

MINUTES

LICENSING AND HEALTH AND SAFETY ENFORCEMENT COMMITTEE

12 SEPTEMBER 2023

Present-

MEMBERS:

Councillor Pringle (Chair), B Link, Johnson, Santamaria and A Williams

OFFICERS:

Sally Mcdonald	Licensing Lead Officer
Kim Knight	Licensing Compliance & Technical Officer
Trudi Angel	Democratic Support Officer

The meeting began at 7.30 pm

1 MINUTES

The minutes of the meeting held on 17 May 2023 were agreed by the members present and then signed by the Chair.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Bhinder, Deacon, Durrant and Pesch.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 PUBLIC PARTICIPATION

There was no public participation.

5 ARRANGEMENTS FOR PAVEMENT LICENSING 2023-24

S Mcdonald explained the purpose of the report was to provide an update for members on the need to extend the existing arrangements for processing pavements licences until 30th September 2024. This was due to the delay in the enactment of the levelling up and regeneration bill, in which future and more permanent arrangements were included.

Authority was also sought to agree to continue to charge the existing £100 application fee, which was the maximum fee that could be charged under current regulations up until 30th September 2024.

The Chair asked the committee if they had any questions for the officers.

Councillor A Williams asked if the licence stated how much of the pavement a premises could use. S Mcdonald advised that a plan would be submitted with the application and that would be put out for consultation. If no objections were received it would be granted.

The Chair highlighted that in Berkhamsted there had been some questions around safe spaces for individuals that use electric wheelchairs. She queried if it was part of the licence that wheelchair users would be catered for. S Mcdonald explained it was part of statutory guidance to provide a minimum width for wheelchair users and prams/pushchairs to be able to get through. She advised that a site officer would usually visit a premises during the consultation period to check and measure the space. She added that a walk-through had been completed with Licensing Officers and a Berkhamsted Town Councillor due to the concerns in the area.

The Chair asked if there was any discretion when considering a licence for a narrow pavement to ask the applicant to ensure there was enough space for someone to step aside to allow a wheelchair or pushchair user to pass by. S Mcdonald advised that there was no policy for pavement licensing at present but they would have discretion once the new arrangements came in. She suggested it would be stricter and they would have more enforcement powers. She added that there wasn't much flexibility as it stood, they could only grant or refuse a licence, however if there was an issue Licensing Offices can go out and visit the premises to take measurements.

The Chair questioned whether they could put an advisory note on the licence for the applicant to consider as a matter of good practice, even if we couldn't enforce it. S Mcdonald replied they could do that and could also mention it to the licensee.

There were no further questions.

Decision

Following the publication of amendments to the current legislation that the Committee agree that the existing administrative and fee arrangements for pavement licences continue as they are until 30 September 2024.

6 MOBILE HOMES FEES POLICY 2023-24

S Mcdonald advised that the purpose of this report was to request the committee's approval on the corrected mobile homes fees policy following the accidental submission and approval of an incorrect document in March 2023. The fees themselves, which were set out in Annex 2 of the report, were agreed on the 28th March so they were not up for discussion at this meeting.

There were no questions.

Decision

That the Committee approve the amended Mobile Homes Fees Policy as set out in Annex A of the report.

The meeting ended at 7.36 pm.