
DACORUM BOROUGH COUNCIL

LICENSING AND HEALTH AND SAFETY ENFORCEMENT COMMITTEE

13 DECEMBER 2016

Present-

MEMBERS:

Councillor P Hearn (Chairman), Adeleke, Mrs Bassadone, Conway, Fantham, Howard, Link, Mills, Peter, R Sutton, Taylor and Whitman

OFFICERS:

R Hill	Licensing Team Leader
T Angel	Member Support Officer

The meeting began at 7.32 pm

1. MINUTES

There were no minutes available to be signed at this meeting.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. PUBLIC PARTICIPATION

There was no public participation.

5. REVIEW OF LICENSING POLICIES

R Hill advised the report followed on from the meeting in September where it was agreed they would begin consultation on the draft Licensing Enforcement Policy and Sex Establishment Licensing Policy. He said they had now carried out the consultation and had received minimal responses back. He explained they had made a couple of changes in light of the responses; one was an omission on his part and one was a legislation change from the Group Manager of Resident Services. As there were no significant changes he recommended that the committee adopt the policies for a five year period as detailed in the agenda.

The Chairman referred to page 13, paragraph 1.19c and queried if we had any establishments in the same place. R Hill advised there was a sexual entertainment venue on the A5 near Flamsted, and a sex shop in Apsley. He explained they had

exercised those powers the paragraph had referred to as there were areas that they would consider to be unsuitable; the Old Town High Street, Berkhamsted and Tring. The Chairman asked what the view would be if a second application was made for within Apsley as an example. R Hill advised the application would be considered on its own merits by the sub-committee.

Councillor Mrs Bassadone recalled an application being made to the sub-committee for a sexual entertainment licence in the Old Town and asked if it had got off the ground. R Hill advised that the application was granted but he didn't believe it was being used for sexual entertainment purposes. He said they were able to have up to 11 sexual entertainment events per year before applying for a licence.

Resolved:

1. That the Licensing and Health and Safety Enforcement Committee adopt the document at Annex A as the Council's Sex Establishment Licensing Policy for a 5-year period from the 23 February 2017.
2. That the Licensing and Health and Safety Enforcement Committee adopt the document at Annex B as the Council's Licensing Enforcement Policy for a 5-year period from the 14 December 2016.

6. LICENSING FEES AND CHARGES 2017/18

R Hill advised he had made structural changes to the fees and charges due to a European Court Judgement that had been ongoing for several years but was now finalised and concluded. He advised that the Legal team have confirmed they were happy that the fees and charges complied with the European Court Judgement.

Councillor Taylor highlighted that the committee had spent lots of time preparing a camping licence but he couldn't see it included within the fees and charges report. R Hill advised that camp site licences weren't dealt with by his department and it fell under the remit of Environmental Health. He said the fees and charges within this document were only the ones that his team dealt with and had responsibility for.

Councillor Whitman referred to the European Court Judgement and queried what effect us leaving the EU would have on this. R Hill advised that the Judgement had full and immediate effect and the European Courts were a completely different treaty and wasn't part of the EU. Councillor Whitman asked if we would still be bound by the Judgement when we've left the EU. R Hill advised they were only looking at the next financial year for these fees and charges.

Resolved:

1. In pursuance of the fee-setting powers conferred upon the Council as specified in Annex A of this report, that the Licensing, Health & Safety and Enforcement Committee set as the fees and charges payable by applicants in connection with applications and other processes for licences, registrations and permits the fees and charges as set out in Annex B, for the period from 1st April 2017 to 31st March 2018.
2. That authority to consider any objections arising from statutory notices pertaining to these fees be delegated to the Solicitor to the Council in consultation with the Chairman of the Licensing, Health & Safety and Enforcement Committee.

The meeting ended at 7.45 pm.