

East Herts Council Report

Licensing Committee

Date of Meeting: 26 October 2022

Report by: Claire Mabbutt (Licensing Enforcement Officer)

Report title: Licensing Annual Report 2021-22

Ward(s) affected: All

Summary

RECOMMENDATIONS FOR LICENSING COMMITTEE:

(A) That Members review and comment on the Licensing activity from 2021/2022.

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 licensing of taxi drivers and operators, licensed premises and temporary events notices, along with more infrequent applications relating to, among other things, scrap metal dealing and gambling.

2.2 This report presents data for the last financial year on processing and enforcement, delegated decisions and Licensing Sub-Committee involvement, on licences, notices,

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 During the last financial year the enforcement team has undertaken 95 actions which are divided between visits, inspections and investigations. These have been analysed further and are recorded as:

Type	2020/21 totals	2021/22 totals
Taxi inspections and investigations	54	75
Taxi complaints	14	15
Licensing Act 2003 complaints	5	10
Licensing Act 2003 premises visits	0	8
Checks of statutory notices	22	35
Gambling visits/complaints	0	0
Invoice visits/chase ups	0	0
Charity collection complaints	0	0
Total actions	95	143

3.2 All complaints have been fully investigated and have resulted in the appropriate action being taken in line with policy.

3.3 Members requested that further detail be provided in relation to any trends in the types of complaints received. The Licensing team is currently managing serial complaints relating to two premises. These complaints relate to noise disturbance and alleged breaches of Licence conditions.

Licensing has worked jointly with Environmental Health on both of these cases.

Case One – Out of hours visits have been undertaken, and we have witnessed breaches of conditions and unlicensed activity taking place. This is an ongoing investigation, which could lead to prosecutions.

Case Two – Evidence provided by the resident does not show breaches of conditions nor does it identify the noise disturbance he claims. Environmental Health has undertaken noise monitoring and the premises is not presenting statutory nuisance. Planning have placed a caveat on the use of the outside covered area, it cannot be used after 21:00, this is for planning to enforce with evidence provided by Licensing as and when obtained.

- 3.4 Under the licensing points system a total of 25 points have been issued to five licensed drivers. These points were issued as a result of drivers failing to produce documents in time, conduct falling below that expected (following a complaint) and witnessed illegal parking. This is a similar number as the previous year.
- 3.5 The figures for the corporate performance indicators for licensing in 2021/2022 are detailed in the table below and compared with that of 2020/2021.

Performance indicator – cumulative (reported quarterly) within the year unless otherwise stated	Target	2020/2021	2021/2022
Percentage of valid personal licences processed within 2 weeks	85%	98 %	98%
Percentage of valid temporary event notices processed within 72 hours	90%	90 %	91%
Percentage of applications for new and variation of premises	99%	100%	100%

licences processed within 2 calendar months (from date of validation to issue date)			
Percentage of driver's licences issued within 30 working days of validation	95%	85%	95%

3.6 Further details regarding decision making, application numbers and other licensing matters can be found at **Appendix A.**

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

6.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

No

7.0 Background papers, appendices and other relevant material

- 7.1 Licensing Committee 2021-2022 activity report from the meeting held on 13 October 2021:
<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=120&MIId=3956&Ver=4&J=3>
- 7.2 **Appendix A** - Further details regarding decision making, application number and other licensing matters.
- 7.3 **Appendix B** – Performance data from 1 April 2021 to 31 March 2022. Year on year comparison figures for applications and granted licences, notices and other permissions.

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