeching (Chairman).
Councillors Mrs D Hone and J Jones.

ALSO PRESENT:

Councillors P Moore and P Ruffles.

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Paul Merry	- Licensing Officer
Oliver Rawlings	- Senior Specialist Licensing Officer
George Robertson	- Legal Services Manager

50 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor J Jones and seconded by Councillor Mrs D Hone that Councillor R Beeching be appointed Chairman of the Licensing Sub-Committee for the meeting.

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

51 MINUTES – 28 JANUARY 2014 AND 29 JANUARY 2014

RESOLVED – that the Minutes of the meetings held on 28 and 29 January 2014 be confirmed as a correct record and signed by the Chairman.

52 APPLICATION TO GRANT A LICENSED PREMISES GAMING MACHINE PERMIT FOR THE ANCHOR INN, UNITS D1/D2 RIVERSIDE PLAZZA, JACKSON SQUARE, BISHOP'S STORTFORD, HERTFORDSHIRE, CM23 3AK

The Chairman outlined the procedure to be followed. All those present were introduced. The Licensing Officer advised the Sub-Committee that the report summarised an application that sought permission for 6 category C gaming machines at the Port Jackson, Units D1/D2 Riverside Plaza, Jackson Square, Bishop's Stortford. The application had been submitted on 5 February 2014.

The Sub-Committee was advised that permits for one or two machines on alcohol licensed premises could be sought by way of a simplified notification procedure and acknowledged under delegated powers without a hearing, in line with Section 282 of the Gambling Act 2005.

The Licensing Officer circulated a copy of the policy of JD Wetherspoon regarding Licensed Premises Gaming Machines. Members were advised of the maximum spend and maximum possible prize for category C machines.

The Licensing Officer confirmed that other premises in East Herts had similar machines and the sister venue of the Port Jackson operated category C machines without any issues as far as Officers were aware.

Councillor J Jones commented on whether any other business in East Herts had installed 6 of this type of machine in licensed premises. The Licensing Officer believed that, whilst there were no such instances in East Herts, businesses in other Districts had installed 6 category C machines.

Councillor R Beeching queried the guidelines in respect of category C machines in licensed premises. The Licensing Officer reported that there was no upper limit regarding the numbers of machines in either the

legislation or East Herts policy and it was for Members to judge how many was acceptable.

The applicant and designated premises supervisor advised Members that it was the policy of JD Wetherspoons to apply for 5 or 6 category C machines in new licensed premises. Members were advised that no children would be permitted to use the machines and staff would be carrying out ID checks. There would be an on site manager as well as door staff.

In response to a query from Councillor R Beeching, the applicant confirmed that there would be no ATM machines within the premises. In reply to a further query from Councillor Beeching, the Sub-Committee was advised that machines would be emptied of cash regularly and the machines would be switched off in the evenings in line with the licensed opening hours of the premises.

Following a comment from Councillor J Jones, the applicant emphasised that anyone suspected of being under 18 would be challenged. At the conclusion of the summary 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 that the Sub-Committee had listened to the comments of the applicant and the Licensing Officer and had decided to approve the application for a licensed premises gaming machine permit for 6 category C gaming machines, on the basis that there were no reasons to refuse the application.

RESOLVED – that, for the reasons now detailed, the application for a licensed premises gaming machine permit be approved.

53 EXCLUSION OF PRESS AND PUBLIC

The Sub-Committee passed a resolution pursuant to

Section 100 (A) (4) of the Local Government Act 1972, to exclude the press and public during consideration of the business referred to in Minute 54 on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the said Act.

54 APPLICATION NUMBER 025314

The Chairman outlined the procedure to be followed. All those present were introduced. The applicant agreed that Councillors P Moore and P Ruffles could remain in the room as observers.

The Senior Specialist Licensing Officer advised the Sub-Committee of the details of the application and explained that it was for Members to decide whether the applicant was a “fit and proper person” to hold a taxi driver’s licence.

The Sub-Committee was provided with background information relating to the applicant and his 2 convictions as detailed in the report now submitted. Members were reminded that, although the convictions were all considered spent under the Rehabilitation of Offenders Act 1974, they remained live in respect of applications for taxi driver licences.

The Senior Specialist Licensing Officer concluded by stating that the applicant would have a 21 day right of appeal to the magistrates’ court. The applicant provided detailed information regarding the circumstances that led to his 2 convictions. He advised that he was currently working for UPS as a sorter and delivery driver.

In response to a query from Councillor J Jones, the applicant stated that he intended to leave UPS due to his lengthy commute to work. The applicant confirmed his intention to work for a taxi company should his application be approved.

Following a comment from the Senior Specialist Licensing Officer, the applicant confirmed that he often handled valuable items due to his current role with UPS. In response to a query from Councillor R Beeching relating to the applicant’s community service, the applicant confirmed that he had worked 8 – 10 hours every Saturday until he had met the commitments of this unpaid work.

At the conclusion of the representations, the Sub-Committee withdrew with the Legal Services Manager and Democratic Services Officer to consider the evidence.

Following this they returned and the Chairman announced that the Sub-Committee had listened to the comments of the applicant and the Senior Specialist Licensing Officer and had decided to approve the application for a taxi driver’s licence.

The Chairman stated that the applicant had made mistakes in the past and as a taxi driver he would be in a position of trust and responsibility towards the public. The applicant was advised not to make any more mistakes that could land him in trouble with the police. The Chairman wished the applicant all the best in his new career.

RESOLVED – that, for the reasons now detailed, the application for a taxi driver’s licence be approved.

The meeting closed at 2.47 pm

Chairman
Date