



THE LICENSING AND HEALTH AND SAFETY ENFORCEMENT SUB-COMMITTEE AGENDA

TUESDAY 28 APRIL 2015 AT 2.30 PM

DACORUM ROOM, HEMEL HEMPSTEAD CIVIC CENTRE

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Cllr Mrs G Chapman
Cllr Conway
Cllr Fantham
Cllr Mrs Green (Chairman)

Cllr Hearn (Vice-Chairman)
Cllr Link
Cllr G Sutton

Substitutes: Councillors Mrs Bassadone, Bhinder, R Hollinghurst, Ryan and R Sutton.

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1. MINUTES

To confirm the minutes of the meeting held on 24 March 2015.

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence

3. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered –

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent

and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial
- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct For Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements and ask questions in accordance with the rules on Public Participation

5. EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms:

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded during the item in Part II of the Agenda for the meeting, because it is likely, in view of the nature of the business to be transacted, that if members of the public were present during this item there would be disclosure to them of exempt information relating to an individual which would be likely to reveal their identity (Item 6).

APPENDIX A

DACORUM BOROUGH COUNCIL

LICENSING AND HEALTH AND SAFETY ENFORCEMENT SUB-COMMITTEE

24 MARCH 2015

Present –

MEMBERS:

Councillors Mrs Green (Chairman), Mrs G Chapman, Conway, Fantham, Hearn (Vice-Chairman), Link and G Sutton

OFFICERS:

C Gaunt	Solicitor
N Egerton	Environmental Health Team Leader
D Ryder	Environmental Health Officer
T Coston	Member Support Officer

The meeting began at 7.37 pm

1. MINUTES

The minutes of the meeting held on 3 February 2015 were confirmed by the Members present and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTERESTS

There were no declarations of interest.

4. PUBLIC PARTICIPATION

There was no public participation.

5. APPLICATION FOR PROVISION OF 5 ADDITIONAL MOBILE HOME UNITS ON FLAUNDEN PARK MOBILE HOME SITE: HOGPITTS BOTTOM FLAUNDEN HERTFORDSHIRE HP3 0PX

D Ryder introduced herself to the committee. She explained that following an inspection of the site they discovered the number of mobile homes exceeded the amount stated on the licence. N Egerton said the site met all other necessary

requirements and no complaints had been raised but they were instructed to apply for a variation of licence conditions to resolve the discrepancy.

Councillor Conway queried that on the site plan there was a plot number 41 but there was only 40 properties. D Ryder advised there were some inconsistencies with the numbering of the caravan plots on site.

Comment [NE]: Have added this as otherwise it appears that we have numbered inconsistently

Councillor G Sutton noted that the licence conditions were dated 1986 and suggested that surely there must have been changes since that time. D Ryder said the conditions remained the same but in 2013 the Mobile Home Act was introduced which is why they had inspected the site. N Egerton added that the model standards have been updated since 1986 but the site licence conditions would only differ if there were risks identified.

Councillor Hearn referred to section 17 of the licensing conditions where it is stated that there was 1 W.C. and 1 urinal for men and 2 W.C's for women per 15 caravans and queried if those facilities were still adequate enough to incorporate the additional homes. N Egerton said the new homes would have toilet facilities inside anyway.

Councillor G Chapman said she was the ward councillor for this area and reassured the members that they were modern homes, there were no problems there and it was a very well run site. She added that canvassing on the site was problematic due to the property numbers not being in the correct order.

It was proposed by Councillor Conway and seconded by Councillor Hearn to grant the application to vary the licence in accordance with the officer's recommendation.

Voting:

Unanimously agreed

Whereupon it was:

Resolved:

The Licensing and Health and Safety Enforcement Sub-Committee agreed to grant the application to vary the licence.

The following change will be made to condition 2 of the existing licence:

The number of caravans allowed on the site at any one time shall not exceed 40, sited in position as detailed in Appendix 3 of the agenda and as agreed by the Licensing and Health and Safety Enforcement Sub-Committee on the 24th March 2015.

The meeting ended at 7.48 pm

APPENDIX B

PROCEDURE FOR THE LICENSING AND HEALTH AND SAFETY ENFORCEMENT SUB-COMMITTEE (HACKNEY CARRIAGES)

1. The Chairman will open the proceedings by stating the nature of the matter, which is to be considered, (first application/renewal/suspension/revocation), whether the proceedings concern a vehicle, driver or operator licence, and the name of the applicant or licence holder.
2. The Chairman will introduce himself/herself and the Members of the Committee, the Clerk to the Committee and any other officer present.
3. The Chairman will ask the officers to confirm whether or not the formal requirements in respect of the matter to be considered have been complied with. In the case of a proposed suspension or revocation of licence or a refusal to renew, the Chairman will ask the officers to confirm whether or not the requisite 14 days' prior notice has been served on the licence holder.
4. If satisfied as to the formal requirements the Committee will consider the merits of the application or proposed suspension/revocation and the report of the officers. The Committee may ask the officers for clarification of any points in issue.
5. The Chairman will then invite the applicant or licence holder to make any representations. The applicant or licence holder may make his/her representations personally or through a representative, who shall first identify him/herself.
6. The Chairman and other members of the Committee may ask the applicant or licence holder questions and points of clarification.
7. The applicant or licence holder, his/her representative (if any) and any officer present (with the exception of the Clerk to the Committee) shall withdraw.
8. The members of the Committee consider their decision. If any further clarification or information is required from the applicant or licence holder or any officer, all parties will be recalled.
9. All parties will be recalled for the announcement by the Chairman of the Committee's decision.
10. The Committee's decision will be confirmed in writing by the Solicitor to the Council.
11. At any point in this procedure, the Committee may pass a resolution excluding the press and public from the meeting on the basis that, if they were to remain, there may be disclosure of exempt information (information relating to individuals which is likely to reveal their identities).