

NORTH HERTFORDSHIRE DISTRICT COUNCIL

LICENSING AND REGULATION COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERONON ROAD, LETCHWORTH
ON MONDAY, 30TH OCTOBER, 2023 AT 7.30 PM

MINUTES

Present: *Councillors: Tom Tyson (Chair), Daniel Allen (Vice-Chair), Ian Albert, Elizabeth Dennis, Gerald Morris, Nigel Mason, Lisa Nash and Alistair Willoughby*

In Attendance: *Steve Cobb (Licensing and Community Safety Manager), Eleanor Hopcraft (Committee, Member and Scrutiny Officer), Jeanette Thompson (Service Director - Legal and Community) and Sjanel Wickenden (Committee, Member and Scrutiny Officer)*

Also Present: *There were no members of the public present.*

14 APOLOGIES FOR ABSENCE

Audio recording – 1 minutes 34 seconds

Apologies for absence were received from Councillors Ruth Brown, Michael Muir and Michael Weeks.

Councillors David Barnard and Raj Bhakar were absent.

15 MINUTES - 7 FEBRUARY 2023

Audio recording – 1 minute 55 seconds

Councillor Tom Tyson, as Chair, proposed and Councillor Elizabeth Dennis seconded and, following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 7 February 2023 be approved as a true record of the proceedings and be signed by the Chair.

16 CHAIR'S ANNOUNCEMENTS

Audio recording – 2 minutes 36 seconds

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded.
- (2) The Chair 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.
- (3) The Chair advised for purposes of clarification that 4.8.23(a) of the constitution did apply to this meeting and Members were required to be present for the entirety of an Item to vote.

(4) The Chair said a farewell to the Committee Member and Scrutiny Officer Eleanor Hopcraft.

17 NOTIFICATION OF OTHER BUSINESS

Audio recording – 4 minutes 4 seconds

There was no other business notified.

18 PUBLIC PARTICIPATION

Audio recording – 4 minutes 10 seconds

There was no public participation.

N.B Councillor Lisa Nash entered the Chamber at 19:34.

19 ANNUAL LICENSING REPORT 2022-2023

Audio recording – 4 minutes 20 seconds

The Licensing and Community Safety Manager presented the report entitled 'Annual Licensing Report 2022-2023' and advised of the following that:

- The Committee had previously expressed a desire to see the number of inspections increased from the low number completed in in the previous reporting year. For this reporting year, the number of inspections had risen to 213, with a focus on high risk areas as requested by the Committee.
- The current number of applications was shown in appendix A.
- The number of applications had grown and was at the highest level since pre pandemic, temporary event notices (TEN's) had returned to pre pandemic levels.
- Licenses were at their highest level since these reports were established, however the recovery had been at the loss of some smaller independent businesses.
- Service requests were down, but this can be explained by the channel shift of combining appointments which had improved customer service and efficiency.
- Licensing fees were set in accordance with a resolution of the committee from 2013 and consideration should be given to whether this needed to be reviewed as it allowed discounts for non-commercial entities.
- There had been one Licensing Sub-Committee hearing in 2022-23 and the Licensing team had encouraged mediation prior to any hearing being convened.
- The Street Trading Policy was reviewed after consultation with the Chair of the Licensing and Regulation Committee and the Executive Member for Housing and Environmental Health.
- Work was ongoing on a review of the Statement of Gambling Principal Policy which would require, a public consultation, a review from this Committee and then approval from Full Council before the end of 2024.
- There would be some small changes to the Charitable Collection Policy.
- The Council had not adopted a Caravan, Camping and Mobile Home Sites Policy. Inspections had been carried out on these sites using the proposed model standard and a public consultation was expected for early next year.
- The Taxi and Private Hire Policy set in 2020 would need to be reviewed next year, the current policy offered discounted fees for hybrid and electric cars and encouraged the move to Ultra Low Emission Vehicles (ULEV) by 2028.
- Funding had been awarded from the Police and Crime Commissioner (PCC) for the Women and Girls Safety Charter but not yet received.

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- A review of the Taxi and Private Hire licenses had been undertaken, with consultation from the trade association regarding changes to renewals and had some further simplifications pending.
- The Licensing team were now fully qualified and had gained additional qualifications in Animal Inspections and Fire Risk Assessment, generating a cost saving as these inspections had previously been outsourced.
- Skin piercing registration had increased, believed to be a reaction to the anticipated Health and Care Act 2022 and the introduction of new legislation.
- The Animal Welfare (Kept Animals) Bill had been withdrawn, but there had been a ban imposed on importing young, pregnant, or mutilated dogs and primates.
- There was a new Supporting Housing (Regulatory Oversight) Act 2023, regarding accommodation that was exempt from being registered as a House of Multiple Occupants (HMO) which included refuges and local authority hostels.

The following Members asked questions:

- Councillor Gerald Morris
- Councillor Nigel Mason
- Councillor Ian Albert
- Councillor Elizabeth Dennis
- Councillor Alistair Willoughby
- Councillor Tom Tyson

In response to questions the Licensing and Community Safety Manager stated that:

- Most scrap metal licenses were for three years and controlled by the Scrap Metal Dealers Act and covered financial transactions and their site management.
- No scrap metal inspection had been conducted as this area was considered as a low risk. Mobile scrap metal collectors often had out of district licences and work was ongoing with the collectors and the local police as a license was required from all authorities where collections are made.
- The Licensing Act and the Gambling Act had fees set by central Government and had not increased since 2005.
- All other fees were set locally, with the limitation that just reasonable costs for administration and enforcements can be achieved.
- Event pricing for TEN's was set by Central Government, for an event up to five thousand people the cost was £100 and for large scale events as seen at Knebworth the cost was £40,395.
- Park homes would be covered by the Camping and Caravan Policy, and it would be a sensible suggestion to include this in the policy name.
- There had been ten inspections of park home sites with one site being advised of a breach of the minimal distance and work was ongoing with Officers to resolve this matter. The other nine sites had no reported problems.
- There were 38 valid licences for HMO, which was considered low, a trawl of the district had not confirmed any new sites. Often it was the public or the Revenue and Benefits team that informed the Council of a new HMO.
- An HMO could only be refused on the grounds of unsuitable housing standards, parking or antisocial behaviour grounds are not relevant under the legislation and planning permission was only required for a dwelling with six or more bedrooms or housing seven or more occupants.
- It was acknowledged that the report should state North Hertfordshire Charter at paragraph 12.13.
- Some licensing applications were received through an agent or solicitor at a cost to the applicant, this was viewed as a service opportunity for the Licensing team to manage in 2024.

- A pre application service for new Taxi and Private Hire applicants and a training course advising on access for wheelchair and assistance dog users in licensed vehicles had been considered.
- There would be a soft launch of the Women and Girls Safety Charter at a venue in Letchworth during November including training materials and speakers, all licensed premises are invited to attend. The Charter will be rolled out in Hitchin and then the other towns, all licensed premises are encouraged to join, and this is being promoted by the Pub Watch group.
- The Street Trading Policy had been adopted by the Council for the four towns in the District. At the time it was deemed that the villages had very few street trading incidents, although if evidence was provided, then Council could consider updating the areas of the policy.

Councillor Daniel Allen proposed and Councillor Elizabeth Dennis seconded and, following a vote, it was:

RESOLVED: That the Committee:

- (1) Reviewed the Annual Report and commented on its content.
- (2) Noted the Annual Report.

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

20 THE ROLE OF THE LICENSING AND REGULATION COMMITTEE

Audio recording – 46 minutes 42 seconds

The Licensing and Community Safety Manager presented the report entitled 'The Role of the Licensing and Regulation Committee' and highlighted the following that:

- The main considerations of this Committee were policy work, contested applications and as a Scrutiny function, as licensing was not governed by the Overview and Scrutiny Committee.
- The Scrutiny function was reviewed every few years and the Committee was invited to consider what could be done differently.
- The Committee could ask for more information in the annual report, or for a six-monthly review.

The following Members took part in debate:

- Councillor Alistair Willoughby
- Councillor Tom Tyson
- Councillor Ian Albert
- Councillor Gerald Morris
- Councillor Elizabeth Dennis

Points raised in debate:

- A six-monthly review would be helpful and could be emailed out to the Committee.
- It was requested that the report have a bullet point format and include updated statistics on inspections and upcoming policy reviews.
- The report should only come to a meeting if there was already a meeting scheduled.

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- Contentious Sub-Committees hearings were easier to manage in person, but last year there was only one non contentious meeting.
- Requests that when Sub-Committee hearings occurred that an update be provided to use as training for newer Members.

The Licensing and Community Safety Manager stated that:

- Having Sub-Committee hearings in person had not been ruled out when the matter was contentious or when there was a public interest test, but the default position was that these meetings continued as virtual meetings.
- A six-monthly review could be emailed out with statistics, an update on ongoing projects and future work and this would be presented to the Committee should this occur close to a scheduled meeting.

Councillor Daniel Allen proposed and Councillor Alistair Willoughby seconded and, following a vote, it was:

RESOLVED: That the Committee:

- (1) Considered their future role having considered the content of the Annual Report.
- (2) Advised officers of any additional information they required to undertake the licensing scrutiny function, including that a half yearly update be provided to Members of the Committee and that further information on the processes be provided to newer Members.

REASON FOR DECISIONS: To ensure that the committee is receiving the information it requires in the Annual Report and that it is content with its role in the licensing process.

The meeting closed at 8.27 pm

Chair