

# **Annual Licensing Report**

**1 October 2024 to 30 September 2025**

## 1. EXECUTIVE SUMMARY

1.1 The purpose of this report is to give the Licensing and Regulation Committee:

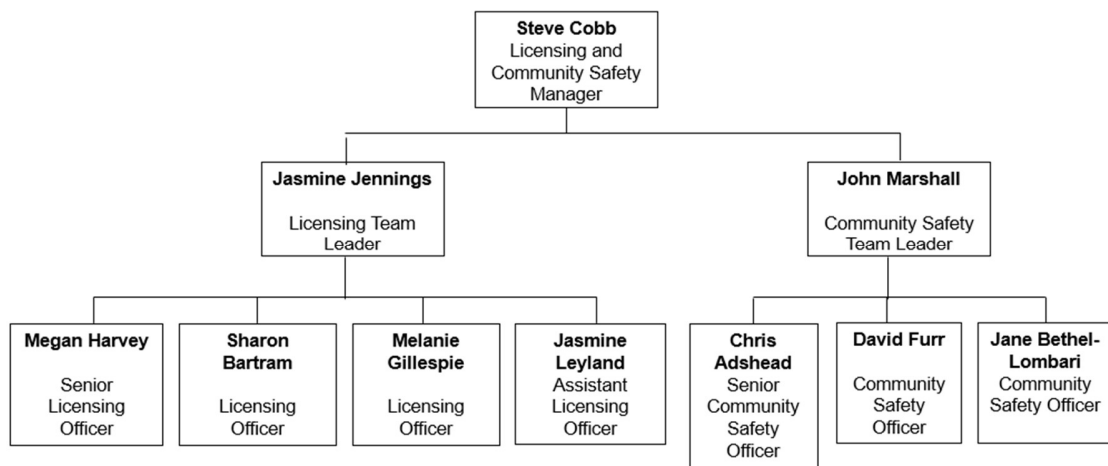
- an overview of the work undertaken by the licensing service over the preceding twelve months
- an update on existing projects and policies
- an overview of future proposals

1.2 The period covered by the report is 1 October 2024 to 30 September 2025.

## 2. OVERVIEW OF THE SERVICE

2.1 From 1 November 2022, the licensing service formally combined with the community safety service.

2.2 The new structure delegated additional responsibilities to the licensing team leader to allow the licensing and community safety manager to oversee both service areas.



2.3 The team is helped by officers in the Management Support Unit (MSU) who undertake a range of administrative functions for the service ranging from basic enquiries to the processing of low-risk applications. This help is essential in being able to deliver an effective licensing service to our customers.

2.4 The licensing officer posts are all career-graded to encourage staff development and help with staff retention and service resilience.

2.5 All activities undertaken by the licensing service are in fulfilment of statutory duties placed on the Council.

2.6 The licensing of the use of council land is undertaken by the greenspace service manager.

2.7 The licensing service's main activities are the determination, issue and enforcement of licences/consents/permits relating to the following activities:

### **Alcohol, entertainment, and late-night refreshment**

2.7.1 This includes:

- all sales of alcohol
- performance of plays
- exhibition of films
- indoor sporting events
- boxing and wrestling
- performance of live music
- playing of recorded music
- performance of dance
- sale of hot food/drink between the hours of 11pm and 5am

2.7.2 Examples of premises that fall within this regime are pubs, members clubs, restaurants, cafes, cinemas, community halls, late night takeaway shops, theatres, off licences, supermarkets, boxing/wrestling venues, music concerts and outdoor music festivals.

2.7.3 A mandatory licence condition requires any film shown to the public to either be classified by the British Board of Film Classification (BBFC) or the local licensing authority.

2.7.4 There is an increasing number of small independent film makers locally where BBFC classification is cost prohibitive, therefore the licensing service undertakes the age classification of these films on a cost recovery basis.

2.7.5 North Herts has a high number of outdoor events and festivals across the district that is regularly increasing. Examples of recent events are:

- Liam Gallagher at Knebworth Park (2022)
- Try Fest in Letchworth (annual event)
- Lazy Sunday in Letchworth (annual event)
- Goat Fest in Codicote (annual event)
- Todd in the Hole in Todds Green (annual event)
- Naughty 90s in Hitchin (annual event)
- Abode Halloween in Hitchin (annual event)
- Hitchin Priory Events (annual events)
- Shhh Festival in Weston (annual event)

Iron Maiden are performing a large outdoor concert at Knebworth Park in 2026 as part of their "Run for Your Lives" tour, where they will be transforming Knebworth Park into "Maiden World".

2.7.6 Temporary event notices (TENs) also fall within this regime; they are temporary permissions to undertake any combination of the above licensable activities. They are most often used by premises that do not have a permanent premises licence, for example a school fete or PTA fundraiser. Additionally, permanent premises licence holders sometimes use them for temporary extensions to existing licenced hours.

2.7.7 TENs are a 'light touch approach' to licensing and are less restrictive than a permanent premises licence as conditions cannot be attached. For that reason, prescribed limits apply to the number of TENs per person and per premises each year and the audience capacity is restricted to 499 persons at any one time.

### **Gambling**

2.7.8 Examples of premises that fall within this regime are betting shops, bingo halls, casinos, racing track betting, amusement arcades and poker clubs.

- 2.7.9 It also includes small society lotteries, raffles, and gaming machine permits (pubs, clubs, motorway service stations, etc.).

#### **Taxis and private hire**

- 2.7.10 This includes taxi and private hire drivers, private hire operators, taxis, and private hire vehicles.

#### **Street trading**

- 2.7.11 This covers the sale of goods in the street and any land open to the public without entry payment within the four main towns and adjacent to the main arterial routes.
- 2.7.12 It includes mobile vendors (such as burger vans, sandwich trucks or ice cream vans), markets (other than Charter or licensed local authority markets), car boot sales and temporary stalls.

#### **Pavement Licences**

- 2.7.13 To help the recovery of business after the national lockdown and during continued restrictions, Government introduced a new temporary permission for tables and chairs outside of premises offering food and/or drink called a pavement licence.
- 2.7.14 These were administered by district and borough councils as a fast-track, cost effective alternative to county council issued street café licences.
- 2.7.15 This was initially a temporary measure however has now been made permanent.
- 2.7.16 The Levelling-up and Regeneration Act formalised the temporary arrangements into permanent legislation and introduced enforcement powers for district and borough councils, a power previously reserved for highways authorities only.

#### **Charitable collections**

- 2.7.17 This covers collection of money in the street, or the collection of money or goods by going house to house, in the four main towns only.
- 2.7.18 Examples of collections covered by this regime include charity collections, sale of goods for charitable purposes, clothing collection bags or flower sellers going from pub to pub on Valentine's Day.

#### **Animal establishments**

- 2.7.19 This regime is targeted at ensuring the welfare of animals and covers premises such as:
- Dog kennels
  - Catteries
  - Home boarding of dogs
  - Dog breeding
  - Zoos
  - Hiring of horses for riding
  - Selling of pets
  - Dangerous wild animals

- Dog day creches
- Keeping or training of animals for the purpose of exhibition/performance

### **Sex establishments**

- 2.7.20 This covers sex shops, sex cinemas or sexual entertainment venues (for example, lap dancing or pole dancing clubs).

### **Scrap metal dealers**

- 2.7.21 This covers any site that:

- buys or sells scrap metal
- recovers salvageable parts from motor vehicles for re-use or sale
- buys written-off vehicles, repairs and resells them

- 2.7.22 It also includes mobile collectors that travel door-to-door collecting scrap metal. Mobile collectors must have a licence for each district/borough in which they undertake collections.

### **Hypnotism**

- 2.7.23 This includes all performances of hypnotism for the purpose of entertaining an audience.

### **Houses in multiple occupation (HMOs)**

- 2.7.24 A property is an HMO if both the following apply:

- at least three tenants live there, forming more than one household
- toilet, bathroom, or kitchen facilities are shared

- 2.7.25 An HMO needs a licence if the property is rented as a shared house, flat, or bedsit if both the following apply:

- at least five tenants live there, forming more than one household
- toilet, bathroom, or kitchen facilities are shared

- 2.7.26 Persons involved in the management of an HMO have to be assessed by the Council to ensure that they are a 'fit and proper' person to undertake that role.

### **Park homes, caravan sites, and camp sites**

- 2.7.27 The provision of land for mobile (park) homes, caravans, or camping in any moveable structure requires a licence from the local authority.

- 2.7.28 Persons involved in the management of a park home/caravan/camping site must be assessed by the Council to ensure that they are a 'fit and proper' person to undertake that role.

### **Skin piercing**

- 2.7.29 Any person or business undertaking skin piercing activities must be registered with the local authority. The premises in which the activities are provided must also be registered.

- 2.7.30 Skin piercing activities include, but are not limited to:

- acupuncture
- tattooing
- cosmetic piercing
- electrolysis
- semi-permanent skin colouring

2.7.31 Although this is only a registration scheme, local byelaws enforce standards of hygiene and safety.

2.7.32 Primary legislation has been enacted by Parliament to allow the Secretary of State to introduce a new non-surgical skin piercing licensing regime. A consultation process on the details of the licence scheme has been undertaken by Government.

2.7.33 Worryingly, despite acknowledging the shortcomings of the current registration scheme highlighted during the consultation by local authorities, Government has announced that activities currently included in the registration scheme will not form part of the new legislation.

### 3. INSPECTIONS

3.1 The licensing service undertakes a series of risk-based planned inspections to ensure licence compliance and minimise the risk to public safety. The number of inspections undertaken within the reporting period was:

INSPECTIONS					
	2020/21	2021/22	2022/23	2023/24	2024/25
Animal Inspection	2	10	23	16	25
Animal courtesy visits				24	12
Gambling Insp - Betting (other)	0	0	7	1	0
Alcohol/entertainment/LNR risk-rating visit	0	1	65	303	94
Alcohol/entertainment/LNR courtesy visit	0	0	45	2	4
Private Hire Operator Insp	1	5	3	5	13
Taxi/private hire courtesy visits	0	0	21	25	8
HMOs				20	6
Park Homes				11	0
Skin Piercing	0	14	49	36	61
Scrap Metal Site	0	0	0	0	5
Sex Establishment	0	0	0	0	0
	3	30	213	443	228

3.2 Inspections are targeted at premises based on risk to the public, plus more proactive inspection visits for new premises management are being undertaken with a view to reducing the need for reactive visits if problems arise.

3.5 The number of inspections undertaken in the reporting year is a reduction on last year. This is because of the large number of inspections undertaken during the previous reporting year where the risk-rating doesn't require re-inspecting until 2025/26.

### 4. APPLICATIONS

4.1 The number of applications received during the reporting period is attached as **Appendix A**.

- 4.2 It is encouraging to see an increase in the number of new businesses starting up in North Hertfordshire which has outweighed the number lost during, and because of, the economic climate following the pandemic.

## 5. CURRENT LICENCES

- 5.1 As of 30 September 2025, the number of current licences issued by the licensing service is attached as **Appendix B**.
- 5.2 In addition to these licences which, in most cases, are granted in perpetuity the licensing service also issued 614 temporary event notices which are specific to one off small-scale events during the period covered by this report.
- 5.3 It is encouraging to see that the number of TENs remains high, due to the vibrancy of communities in the district organising cultural and community events.

## 6. MISCELLANEOUS SERVICE REQUESTS

- 6.1 The licensing service receives a high number of service requests in writing and by telephone, most notably requests for advice on the need for, and the submission of, an application.
- 6.2 Due to a high volume of telephone requests that were not quantifiable for fee setting purposes, plus the need to have an auditable trail of advice given, from 2021 customers had to submit service requests in writing. This also reduced the number of back and forward telephone calls establishing further information or the customer not answering the call.
- 6.3 This new approach continues to reduce the amount of officer time needed to deal with basic service requests, thus providing a more effective service for the customer.
- 6.4 In addition to service requests, the licensing service also undertakes various functions relating to taxi and private hire licensing that are an integral part of assessing drivers' ability to meet the 'fit and proper' person test and that vehicles are roadworthy and compliant with policy.
- 6.5 The number of recorded service requests and ancillary functions within the reporting period was:

MISCELLANEOUS					
	2020/21	2021/22	2022/23	2023/24	2024/25
Service requests	403	423	418	543	616
Taxi complaints	28	26	24	22	76
Taxi compliance tests	371	425	434	449	462
Taxi Verbal knowledge tests	12	50	53	27	16
Taxi computerised topographical tests	7	33	17	58	58
Taxi DBS/Right to Work appointments	15	94	41	0	0
New driver appointments #	0	0	23	92	82
	836	1,051	1,010	1,191	1,310

Note:

2020/21 knowledge tests, topographical tests and DBS appointments were only available from 01/09/2021 due to lockdown restrictions

- 6.6 There has been a significant increase in taxi complaints however this is mainly attributable to licensed drivers complaining about other licensed drivers, or the activities of Uber. Many of these complaints are vexatious or, in the case of Uber, about lawful activity. This takes a

disproportionate amount of officer time and is likely to result in increased taxi licence fees to cover this workload. This matter will be addressed with the North Herts Taxi Drivers Association in the next meeting scheduled for this month.

- 6.7 The licensing service receives a significant number of freedom of information (FOI) requests, mainly in relation to taxi and private hire licensing, premises licensing, or animals. The full implementation of the public licensing register had decreased the amount of officer time needed to process these requests as the majority can now be referred directly to the information already publicly available on the register. However, FOI requests are getting more complex and have had a significant impact on officer workload. Numbers of FOI requests have not been included in this report as they are recorded separately by the FOI Team.

## 7. LICENSING FEES

- 7.1 Established licensing fee case law supported by the *Hemming* judgement prevents local authorities from making a profit from licensing fees. The *Hemming* judgement ruled that fees can only cover the reasonable costs of administration and enforcement of the specific licensing regime and should be cost neutral over a period of three years.

- 7.2 A report was provided to the Licensing and Appeals Committee on 12 December 2013 summarising the legal position on fees; the Committee passed the following resolution:

**RESOLVED:** *That, having considered the criteria suggested within the report, the following principles for the setting of future licensing fees and charges be supported:*

- (a) *licensing fees and charges should be set having regard to the need to promote local economic growth provided that they are consistent with the following objectives:*
  - (i) *That the local Council Taxpayers does not, unless provided for by law or decision of the Council, subsidise the operating costs associated with businesses or other trading entities (i.e. the Council seeks to fully recover the lawful costs licensing activity);*
  - (ii) *the Council may not fully recover its lawful costs associated with licensing activity if*
    - a) *this would result in significant hardship to third parties, or*
    - b) *the effect of fees or charges associated with licensing may encourage unlicensed activity and where formal enforcement is unlikely to be an effective control, or*
    - c) *where the Council specifically wishes to encourage the growth a specific licensable activity;*
- (b) *an analysis of licensing costs, including detailed analysis of all recharges, should be undertaken every three years vis-à-vis licensing fees and charges;*
- (c) *in the years between cost reviews, fees and charges should ordinarily be subject to the Council's published inflationary increase;*
- (d) *any under/over recovery of full cost within existing licensing fees and charges should be rectified without undue delay, where legislation allows. However, where this may result in a significant increase in a licence fee/charge then consideration will be given to a phased introduction of the new levy;*
- (e) *that enforcement activities in respect of unlicensed businesses/individuals should continue with the associated costs being financed from the General Fund; and*
- (f) *that enforcement activities are periodically reviewed to ensure that they are delivered in the most cost-effective manner including, where appropriate, the use of other internal departments or external statutory bodies.*



- 7.3 This resolution has been fully implemented, and a full costing exercise was undertaken before setting the fees for 2025/26.

## **8. LICENSING HEARINGS**

- 8.1 Applications under the Licensing Act 2003 for new, varied, or reviewed premises licences/club premises certificates that receive representations are determined by a licensing and appeals sub-committee.
- 8.2 Only three licensing sub-committee hearings were held within the reporting period, reflecting the additional engagement the case officer now undertakes with the applicant, responsible authorities and customers who may be considering making representations. This engagement often alleviates the need for representations where the concerns can be adequately addressed by the applicant and incorporated into the application by way of an amendment. It also removes the possibility of representations being made on a misunderstanding of the application or a lack of detail in the application form. The three hearings were:
- Variation of an existing licence for Let's Party, Bucklersbury, Hitchin
  - Review of a premises licence for Bygrave Plantation
  - Variation of an existing premises licence for Bygrave Plantation
- 8.3 The amendment to the Constitution requiring a fourth (non-voting) sub-committee member to be present in case of technology failure during virtual hearings continues to be a valuable training tool to allow newly trained members to experience an actual hearing prior to sitting as a voting member at subsequent hearings.
- 8.4 As with all meetings during the pandemic, licensing sub-committees met virtually which proved successful in increasing attendance by persons making representations, or interested observers, due to the convenience of not having to travel to the Council Offices. As these hearings are administered under the Licensing Act 2003 rather than the Local Government Act 1972, case law has confirmed they can continue to be held virtually. Where it is deemed more appropriate to meet in person due to the complexity of the hearing (for example, Bygrave Plantation), in person meetings can be arranged however the default position remains as virtual meetings.
- 8.5 There is a right of appeal to the Magistrates Court against the decision of a licensing sub-committee and both Bygrave Plantation decisions were subject to appeals lodged by the premises licence holder.
- 8.6 Under the Council Constitution, once a matter has been referred to Court it becomes the responsibility of the legal team to progress, with advice from the respective service area. Negotiations took place between the premises licence holder, accompanied by their solicitor, the licensing and community safety manager, and Council solicitors. The appeals centred on administrative errors during the hearing process, the wording of conditions, and the weight apportioned to evidence.
- 8.7 Agreement was reached with the premises licence holder to amend the wording of the conditions and extend Friday and Saturday music timings by one hour for events where onsite camping was provided for attendees. This agreement was accepted by the Court, and it imposed the agreement on the premises licence without a hearing.

8.8 A licensing or licensing regulation sub-committee would also determine the following applications:

- Contested premises licence applications under the Gambling Act 2005
- All applications for new sex establishments

No such applications were received during the reporting period.

8.9 All other licensing decisions are delegated to the licensing and community safety manager, none of which have been subject to appeal.

8.10 The licensing and community safety manager has made one decision during the reporting period in relation to whether applicants for taxi or private hire driver licences meet the fit and proper person criteria in the Council's policy. The application was refused due to non-compliance with the fit and proper person criteria in the policy, with no exceptional circumstances that warranted a departure from policy.

8.11 In addition, there has been a recent spate of applications to depart from policy and allow vehicle renewals when they have been submitted out of time due to licence holder error. The policy is clear when renewals should be made and that it is the licence holder's responsibility, albeit the Council does assist by sending renewal reminders. Case law has established that there is a small window of opportunity for a late renewal but only under exceptional circumstances. Poor administration does not fall with the definition of exceptional circumstances therefore all applications have been refused. This doesn't preclude the previous licence holder from applying for a new vehicle licence however it will have to meet policy requirements and be a minimum of Euro 5 emissions compliant and wheelchair accessible to promote our environmental and equalities responsibilities.

## **9. ENFORCEMENT ACTIVITY**

9.1 The service has a range of enforcement tools available to ensure compliance with licence conditions or target unlicensed activity. Save for the most serious cases where there is, or has been, an identifiable risk to public safety, enforcement activity is designed to secure future compliance.

9.2 Enforcement tools include but are not limited to:

- Advice and guidance
- Informal warnings
- Driver licence penalty points (taxi and private hire only)
- Community Protection Notices
- Fixed Penalty Notices
- Statutory Notices i.e., Improvement Notices
- Licence suspension
- Licence revocation
- Closure Notices
- Prosecution

9.3 There has been one significant enforcement case during the reporting period.

### Cat Survival Trust

As reported in last year's Annual Report, the licence holder of a dangerous wild animals licence was successfully prosecuted by the police for causing unnecessary suffering to

animals in his care. The licence holder had been banned from any involvement with animals for a minimum period of five years, but this ban was suspended until November 2024 to allow for attempts to rehome the animals.

The licensing team leader worked tirelessly, supported by the licence holder's wife, to seek homes for the animals that needed rehoming to avoid them being euthanised.

Fortunately, The Big Cat Sanctuary in Kent in conjunction with Hertfordshire Zoo initially cared for the animals on site before rehoming all but three animals. The three animals that were euthanised was because of health reasons to avoid further suffering.

- 9.4 There was one case of a taxi driver that accumulated twelve penalty points on their taxi licence during a twenty-four month period so was referred to the licensing and community safety manager to determine whether they remained a fit and proper person to hold a licence. After interviewing the driver, it was decided that they could retain their licence, but the penalty points remain, so any further transgression is likely to result in suspension or revocation.

## **10. POLICY WORK**

- 10.1 To ensure transparency for applicants, licence holders and the public, and to ensure consistent decision-making, each aspect of licensing has its own policy clearly stating the Council's requirements and local interpretation where legislation allows.
- 10.2 The Licensing and Regulation Committee is involved in the development and ongoing review of licensing policies as follows:
- (a) Statutory policies under the Licensing Act 2003 and Gambling Act 2005

These policies can only be adopted by Full Council however the Licensing and Regulation Committee is responsible for reviewing the results of the public consultations and recommending the policies to Full Council.
  - (b) Non- statutory policies
    - (i) Where policies are reserved for the Executive, Cabinet has the responsibility for the initial adoption of new policies
    - (ii) Where policies are not reserved for the Executive, initial adoption falls to the Licensing and Regulation Committee
  - (c) Review and amendment of existing policies
    - (i) Statutory policies are reserved for Full Council
    - (ii) Executive non-statutory policies can be amended by the relevant Executive Member
    - (iii) Non-statutory policies not reserved for the Executive can be amended by the Licensing and Regulation Committee, or the licensing and community safety manager (in consultation with the relevant Executive Member and Chair of the Licensing and Regulation Committee) depending on the extent of the amendments. Each policy details the responsibilities of each of the potential decision makers.

- 10.3 Additionally, adopted policies include a provision for minor amendments to be made to existing policies by the licensing and community safety manager. Each policy defines the extent of the minor amendments allowed under that delegation and ordinarily require consultation with the relevant Executive Member and the Chair of the Licensing and Regulation Committee.
- 10.4 The Licensing and Regulation Committee has been asked to consider the following policies during the current reporting period:
- (i) Statement of Gambling Principles  
  
This is a statutory policy that must be adopted by Full Council however the Licensing and Regulation Committee considered the responses to the public consultation at its meeting on 14 October 2024. A policy was recommended to Full council and adopted at its meeting on 28 November 2024.
  - (ii) Street Trading Policy (incorporating pavement licensing)  
  
This was a revision to an existing policy to include some minor amendments that the Licensing and Regulation Committee adopted at its meeting on 14 October 2024.
  - (iii) Sex Establishment Policy  
  
This was a revision to an existing policy to include some minor amendments that the Licensing and Regulation Committee adopted at its meeting on 14 October 2024.
  - (iv) Taxi and Private Hire Licensing Policy  
  
This was a new policy to include some substantial amendments to the previous policy that the Licensing and Regulation Committee adopted at its meeting on 14 October 2024.
- With regards to the Sex Establishment and Taxi and Private Hire Licensing Policies, the Licensing and Regulation Committee made a number of amendments whereby it delegated authority to the licensing and community safety manager to include appropriate wording in the final policies, in consultation with the Committee Chair. All amendments were included in the final policies and approved by the Committee Chair.
- 10.5 At its meeting on 13 October 2025, the Licensing and Regulation Committee will consider the results of the public consultation regarding a new Statement of Licensing Policy for the Licensing Act 2003 and recommend a policy for adoption to Full Council.
- 10.6 For the next reporting period, 1 October 2025 to 30 September 2026, the following policies will be subject to review:
- (i) Charitable Collections Policy  
  
Some minor amendments are needed to this policy that fall within the remit of the licensing and community safety manager. These amendments will be limited to issues that have arisen operationally with the policy such as collection locations, number of collections per day, clarification of wording, plus the amendment of job titles following the recent restructure.

(ii) Caravan and Camping Sites Policy

The current policy is due for review and will need updating to incorporate National Model Standard Conditions. All existing sites are in the process of being inspected to assess compliance against the Model Standards, which will help inform the revised policy wording. As these policy changes have the potential to impact on existing sites, this policy will be subject to public consultation and adoption by the Licensing and Regulation Committee.

(iii) HMO Housing Standards and Licence Conditions

It is hoped to review the current housing standards and licence conditions to reflect recent national concerns such as damp/mould and ensure a consistent standard across the county with enforceable conditions to achieve those standards.

**11. CHANNEL SHIFT**

- 11.1 Currently, customers contact the council via the customer service centre and MSU staff then have to transfer the request from the CRM into Idox Cloud (the licensing database). Work has commenced to investigate whether the two systems can communicate so that Idox Cloud automatically populates the correct data fields from the CRM to save officer time.
- 11.2 Discussions have taken place with the providers of Idox Cloud to link its online application portal with the council's payment facility to enable online submission and payment of all application types. The Idox Cloud product could work as an integral part of any customer portal facility offered by the council by using single sign-on technology.
- 11.3 Further discussions will be taking place in regard to an app that will allow Idox Cloud to be accessed by officers on any device, allowing online completion of inspection forms directly into the database using technology that will convert officer's handwritten notes into text.

**12. PROJECT UPDATES**

- 12.1 The licensing service has several ongoing projects targeted at smarter ways of working, channel shift, public engagement, and income generation.

Public licensing register and portal

- 12.2 Work is continuing to facilitate online applications being submitted through the public register portal. Using single sign-on technology, the current licensing database can connect with any corporate system as part of the digitalisation project without the need to migrate data and system set-up. Online applications through the portal will be a significant resource saving for the Council as the application is released directly into the database automatically populating the database fields. Using the Government portal or in-house electronic application forms, information currently must be copy typed into the licensing database in the same way as applications received in hard copy and enquiries must be made with the payment service to ensure payment has been received.
- 12.3 All applications that are subject to public consultation are listed on the register and representations can be made directly through the portal into the licensing database.
- 12.4 Once the online application forms are live, the portal can be extended to include service requests too.

### Women and Girls Safety Charter

- 12.5 A Women and Girls Safety Charter for licensed premises in North Hertfordshire has been produced as part of the Community Safety Partnership's VAWG priority. Staff at licensed premises are provided suitable advice and training to ensure that a consistent cross-district process is in place to ensure that women and girls feel safe in licensed premises and know the safeguards available if they feel uncomfortable or have concerns.
- 12.6 The Charter is now live in Hitchin and Letchworth, with an additional video produced to inform the public of the purpose of the Charter, in addition to the training video for licensed premises staff.
- 12.7 Each premises signed up to the Charter has received a framed membership certificate signed by the Leader and Deputy Leader of the Council, plus a membership window sticker. A dedicated webpage has been produced which contains the Charter, the videos, and a list of premises that have achieved membership of the scheme.
- 12.8 An initial launch event was attended by the Police and Crime Commissioner who presented the membership certificates, accompanied by the Leader of the Council.
- 12.9 Officers continue to visit premises that have not yet achieved membership and are preparing to extend the Charter to Baldock and Royston.
- 12.10 Unannounced visits are being undertaken by officers and by the police to ensure that staff are aware of their responsibilities and respond accordingly, for example in response to a customer asking for Angela.

### Safeguarding

- 12.11 Although safeguarding is not a statutory licensing objective, which limits the council's opportunity to mandate additional safeguarding measures by licence holders, licensing policies can be used to highlight its expectations. This is particularly relevant given the council's commitment to White Ribbon and the Community Safety Partnership's VAWG priority.
- 12.12 As each policy is reviewed, paragraphs outlining expectations of all safeguarding measures are being incorporated. As part of inspection visits, officers will check whether licence holders understand their safeguarding responsibilities and are implementing appropriate measures.
- 12.13 Previously, all applicants for taxi and private hire licences had to undertake safeguarding training by reading a Council presentation and answering questions at home, in addition to answering safeguarding questions as part of the new driver verbal test at the Council Offices. It was established that the knowledge levels of new applicants were lacking on safeguarding and so the process has been changed.
- 12.14 Following a successful trial, all new applicants for taxi and private hire licences must attend the Council Offices to listen to an officer delivering a safeguarding presentation. At the end of the presentation, applicants are required to pass a short test before being issued with a licence.
- 12.15 At renewal, a new presentation and questions will be used for home refresher training however consideration will be given to the practicalities of delivering this training at the Council Offices in the same way as new applicant training.

#### Income generation

- 12.16 Ordinarily, a Council can only recover its reasonable costs of administration and enforcement through licensing fees as licensing is a statutory service. This restriction doesn't apply to discretionary services.
- 12.17 Officers have already successfully introduced a charge for providing an age rating to films exhibited to the public where a rating from the British Board of Film Classification (BBFC) doesn't exist. There is an increasing number of small independent film makers locally where BBFC classification is cost prohibitive, therefore they come to the Council for this service as a film cannot be exhibited without a rating.
- 12.18 Officers have been working on the logistics of offering a pre-application advice for Licensing Act 2003 applications, similar to the service provided by planning. Customers currently using solicitors and licensing agents are paying considerable private sector fees to receive this advice.
- 12.19 A pre-application service covering advice on application content, appropriate forms, template newspaper and public notices, and referrals to appropriate responsible authorities will be introduced this year. This will provide a more cost-effective alternative to customers and would facilitate the development of working relationships at an earlier stage.
- 12.20 Other services such as becoming an accredited training provider for mandatory personal alcohol licence qualifications has been considered however have been discounted due to demand on officer resourcing and the cost of accreditation.

#### Taxi and private hire project

- 12.21 An officer Task and Finish Group was created to work with licence holders to review the whole application process to explore any options for improvements in efficiency. The remit was based on the question *'if you had a blank sheet of paper, what is the best licensing service that can be delivered?'*
- 12.22 As a result of the Group's work, a number of service improvements were trialled and subsequently adopted following positive feedback from licence holders.
- 12.23 To make our service more cost effective for our customers and to promote our environmental considerations, the Council has recently introduced taxi and private hire licence plates made from recyclable materials. Previously, each grant or renewal was issued with a new plastic licence plate. The new licence plates last for the lifetime of the vehicle whilst licensed and have a tamper-proof disc with licence expiry date that is replaced at each renewal.
- 12.24 Officers are currently considering an automated way of delivering the new driver verbal test. Currently drivers have to attend the Council Offices and officers make a subjective assessment of the applicant's conversational English. Systems currently being investigated allow the tests to be undertaken in the applicant's home with virtual security to ensure the test is conducted fairly and by the correct applicant. The test is marked automatically against an agreed standard therefore removing the objectivity of the current officer assessments.

#### HMO internal audit

- 12.25 HMO licensing was audited by the Shared Internal Audit Service (SIAS) in the previous reporting year with an outcome of a 'limited assurance' report. Eleven recommendations were made consisting of four high priority, four medium priority, and three low priority.

- 12.26 All recommendations have now been completed ensuring a more robust system of assessing HMO applications.
- 12.27 To further enhance the application process, officers are now working with colleagues in environmental health to ensure suitable housing standards. Environmental health officers, appropriately trained in public sector housing, are now undertaking inspection visits for the licensing team.
- 12.28 Additionally, officers have worked with colleagues in other services to identify possible unlicensed HMOs and have started working with these property owners to obtain licences where necessary.

### **13. TEAM DEVELOPMENT**

- 13.1 As a regulatory service, it is essential that officers are given development opportunities to expand their knowledge. This is important in delivering the best possible service to our customers whilst retaining officers for service resilience. The cost of relevant development is included in the fee setting calculations.

#### Professional Licensing Practitioner Qualification

- 13.2 All four licensing officers have passed the above qualification offered by the Institute of Licensing and the new assistant licensing officer is attending the course in November.

#### BTEC Level 3 Certificate for Animal Inspectors

- 13.3 The licensing team leader already holds this qualification however the Council has no resilience in periods of absence; additionally, the animal licensing workload has significantly increased.
- 13.4 One licensing officer is part way through this qualification with two more officers due to enrol on the course later this year. Not only will this provide resilience, but it may provide the opportunity for income generation by offering an inspections service to local authorities without qualified inspectors.

#### Professional development

- 13.5 The Council pays for membership of the Institute of Licensing for qualified officers which gives access to a range of professional CPD training. This reporting period, officers have undertaken a range of courses directing related to their work.

#### Apprentices

- 13.6 After successfully completing their apprenticeship with distinction, the licensing and community safety apprentice has recently joined the licensing team as an assistant licensing officer.

### **14. FUTURE LEGISLATIVE CHANGES**

- 14.1 The world of licensing has always been ever-changing however the number of planned legislative changes has the potential to significantly impact resources and existing projects. The following list is not exhaustive but contains the main proposals known to officers at the time of writing.



#### Skin piercing licensing scheme

- 14.2 The Health and Care Act 2022 contains a section enabling the Secretary of State to publish Regulations introducing a new licensing scheme for specified cosmetic procedures. This is the same legislative process that was included in the Animal Welfare Act 2006 and allowed the introduction of the new animal licensing regime by virtue of The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.
- 14.3 As detailed earlier in this report, skin piercing is currently only a registration scheme with surprisingly sparse entry requirements, for example no formal qualification for practitioners, and enforcement capabilities. The Government has indicated its intention to introduce a new licensing requirement for non-surgical cosmetic procedures to ensure public safety from these intrusive, and potentially dangerous, procedures. As part of the consultation response, it is currently the Government's position that activities currently covered by the registration scheme will fall outside the new legislation.

#### The Animal Welfare (Primate Licences) (England) Regulations 2024

- 14.4 The above regulations will take effect from 6 April 2025 introducing the need for any person who keeps a primate in their possession (other than zoos or similar) to hold a licence from 6 April 2026.
- 14.5 This addresses concerns about the number of individuals that keep primates as pets without appropriate knowledge or understanding of the welfare needs of the kept species.
- 14.6 Responsibility for administering and enforcing this new licensing regime falls to local authorities which will require additional training of officers. The main challenge arising from this legislation is determining how many, if any, primates are kept as pets in North Hertfordshire.

#### Supported Housing (Regulatory Oversight) Act 2023

- 14.7 The Act plans to introduce new standards for supported exempt accommodation and make changes to how this type of accommodation is regulated. Supported accommodation provides residents with care, supervision, or support. It is usually managed by a local authority, housing association, charity, or voluntary organisation. It also includes refuges and local authority hostels.
- 14.8 The Act allows the government to create new National Supported Housing Standards and introduce licensing regulations. Housing authorities are defined as the regulatory body, so this is likely to fall, at least in part, to the licensing service.
- 14.9 The Act provides a legal framework for introducing regulation, but the impact will depend on the regulations published by the government, and ongoing enforcement. The government started consultation on how the Act will be implemented in 2023. Current expectation is that Regulations will be published and subject to consultation before taking effect in late 2025.

#### PROTECT Duty

- 14.10 The Terrorism (Protection of Premises) Bill will require public venues to improve security and have more awareness of potential terrorist attacks. Public venue owners/operators will have a duty in law to consider the threat from terrorism and implement appropriate and proportionate mitigation measures. The legislation will ensure parties are prepared, ready to respond and

know what to do in the event of an attack. Better protection will be delivered through enhanced security systems, staff training, and clearer processes.

- 14.11 The legislation is more widely known as Martyn's Law after Martyn Hett who was one of the twenty-two people to die in the Manchester Arena bombing in 2017; his mother Figen Murray has campaigned for the measures to be introduced.
- 14.12 A significant number of licensed venues open to the public (capacities of 200 plus) will be covered by this duty and licensing officers will have a key role in raising awareness. The legislation hasn't yet completed its parliamentary passage however Government has undertaken wide consultation. The Security Industry Authority has been appointed as the national enforcement body.
- 14.13 Premises will fall within the scope of the duty where "qualifying activities" take place. This will include locations for purposes such as entertainment and leisure, retail, food and drink, museums and galleries, sports grounds, public areas of local and central Government buildings (e.g., town halls), visitor attractions, temporary events, places of worship, etc.
- 14.14 Officers will be working with licence holders and trade bodies to ensure that the legislation and statutory guidance is disseminated to premises owners covered by the duty. Amendments to licensing policies are already in place, or in progress, to include reference to the duty in preparation for the enactment of the legislation. A PROTECT Action Plan will be written to ensure that all appropriate actions are taken by officers to raise awareness of the new duty once final details are known.

## **15. APPENDICES**

- 15.1 Appendix A      Number of applications received
- 15.2 Appendix B      Number of current licences as at 30/09/2025