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**LICENSING AND HEALTH AND
SAFETY ENFORCEMENT SUB-
COMMITTEE
AGENDA**

TUESDAY 26 JANUARY 2016 AT 7.30 PM

COUNCIL CHAMBER - 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.

Membership

Councillor P Hearn (Chairman)
Councillor Fantham (Vice-Chairman)
Councillor Mrs Bassadone
Councillor Conway

Councillor R Sutton
Councillor Whitman
Councillor Link

For further information, please contact Trudi Coston ext 2224

AGENDA

1. MINUTES (Pages 3 - 5)

To confirm the minutes of the meeting held on 22 July 2015

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence

3. DECLARATIONS OF INTEREST

To receive any 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 or ask questions in accordance with the rules as to public participation

5. PROCEDURE FOR THE HEARING (Page 6)

6. 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).

7. NEW PRIVATE HIRE DRIVER LICENCE WITH CONVICTIONS/MOTORING ENDORSEMENTS (Pages 7 - 26)

8. PART 2 MINUTES FROM THE PREVIOUS MEETING (Pages 27 - 32)

DACORUM BOROUGH COUNCIL

LICENSING AND HEALTH AND SAFETY ENFORCEMENT COMMITTEE

24 NOVEMBER 2015

Present –

MEMBERS:

Councillors Fantham (Chairman), Mrs Bassadone, Conway, Howard, Link, Mills, Peter, R Sutton and Taylor

OFFICERS:

B Lisgarten	Legal Governance Team Leader
T Cawthorne	Environmental Health Officer
D Ryder	Environmental Health Officer
T Coston	Member Support Officer

The meeting began at 7.30 pm

1. MINUTES

The minutes of the meeting held on 27 October 2015 were confirmed by the Members present and then signed by the Chairman.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors P Hearn and Whitman.

Councillor Barnes was absent.

3. DECLARATIONS OF INTERESTS

There were no declarations of interest.

4. PUBLIC PARTICIPATION

There was no public participation.

5. APPLICATION TO AGREE THE CONDITIONS OF A CAMP SITE LICENCE FOR DACORUM BOROUGH COUNCIL

Before the meeting started the committee were advised by the officers to discard the report in the agenda due to several errors and a revised report was circulated.

D Ryder explained that the council had received a planning application for the use of a camp site at Brownlow Farm Barns, Pouchen End Lane, Hemel Hempstead. She said

Environmental Health were consulted on the application as the council does not have a licence in place for camp sites so the officers had prepared a proposed set of standard licence conditions for the committee to discuss and approve after consulting other local authority conditions. These conditions would be used for any camp site application in the borough and not just for this application.

D Ryder gave background on the application stating that there were 3 tepees to be used for relaxation and studying Native American arts.

Councillor Bassadone asked if the tepees were large. D Ryder confirmed they were large and said they could accommodate approximately ten individuals in each tepee.

Several members of the committee expressed concerns about various points within the licensing conditions. The Chairman suggested that the officers rewrite the conditions incorporating the councillors comments and return to the committee with a new set of conditions. He asked members to highlight the particular areas of concern.

Councillor Mills referred to section H, paragraph vii and felt that 3 deep sinks per pitch was too many.

Councillor Taylor said the mathematics didn't add up and the document was very confusing. He suggested they needed to either use acres or hectares in the density and spacing section of the conditions as using both would cause confusion.

Following a short discussion on the matter, the committee agreed with the officers that they would change the condition to '*site density should not exceed 60 pitches per hectare*'.

Councillor Mills didn't feel that there were enough toilets being proposed. He felt that a dozen would be more appropriate.

Councillor Fantham said the water supply and waste disposal section was not specific and needed clarifying.

Councillor Taylor said it was an ill prepared document that needed to be rewritten.

Councillor Adshead referred to section 1 on page 4 and expressed concern that a three metre wide area may not be wide enough.

Councillor Peter asked if there was any legislation on alcohol consumption. T Cawthorne said it depended on the situation because if the campsite was someone's home then it would be the same as anyone else consuming alcohol in their home. He explained that they would need to apply for a licence if anyone intended to sell alcohol on site or if they were planning an event on the land that would require a temporary events licence. He added that any applicant should consult licencing department for clarity.

Councillor Bassadone asked if the officers were aware of an unofficial site at Bunkers Park in Bunkers Lane. T Cawthorne said they weren't aware of it but if they were informed of any problems they would investigate. He asked members to let him know if there was any nuisance behaviour. Councillors Bassadone and R Sutton said they would speak to him once the meeting had finished.

Councillor Fantham suggested the officers could liaise with local scout groups to identify what legislation they're covered by and consult with them to help assemble our conditions.

Councillor Bassadone suggested they contact the Boys Brigade in Felden too.

Councillor Howard advised that legislation to cover children's toilet facilities would differ from adults.

Councillor Peter asked if the Police could intervene if alcohol was on the premises. Councillor Mills said people would have alcohol on site at caravan parks and that didn't cause a problem so he didn't see the need to include that in the conditions. Councillor Peter explained that Police would be called to a site if there were any problems or disturbance so he felt they should plan ahead and put the facility in place.

Agreed:

The Committee unanimously agreed that the officers should rewrite the licence conditions taking in to account their comments and concerns and return to the committee in the New Year.

The meeting ended at 8:12 pm

Agenda Item 5

APPENDIX B

PROCEDURE FOR THE LICENSING AND HEALTH AND SAFETY ENFORCEMENT SUB-COMMITTEE (PRIVATE HIRE VEHICLE AND 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 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).

Agenda Item 7

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 8

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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