

East Herts Council Report

Licensing Committee

Date of Meeting: 07 June 2023

Report by: Oliver Rawlings (Service Manager - Licensing & Enforcement)

Report title: Review of licensing activity in Quarter 4 2022-23

Ward(s) affected: All

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

RECOMMENDATIONS FOR Licensing Committee:

(a) That Members review and comment on the Licensing activity in Quarter 4 of 2022-23.

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 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 from the fourth quarter of the

2022 / 2023 financial year (1st January 2023 – 31st March 2023) 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)

Complaints handling

- 3.1 Members have previously requested that details be provided in relation to any trends in the types of complaints received. During Q4 the majority of complaints related to concerns about noise disturbances three regarding music from the licensed premises, one from deliveries to licensed premises and one relating to street trading.
- 3.2 The number of complaints in Q4, when compared with the same period in 2022, have increased. This appears to still relate to the pandemic and subsequent lifting of restrictions and that people's tolerance levels appear to have altered since the restrictions were in place.
- 3.3 It is worth bearing in mind that enforcement of licensing conditions is not a statutory matter, it is a discretionary function for individual councils to choose to provide should they wish. To date, the council has chosen to have a licensing enforcement function and it is the council's 1.1 FTE licensing enforcement officers who, due to the increase in complaints, have undertaken increased out of hours observations in the evenings and at weekends, including into the early hours of Sunday mornings. This allows the team to witness any issues and reach a conclusion regarding the validity of a complaint.

- 3.4 The team also carries out regular weekend market inspections to ensure compliance.
- 3.5 The team has assisted with inspections of licensed premises during Friday and Saturday evenings and has supported the Police and Environmental Health with enforcement where requested. A stepped approach is taken when dealing with issues with the key role being to support licence holders to achieve compliance while helping to gather evidence where necessary.

Taxis

- 3.6 The enforcement team's work involves ensuring that all documentation for taxi drivers and vehicles is up-to-date and therefore ensuring licences are valid. The enforcement team ensures that the council's records are kept up-to-date and that people with expired documents are suspended until they produce the required documents.
- 3.7 In Q4 no points were issued under the licensing points scheme which was implemented to aid a stepped approach to compliance with the various licensing regimes and conditions .
- 3.8 Five complaints were received in relation to licensed vehicles and these related to:
- dispute over a pre-booked journey
 - report of poor driving standards
 - parking
 - behaviour falling below the standard expected of a licence holder - two complaints.

Street trading

- 3.9 Two complaints were received regarding street traders operating without the appropriate consent.

Performance monitoring

3.10 The figures for the quarterly performance indicators for licensing for Q4 are detailed in the table below with the 2021/22 overall figures for comparison.

Performance indicator – cumulative (reported quarterly) within the year unless otherwise stated	2021/2022 performance	2022/23 target	Q4 2022 performance
Percentage of valid personal licences processed within 2 weeks	98%	85%	100%
Percentage of valid temporary event notices processed within 72 hours	90%	90%	100%
Percentage of applications for new and variation of premises licences processed within 2 calendar months (from date of validation to date of determination)	100%	99%	100%
Percentage of driver’s licences issued within 30 working days of validation	95%	95%	100%

3.11 Further details on decision making and project and policy work can be found at **Appendix A**.

3.12 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 members.

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

None

Financial

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

Health and Safety

Some parts of the regulatory regimes covered in this report contribute to health & safety by ensuring standards are maintained.

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.

- 7.2 **Appendix B** – Performance data from 1st January 2023 to 31st March 2023. Year on Year comparison figures for applications and granted licences, notices, and other permissions.

Contact Member

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