

East Herts Council Report

Licensing Committee

Date of Meeting: 10 March 2021

Report by: Claire Mabbutt (Licensing Enforcement Officer)

Report title: Review of Licensing Activity in Quarter 3 of 2020

Ward(s) affected: All

Summary

Quarterly reports are presented to Licensing Committee to ensure oversight of these areas of regulation and allow the authority to evidence that it is fulfilling its statutory responsibilities.

RECOMMENDATIONS FOR LICENSING COMMITTEE:

- (a) That Members review and comment on the Licensing activity from Quarter 3 of 2020; and**
- (b) Review and comment on the proposed work plan for 2020/2021.**

1.0 Proposal(s)

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

2.0 Background

- 2.1 The council's Licensing and Enforcement Team covers the 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 and gambling.

2.2 This report presents data for the year to date on processing and enforcement, delegated decisions and 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.

3.0 Reason(s)

3.1 Members requested that further detail be provided in relation to any trends in the types of complaints received. Currently the vast majority of complaints continue to relate to concerns about compliance with Covid-19 regulations.

3.2 There has been a marked decrease in the number of complaints in Q3 when compared to the same period in 2019. This is relates to the pandemic and subsequent lockdown.

3.3 The team has assisted with inspections of licensed premises during Friday and Saturday evenings and have supported the Police and Environmental Health with enforcement where requested. The key role has been to support compliance whilst helping to gather evidence where necessary.

3.4 The enforcement team's work normally involves ensuring that all documentation for taxi drivers and vehicles is up-to-date and therefore ensuring licences are valid. This role has slightly changed as due to the pandemic many licensed drivers are not working and so are allowing checks relating to themselves and their vehicles lapse. The enforcement team is ensuring that records are kept up-to-date and that people with expired

documents are suspended until they produce the required documents.

- 3.5 The 12 points issued to 1 driver from Q2 were appealed to the Head of Housing & Health. The Head of Housing and Health upheld the appeal on this occasion and the outcome was a reduction in the points issued from 12 to 7. As the appeal was upheld the driver did not come before a licensing sub-committee.
- 3.6 During Q3 only 4 points have been issued to 2 licence holders, both for failure to produce documents within the required time scales.
- 3.7 During this period 4 licence holders were suspended for non-production of documents. The responsibility for suspension for non-production of documents was delegated to the Service Manager – Licensing and Enforcement on 17th October 2020.
- 3.8 The figures for the quarterly performance indicators for licensing for Q3 are detailed in the table below with the 2019/20 overall figures for comparison.

Performance indicator – cumulative (reported quarterly) within the year unless otherwise stated	2019/2020 overall figures	2020 Q1 & 2	2020 Q3	Target
Percentage of valid personal licences processed within 2 weeks	100%	100%	100%	85%

Percentage of valid temporary event notices processed within 72 hours	90%	92%	90%	90%
Percentage of applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date)	90%	100%	100%	99%
Percentage of driver's licences issued within 30 working days of validation	94%	81%*	100%	95%

*This is due to face-to-face training being suspended until September 2020.

3.9 Further details regarding proposed future work, decision making, project and policy work and licensing matters dealt with by Environmental Health can be found at **Appendix A**.

3.10 Performance data and year on year comparison figures can be found in **Appendix B**.

4.0 Options

4.1 To not provide the members of the Licensing Committee with Quarterly reports. This option was dismissed as it would not allow for oversight of this area of regulation by Member.

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

No

Financial

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

Health and Safety

None

Human Resources

None

Human Rights

None

Legal

None

Specific Wards

None

7.0 Background papers, appendices and other relevant material

7.1 **Appendix A** - Further details regarding decision making, project and policy work and licensing matters dealt with by Environmental Health

7.2 **Appendix B** – Performance data from 1st October 2020 to 31st December 2020. Year on Year comparison figures for applications and granted licences, notices and other permissions.

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