

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 4 NOVEMBER
2010, AT 4.30 PM

PRESENT: Councillor M P A McMullen (Chairman)
Councillors W Ashley, P R Ballam,
K A Barnes, Mrs R F Cheswright, J Demonti,
N C Poulton, R A K Radford, P A Ruffles,
R I Taylor, J J Taylor, N Wilson,
B M Wrangles and A L Warman

OFFICERS IN ATTENDANCE:

Jeff Hughes	- Head of Democratic and Legal Support Services
Paul Newman	- Interim Licensing Manager

352 APOLOGIES

Apologies for absence were submitted on behalf of Councillors R Beeching and A L Burlton. It was noted that Councillor A Warman was attending as a substitute for Councillor R Beeching.

353 FEEDBACK ON STATEMENT OF LICENSING POLICY

The Director of Neighbourhood Services submitted a report advising that the Authority was required to publish, every three years, its Statement of Licensing Policy. The policy detailed the principles the Authority would apply when exercising its function under the Licensing Act 2003.

The Committee recalled that, at its meeting held on 22 July 2010, it had approved a draft revised policy for

public consultation.

The Director reported that no responses had been received during the consultation period.

The Committee noted the lack of public response. It agreed to recommend Council to approve the revised Statement of Licensing Policy.

RECOMMENDED – that the revised Statement of Licensing Policy (as submitted to the Licensing Committee meeting on 22 July 2010) be approved.

354 MINUTES

RESOLVED - that the Minutes of the meeting held on 22 July 2010 be confirmed as a correct record and signed by the Chairman.

355 LICENSING SUB-COMMITTEE

RESOLVED - that the Minutes of the meetings of the Licensing Sub-Committee held on 25 June, 12 July, 12 August, 19 August, 2 September, 13 September and 21 September 2010 be received.

(Note: Councillor Mrs P Ballam questioned the accuracy of the Minutes of the meeting held on 21 September 2010 in so far as they needed to record that Councillor M McMullen substituted for both her and Councillor J Demonti in respect of the items now specified. This information was recorded under Minute 29. It would be for the Licensing Sub-Committee at its next meeting to confirm, or otherwise, the accuracy of the record.)

356 ATTENDANCE AT LICENSING SUB-COMMITTEE

The Director of Internal Services submitted a report on details of Members' attendance at meetings of the Licensing Sub-Committee held since 12 May 2010.

The Head of Democratic and Legal Support Services stated that the (three) Members of the Sub-Committee were selected from the membership of the parent Licensing Committee on a meeting by meeting basis. The schedules of attendance now submitted detailed Members who had been selected from the parent Committee. Its aim was to provide reassurance that the selection process secured, as far as possible, an even distribution of the Sub-Committee's workload amongst Licensing Committee Members. Future reports on this subject would make this purpose clear.

RESOLVED – that the report be received.

357 LICENSING UPDATE

The Director of Neighbourhood Services submitted a report presenting data for the periods 1 April to 30 June and 1 July to 30 September 2010 on applications for:

- Alcohol, entertainment and late night refreshment licences under the Licensing Act 2003;
- Gaming licences under the Gambling Act 2005, and
- Taxi Drivers, vehicle proprietors and operators licences.

The Director also detailed the number of current licences etc, in respect of the various licensing functions now detailed.

Members expressed concern over the ever increasing practice of queuing taxis being parked by their drivers outside the designated taxi rank area in Railway Street (and Market Street), Hertford. Members observed that these vehicles were partially parked on footways thus posing a safety hazard to pedestrians.

The Committee agreed to request the Director of Customer and Community Services (Parking Manager) to ensure that parking restrictions in this area of Hertford were enforced, particularly through the issue of penalty parking notices to

offending taxi drivers parking unlawfully in the manner now detailed. Members considered that any time leeway for drivers to move their vehicles before a penalty parking notice was issued should be waived. The Director was also requested to liaise with Hertfordshire Constabulary to enlist its support and assistance in enforcing parking restrictions in and around Railway Street.

The Committee agreed that the Director of Neighbourhood Services should be requested to investigate the possibility of issuing penalty points under taxi licensing conditions to taxi drivers unlawfully parked on public highways. Once a predetermined level of points had been accumulated then a driver's fitness to hold a taxi licence could be reviewed.

RESOLVED – that (A) the Director of Customer and Community Services (Parking Manager) be requested:

- (1) to ensure that parking restrictions in the Railway Street area of Hertford were enforced, particularly through the issue of penalty parking notices to offending taxi drivers parking unlawfully in the manner now detailed (and without any time leeway for drivers to move their vehicles before a penalty parking notice was issued); and
- (2) to liaise with Hertfordshire Constabulary to enlist its support and assistance in enforcing parking restrictions in and around Railway Street, Hertford; and

(B) the Director of Neighbourhood Services be requested to investigate the possibility of issuing penalty points under taxi licensing conditions to taxi drivers unlawfully parked on public highways (on the basis that once a predetermined level of points had been accumulated then a driver's fitness to hold a taxi licence could be reviewed).

358 ENFORCEMENT UPDATE - 1 JANUARY - 30 APRIL 2010

The Licensing Manager submitted a report presenting data on licensing compliance and enforcement activity in respect of:

- premises licensed for gambling, the sale of alcohol, regulated entertainment and late night refreshment, and
- Hackney Carriage and Private Hire drivers, vehicles and operators

for the period 1 January to 30 April 2010.

RESOLVED – that the report be received.

359 ENFORCEMENT UPDATE - 1 MAY - 30 AUGUST 2010

The Licensing Manager submitted a report presenting data on licensing compliance and enforcement activity in respect of:

- premises licensed for gambling, the sale of alcohol, regulated entertainment and late night refreshment, and
- Hackney Carriage and Private Hire drivers, vehicles and operators

for the period 1 May to 30 August 2010.

In response to comments from Councillor Mrs P Ballam, the Licensing Manager undertook to liaise with Hertfordshire Constabulary to secure the enforcement of licence conditions requiring licensees to attend local Pub Watch meetings.

RESOLVED – that the report be received.

360 REVIEW OF LICENSING ENFORCEMENT POLICY

The Director of Neighbourhood Services submitted a report on proposed amendments to the Council's Licensing Enforcement Policy.

The Director detailed the reasons for the proposed changes within the report now submitted.

RESOLVED – that the revised Licensing Enforcement Policy, appended to the report now submitted, be approved.

The meeting closed at 5.30 pm

Chairman
Date