

Licensing Activity report: 1st October 2020 to 31st December 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 be moving over to the Licensing & Enforcement Team from 1st April 2021.

Licensing matters managed by the Licensing & Enforcement Team

2. Taxis

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

New driver applications	10 (8 dual drivers & 2 private hire drivers)
New applicants who have attended training	1
Resits of knowledge test	0
Existing drivers who have attended update training	0 (face to face training events cancelled due to pandemic, online training will commence shortly)
Decisions taken by Service Manager – Licensing & Enforcement under delegated powers	7 (5 suspensions of drivers, 1 refusal of vehicle, 1 vehicle outside of policy.)
Decisions taken by Head of Housing and Health under delegation in consultation with the Chairman of the Licensing Committee	2 (1 scrap which was granted, 1 driver renewal decision outstanding.)
Appeals against licensing points – decision by Head of Housing and Health	1 (upheld and number of points issued reduced)
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 2020 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.

- Joint authorisation of officers ready to be signed off 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. East Herts now has approximately a third of its licensed drivers trained and the scheme now operates in 8 of the 10 Hertfordshire LA's.

Watford Borough Council

East Herts were approached by Watford Borough Council to provide management support for their licensing team. As a result the Service Manager – Licensing & Enforcement is now seconded as the Licensing Manager for Watford for two days a week for the next 6 months.

To ensure that licensing matters continue to progress at East Herts 2 days a week cover has been sourced. The candidate that has been engaged is experienced in local government and has previously managed a licensing team.

3. Premises

During the Q3 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 brought before Licensing Sub-Committees are shown below.

Premises/Person	Location	Type of application	Resolved
Premium Alcohol Delivery	Ware	New Premises Licence Application	Granted with conditions
French & Day Deli	Ware	New Premises Licence Application	Granted with conditions

The decision of the Licensing Sub-Committee in relation to the review of the Jungle Bar's premises licence has been appealed. The matter was settled by a consent order agreed between the applicant and this authority.

In addition to those matters that were brought before a Licensing Sub-Committee 1 other application received representations. Officers of the Licensing Authority mediated between the respective parties and satisfactory solutions were found resulting in representations being withdrawn and application 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 Q3 was 240 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. There are still very few applications under this temporary process and HCC are still able to issue Pavement Licences under their own legislation.

6. Future work and Policy development

Statement of Licensing Policy (Licensing Act 2003)

The Licensing Team has begun the process of gathering information for the revision of the statement of licensing Policy:

- A representative Member Reference Group has been set up;
- Responsible authorities and in particular the Police have been engaged in discussions;
- Data has been requested from Public Health;
- Residents groups are being engaged with.

The time table has been slightly revised but the final timeline for approval is below:

Step	Date to be completed or meeting	Commencement date or deadline	Comments
Council	21 st July 2021	6 th July 2021	Approval
Executive	6 th July	23 rd June	Recommend final wording to Council
Licensing Committee	23 rd June 2021	2 nd June 2021	Recommend final wording to Executive

Areas already identified that will be looked at are:

- “Family Friendly” Town Centres;
- Open air events & festivals;
- Late night refreshment (takeaways);
- Cumulative impact, do we have the evidence to support this?

We would again invite all Members to review the current Statement of Licensing Policy and to send any comments, 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. Following a consultation on the proposed changes a report will be before Members for consideration at this meeting.

Whilst the DfT standards have helped to make bring all LA's in line in some areas of taxi policy more work is needed. 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 by Environmental Health in Q3.

Animal Activities	In Progress:	3
	Current:	13
	Total:	16

Street Trading Consent (Mobile)	In Progress:	6
	Current:	5
	Total:	11

Street Trading Consent (Static)	In Progress:	17
	Current:	1
	Total:	18

Street Trading Consent (Occasional)	In Progress:	0
	Current:	1
	Total:	1

Skin Piercing - Personal	In Progress:	25
	Current:	261
	Total:	286

Premises Registration - Skin Piercing	In Progress:	19
	Current:	120
	Total:	139