

NORTH HERTFORDSHIRE DISTRICT COUNCIL

LICENSING AND APPEALS COMMITTEE

**MEETING HELD IN THE COUNCIL CHAMBER,
DISTRICT COUNCIL OFFICES, GERON ROAD, LETCHWORTH GARDEN CITY
ON MONDAY, 21ST OCTOBER, 2019 AT 7.30 PM**

MINUTES

Present: *Councillors Lisa Nash (Chairman), Jim McNally, Gerald Morris, Mike Rice and Richard Thake*

In Attendance: *Steve Cobb (Licensing Manager), Molly Shiells (Licensing Officer) and Hilary Dineen (Committee, Member and Scrutiny Manager)*

1 APOLOGIES FOR ABSENCE

Audio recording – 16 seconds

Apologies for absence were received from Councillors Ian Albert, David Barnard and Elizabeth Dennis-Harburg.

2 MINUTES - 5 NOVEMBER 2018

Audio Recording – 33 seconds

It was proposed by Councillor Lisa Nash, seconded by Councillor Mike Rice and

RESOLVED: That the Minutes of the Meeting of the Committee held on 5 November 2018 be approved as a true record of the proceedings and be signed by the Chairman.

3 NOTIFICATION OF OTHER BUSINESS

Audio recording – 1 minute 4 seconds

There was no other business notified.

4 CHAIRMAN'S ANNOUNCEMENTS

Audio recording – 1 minute 11 seconds

- (1) The Chairman advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (2) The Chairman drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.

5 PUBLIC PARTICIPATION

Audio recording – 2 minutes 16 seconds

There were no presentations by members of the public.

6 LICENSING SERVICE ANNUAL REPORT

Audio recording – 2 minutes 22 seconds

The Licensing Manager presented the report entitled Licensing Service Annual Report together with the following appendix:

- Appendix A - Annual Licensing Report.

The Licensing Manager drew attention to the following:

- That the Licensing Team would be increasing;
- Although only half of the proposed inspections were undertaken, they were on target as the other inspections were not required;
- A new inspection regime would be introduced;
- The number of licensing applications had increased;
- A significant amount of work was responding to phone calls;
- Taxi complaints had increased, although this was mainly due to education of the public and encouraging people to report problems;
- Income generating activities included taxi compliance tests, knowledge and topographical tests and safeguarding awareness courses;
- The team had never lost a Licensing appeal;
- Legislation prevented the Council from making a profit on licensing fees;
- Although fees sometimes did not cover the costs involved in dealing with an event, they were set by Government and could not be amended;
- New gambling and scrap metal policies were in place;
- The Hackney Carriage and Statement of Licensing policies would be reviewed;
- A new Annual Licensing Policy would be introduced this year;
- They were encouraging the public to self help by using the active licencing register on line and the use of on line licensing applications;

The following Members asked questions and entered into the debate:

- Councillor Richard Thake;
- Councillor Mike Rice;
- Councillor Jim McNally;
- Councillor Sam North.

In response to questions the Licensing Manager advised that:

- Some Council's subsidised licensing fees and some did not carry out all of the statutory functions;
- NHDC now subsidised green taxi licence fees;
- Passenger vehicles of 9 passengers or more were not licensed through the Council;

- They were looking at producing trade newsletters;
- Consideration was being given to the introduction of risk rating of inspections;
- That the officer giving any pre-application advice would not be involved in the decision.

Members suggested:

- Workshops on the Licensing Act could be provided as income generating events;
- That the risk rating scheme regarding inspections be circulated to Members of this Committee before implementation.

Members were extremely pleased at the work being undertaken to inform taxi drivers of safeguarding issues.

RESOLVED:

- (1) That the report entitled Licensing Service Annual Report be noted;
- (2) That the Licensing Manager be requested to circulate the risk rating scheme for inspections to all Members of the Licensing and Appeals Committee prior to implementation.

REASON FOR DECISIONS: Section 8.2.3 of the Council Constitution requires the Full Committee to meet at least once per year and section 8.2.3 (d) requires the Committee 'to receive an annual report on licensing activities including performance information'.

7 INFORMATION NOTE - THE ROLE OF THE LICENSING AND APPEALS COMMITTEE

Audio Recording – 57 minutes 50 seconds

The Licensing Manager presented the information note entitled Role of the Licensing and Appeals Committee together with the following appendices:

- Appendix A - Applications under the Licensing Act 2003 reserved for a Licensing and Appeals Sub-Committee;
- Appendix B - Applications under the Gambling Act 2005 reserved for a Licensing and Appeals Sub-Committee.

The following Members asked questions and took part in the debate:

- Councillor Richard Thake;
- Councillor Sam North;
- Councillor Jim McNally;
- Councillor Mike Rice;
- Councillor Tom Tyson.

There was a detailed discussion regarding the number of meetings held each year.

Members made the following suggestions:

- Consider introducing taxi fare tariffs that discourage the use of vehicles with high fuel consumption;
- That the Committee meet more than once per year and that the Licensing Manager, in consultation with the Chairman of the Committee call meetings when necessary with a maximum of 4 meetings per annum.

RESOLVED:

- (1) That the information note entitled The Role of the Licensing and Appeals Committee be noted;
- (2) That the following suggestions by Members be considered by the Licensing Manager:
 - (i) Consider introducing taxi fare tariffs that discourage the use of vehicles with high fuel consumption;
 - (ii) That Service Director Legal and Community be requested to consider an amendment to the constitution in that the Committee may meet more than once per year and that the Licensing Manager, in consultation with the Chairman of the Licensing and Appeals Committee, call meetings when necessary with a maximum of 4 meetings per annum.

The meeting closed at 8.52 pm

Chairman