

Licensing Activity report: 1st April 2020 to 30th September 2020**1. Context**

The council's Licensing and Enforcement Team covers the licensing of taxi drivers and operators, licensed premises and temporary events notices, along with more infrequent applications relating to, among other things, scrap metal handling and gambling.

Licensing of food premises and other commercial businesses subject to regulatory activity is carried out by the Environmental Health team and are included at point 7. Whilst Street Trading is currently an Environmental Health function it will shortly be moving over to the Licensing & Enforcement Team.

Licensing matters managed by the Licensing & Enforcement Team**2. Taxis**

The activity over the period in question has been as follows:

New driver applications	7 (2 dual drivers & 5 private hire drivers)
New applicants who have attended training	8 (including 1 from Q4 of 2019/20)
Resits of knowledge test	0
Existing drivers who have attended update training	0 (face to face training events cancelled due to pandemic)
Decisions taken by Service Manager – Licensing & Enforcement under delegated powers	5 (vehicles outside Policy)
Decisions taken by Head of Housing and Health under delegation in consultation with the Chairman of the Licensing Committee	4 (2 driver renewals and 2 vehicles outside policy)
Appeals against licensing points – decision by Head of Housing and Health	0
Upheld	n/a
Dismissed	n/a

Appeals of decision – decision by court	0
Upheld <i>council not successful in defending its decision</i>	0
Dismissed <i>council successful in defending its decision</i>	0
Prosecution sought	0
Successful	0
Unsuccessful	0
Judicial reviews	0

There is a strong desire among both Members and officers to build on the council's work to promote high quality taxi licensing. Through the Herts and Beds Licensing Group work was started during the early part of the year to work towards unified standards in Taxi licensing across some parts of the County (St Albans, Dacorum, North-Herts, Watford and East Herts were involved). This work had to be reprioritised due to the pandemic but the new DfT Standards document published in July rekindled some of this work. to work towards unified taxi standards (as much as possible).

- New part-time taxi ranks came into force in Ware High Street and at The Wash in Hertford.
- Joint authorisation of officers being worked on with St Albans as a pilot for the County.
- Travel With Confidence scheme launched in East Herts following closely behind Watford. East Herts has driven this County Wide and successfully bid for PH funding for all 10 LA's to implement the scheme. In the first week 55 drivers signed up for the online infection control training and 39 had passed.

Measures have been put in place to assist the licensed taxi and private hire trade during this difficult time whilst ensuring we do not compromise public safety.

- Some exceptions have been made to the vehicle age and emissions policy in relation to vehicle renewals. The impact the pandemic has had on work of the licensed trade means that existing drivers are less able to replace their existing vehicles if they do not meet the emissions standard which came into effect in April. Where a renewing vehicle meets every other standard except the emission level licences have been granted on a case by case basis on the understanding that they will not be renewed again once the pandemic is over. A number of older vehicles that have failed to meet standards have been refused their renewals in the interests of public safety.
- Measures were put in place to ensure that drivers were able to avoid suspension in a period when they were unable to book medicals. Again this was done on a case by case basis to ensure public safety.
- Drivers that were or are not working were allowed to have their plates and badges suspended so that they were not continually chased for expired documents. Once drivers feel that they can come back to work they are required to satisfy all checks before the licences are unsuspended.
- Some Hackney Carriage drivers that had chosen not to work or were shielding were concerned that if their plate expired then they would not be able to get another due to the diminishing cap that's in place. Reassurance was given that plates would be granted as an exception to the cap where it was an application from a driver that was licensed before lockdown and that it was for the same or a newer vehicle.

Linked in with the Hackney Carriage trade we have started a review of the ranks across the district to ensure that they are in the right location and service the needs of the customers and support the trade. The new Ware High Street evening ranks and the evening rank

in The Wash , Hertford are now operational (where social distancing measures allow).

3. Premises

During the Q1 and Q2 of this financial year, 2 applications were decided by Licensing Sub-Committees. There is a significant amount of work for officers whenever there is a contested application and the costs of a Licensing Sub-Committee are not covered by the fees set by Central Government. The details of the matters bought before Licensing Sub-Committees are shown below.

Premises/Person	Location	Type of application	Resolved
Lomo	Hertford	Premises Licence Variation	Granted with conditions
Hadham Brewery	Stansted Abbots	New Premises Licence	Granted with amendments

The decision of the Licensing Sub-Committee in relation to the review of the Jungle Bar's premises licence has been appealed and is scheduled to be heard in Quarter 3.

In addition to those matters that were bought before a Licensing Sub-Committee 4 others received representations. Officers of the Licensing Authority mediated between the respective parties and satisfactory solutions were found resulting in representations being withdrawn and applications being granted without the need for a Licensing Sub-Committee to be held.

4. Temporary Event Notices

The number of TEN's received by the authority in Q1 & Q2 was over 400 less than in the same period of 2019. This is a result of the Covid-

19 regulations limiting the numbers of persons able to gather and the types of events allowed to proceed.

As Members are aware only the Police and Environmental Health can object to TEN's and they also both have powers under the regulation relating to Covid-19. As such contact was made by EH with all applicants for TEN's which either resulted in the TEN being withdraw or the premises user providing an adequate risk assessment.

The Service Manager – Licensing & Enforcement has been involved in the setting up of, and sits on, the County Wide “Events Coordination Group”. The group was formed to provide a forum for supporting Safety Advisory Groups (SAG's) & Safety Advisory Teams (SAT's) across the county with a particular focus on ensuring any events are covid safe.

As part of this work all TEN's received by the Licensing Team are forwarded in a redacted form to East Herts Sag so that they are aware of events and can flag up concerns where necessary.

5. Pavement Licences

As part of the measures to assist the hospitality industry during this very difficult time Central Government introduced a fast track version of the Pavement Licensing regime administered by County Councils. The new regime was given to Local Authorities at very short notice and in a matter of a couple of weeks we had drafted a policy, guidance and application forms, selected consultees, set up our systems to be able to process applications and issued comms to promote the regime. Applications could be made from 23rd July and we were braced for the influx of applications which never happened.

6. Future work and Policy development

Events and Gatherings Coordination Group (EGCG)

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Group". The group was formed to provide a forum for supporting Safety Advisory Groups (SAG's) & Safety Advisory Teams (SAT's) across the county with a particular focus on ensuring any events are covid safe.

As part of this work all TEN's received by the Licensing Team are forwarded in a redacted form to East Herts Sag so that they are aware of events and can flag up concerns where necessary.

Statement of Licensing Policy (Licensing Act 2003)

The Licensing Team had undertaken to review the authorities Statement of Licensing policy in 2019 but the decision was taken to delay this piece of work until the results of the "Community Voice" initiative were known. This work has been delayed by the pandemic and we are now in a position where we need to set a timetable for reviewing the policy rather than having the luxury of extra time.

Step	Date to be completed or meeting	Commencement date or deadline	Comments
Council	21 st July 2021	6 th July 2021	
Licensing Committee	23 rd June 2021	2 nd June 2021	Recommend final wording to Council
Amendments (if necessary)	1 st June 2021	12 th May 2021	3 weeks for any amendments
Formal consultation	10 th May 2021	10 th February 2020	12 week consultation
Drafting	5 th February 2021	1 st January 2021	Allows time to draft, circulate for comments and amend if necessary
Pre-consultation with RA's & Councillor's	26 th December 2020	26 th November 2020	
Licensing Committee	25 th November 2020	11 th November 2020	Mentioned in future work on quarterly reports for Member feedback

Areas already identified that will be looked at are:

- “Family Friendly” Town Centres;
- Open air events & festivals;
- Late night refreshment (takeaways).

We would invite all Members to review the current Statement of Licensing Policy and to send any comment, thoughts or suggestions to the Service Manager – Licensing & Enforcement.

Taxi Licensing

In 2019 a revised Suitability Policy was introduced which goes beyond just considering convictions and will be applied to those in the Hackney Carriage and Private Hire trade. Minor amendments will be suggested in some areas as a result of the DfT publishing its Statutory Taxi and Private Hire Vehicle Standards.

Work to promote greater continuity in taxi licensing across Hertfordshire remains ongoing with policies such as the vehicle age and emissions being adopted by neighbouring authorities. Through the Herts & Beds Licensing Group a working party was set up to specifically look at how to achieve county wide consistency. St Albans, East Herts, Watford, Dacorum and Broxbourne will look at having uniform policies (where possible) and authorising neighbouring authorities officers. The areas it was proposed to look at first were:

- New driver, vehicle and operator conditions; and
- Reviewing the Licensing Record Points scheme (introducing a scheme to authorities where there isn't one already).

However the DfT Standards have changed the focus slightly whilst also introducing some minimum standards that all authorities nationally must follow.

The “Travel With Confidence” initiative shows that with the right support all Hertfordshire authorities can do the same thing to achieve common goals.

Licensing matters managed by the Environmental Health Team

7. Overview of licences

This section provides an overview of the number of active licences and those in the process of being reviewed / considered in the Q1 and Q2 of 2020.

Licensable activity	Active Licences, Permits, Registrations & Consents	Renewals	New Applications
Animal Activities:			
Providing boarding for cats or dogs	37	21	2
Breeding of dogs	3	0	1
Selling animals as pets	6	4	0
Hiring out horses	4	4	0
Keeping or training animals for exhibition	3	0	0
Other Animal Licences:			
Dangerous Wild Animals	1	1	0
Zoo	2	1	0
Skin Piercing Activities:			
Acupuncture (Premises & Personal)	Prem: 45 Pers: 103	-	Prem: 0 Pers: 0

Ear piercing (Premises & Personal)	Prem: 20 Pers: 65	-	Prem: 4 Pers: 4
Electrolysis (Premises & Personal)	Prem: 47 Pers: 107	-	Prem: 2 Pers: 2
Others:			
Camping sites	2	0	0
Houses in multiple occupation	75	5	4
Mobile homes sites	0	0	0
Street trading	4	4	8