

Taunton Deane Borough Council

Licensing Committee – 07 March 2012

Licensing Update Report

Report of the Licensing Officer

(This matter is the responsibility of Executive Councillor Ken Hayward)

1. Executive Summary

The report provides an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005 and Taxi Legislation together with other general licensing matters.

2. Background

- 2.1 This report is produced to keep the Council's statutory committee up to date with current arrangements and statistics relating to the Licensing Service.

3. Report

Licensing Act 2003

- 3.1 The number of premise licences granted during the period from November 2011 to January 2012 was up compared to the number of licences granted in the same period during 2010 to 2011. There was a decrease of applications received for the variation of premises licence and change of Designated Premises Supervisor. There was a slight increase in applications for transfer of premises licence, minor variations, granting of personal licences and Temporary Event Notices during November and December 2011. The total numbers of licences issued and notices given up to the end of January 2012 are set out in **Appendix 1**.
- 3.2 A Home Office consultation launched on 17 January 2012 is seeking views on two measures in the Police Reform and Social Responsibility Act 2011 that will be implemented through regulations; Early Morning Restriction Orders (EMROs) and the late night levy.

This will allow local authorities to charge a levy for late-night licences to contribute to the cost of extra policing and extend early morning restriction orders (EMROs), a power that will allow licensing authorities to restrict the sale of alcohol in all or part of their areas, to any time between midnight and 6am. The consultation closes on 10 April 2012.

Some schemes such as (BIDs) Business Improvement Districts as operated in Taunton may fulfil the purpose of the levy, by raising contributions towards late night services, without the need for local authority intervention. It is proposed that licensing authorities are able to grant an exemption to those paying a levy as part of a BID.

We shall respond to this consultation through Somerset Licensing Group and the Institute of Licensing. A full update will be provided once the Secretary of State has issued the necessary commencement orders.

- 3.3 The Order detailing the extension of licensing hours for the Queen's Diamond Jubilee has been approved. The Order relaxes licensing hours on two consecutive days during the Queen's Diamond Jubilee celebration.

It extends licensed premises' opening hours for the period of hours beginning; 23:00 on Friday 1 June and ending at 01:00 on Saturday 2 June 2012; and 23:00 on Saturday 2 June and ending at 01:00 on Sunday 3 June 2012; for the sale of alcohol for consumption on the premises and the provision of regulated entertainment and late night refreshment by licensed premises.

Operators hoping to make the most of the Diamond Jubilee celebrations may wish to consider the use of a Temporary Event Notice (TEN) to provide entertainment which is not already covered by their existing premises licence, or even if covered, to extend the two days subject to the Order, or the Sunday, Bank Holiday Monday or Tuesday of the extended Jubilee weekend.

Gambling Act 2005

- 3.4 There was a slight increase in the number of Permits, Registrations and Licences held with Taunton Deane from two in the period of November 2010 to January 2011 to six in November 2011 to January 2012. However, application numbers still remain low. The total numbers of Permits, Registrations and Licences issued from November 2011 to end of January 2012 are set out in **Appendix 2**.

Taxis

- 3.5 The number of Hackney Carriages & Private Hire Drivers licensed and renewed slightly increased in the period from November to December 2011 compared to the same period in 2010. However there was a large decrease in numbers for January 2012 compared to January 2011. Overall there was a decrease in the number of Hackney Carriage and Private Hire Vehicle grants, transfers and renewals and Private Hire Operators compared to the same period in 2010/2011. The total numbers of Licences issued and applications received up to the end of January 2012 are set out in **Appendix 3**.

Taxi Forum

- 3.6 The 5th Taxi Forum was held on 15 February 2012. Membership of the Forum is made up of representatives from licensed drivers and operators put forward by the trade themselves, Licensing Officers and members of the Licensing Committee.
- 3.7 A verbal report of topics discussed and the actions taken since the last Forum will be presented to the Committee.
- 3.8 The Licensing Team would be happy to send notes of the meeting, when published, to any members who would like to see them.

Street Trading & Pavement Cafes

- 3.09 Enquiries into positions available in the High Street for Street Trading remain high. The total number of permits and licences issued up to the end of January 2012 are set out in **Appendix 4**.
- 3.10 The Licensing Team together with Economic Development are working closely together to look at new areas for trading and markets such as Castle Green, Somerset Square and Goodlands Gardens and the ability to offer goods other than hot food and drink.

Animal Welfare Licensing

- 3.11 The number of animal boarding (cats and dogs) has increased with the addition of a new cattery in the area. The total numbers of licences consents and permits issued up to the end of January 2012 are set out in **Appendix 5**.

Other Licensing

- 3.12 The total number of licences, consents, registrations and permits issued at the end of the last quarter are set out in **Appendix 6**. These figures show an increase in the number of House to House Collections and Street Collections in the Borough significantly during November and December 2011 compared to the same period in 2010. As members will be aware there are no fees issued for these.

4. Finance Comments

None

5. Legal Comments

The legal implications are set out within the report.

6. Links to Corporate Aims

As an update report there are no links to specific corporate aims. However if the Licensing function were not carried out in an efficient manner, complaints or legal challenges may be brought that could undermine the work being done to support the Council's Corporate Strategy.

7. Environmental and Community Safety Implications

None identified.

8. Equalities Impact

Not required.

9. Risk Management

No risk identified.

10. Partnership Implications (if any)

None identified.

11. Recommendations

That the report be noted.

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Licensing Act 2003

Licences Issued and Notices Given

Premises Licences	390
Club Premises Certificates	29
Personal Licences	1027
Temporary Event Notices	1865

Applications Received and Notices Given

	November		December		January	
	2010	2011	2010	2011	2011	2012
Grant of a Premises Licence	0	2	0	4	0	1
Variation of a Premises Licence	1	0	1	0	1	0
Transfer of a Premises Licence	2	4	1	1	3	3
Change of Designated Premises Supervisor	11	7	2	4	7	4
Minor Variations	1	1	0	0	0	1
Grant of a Personal Licence	3	10	3	7	3	3
Temporary Event Notices given	26	27	5	7	28	24

APPENDIX 2

Gambling Act 2005

Licences Issued and Notices Given

Club Machine Permit	8
Licensed Premises Gaming Machine Permits	7
Occasional Use Notices	17
Premises Licences	17
Prize Gaming Permits	0
Society Lotteries	18
Temporary Use Notices	0
Unlicensed Family Entertainment Centres	4
Notification of 2 or less Gaming Machines	60

Applications Received and Notices Given

	November		December		January	
	2010	2011	2010	2011	2011	2012
Applications for a Permit	0	0	0	0	0	0
Application for a Licence	0	2	0	0	1	0
Notification of Intent to have Gaming Machines	0	0	0	0	0	0
Occasional Use Notice	0	4	0	0	1	0

Taxis

Licences Issued

Hackney Carriages	174
Private Hire Vehicles	30
Hackney Carriage & Private Hire Drivers	251
Private Hire Operators	28

Applications Received

	November		December		January	
	2010	2011	2010	2011	2011	2012
Hackney Carriage Licence (including renewals, transfers and vehicle changes)	15	12	5	5	7	6
Hackney Carriage & Private Hire Drivers Licence (including renewals)	13	22	9	10	26	11
Private Hire Vehicle Licence	2	2	2	2	3	2
Private Hire Operator Licence	1	0	1	0	0	1

Street Trading

Consents & Permits Issued

Street Trading Consents 48

Pavement Café Permits 15

Applications Received

	November		December		January	
	2010	2011	2010	2011	2011	2012
New Consents	1	3	0	0	3	1

Animal Licensing

Licences Issued

Zoo Licences	0
Pet Shop Licences	13
Dog Breeding Licence	2
Animal Boarding Licence	12
Riding Establishment Licences	10
Dangerous Wild Animal Licences	2

Applications Received

	November		December		January	
	2010	2011	2010	2011	2011	2012
Zoo Licences (including renewals)	0	0	0	0	0	0
Pet Shop Licences (including renewals)	1	3	7	1	1	2
Dog Breeding Licence (including renewals)	0	0	1	1	0	0
Animal Boarding Licence (including renewals)	2	1	6	8	1	2
Riding Establishment Licences (including renewals)	0	3	5	3	1	1
Dangerous Wild Animal Licences	0	0	0	0	0	0

Other Licensing

Licences, Registrations and Permits Issued

Caravan Site Licences	42
House to House Collection Permit	87
Motor Salvage Operator	4
Scrap Metal Dealer Registration	18
Sex Shop Licences	2
Skin Piercing Registrations	179
Street Collection Permits	250

Applications Received

	November		December		January	
	2010	2011	2010	2011	2011	2012
Caravan Site Licences	0	0	0	0	0	0
House to House Collection Permit	2	6	3	4	1	0
Motor Salvage Operator	0	0	0	0	0	0
Scrap Metal Dealer Registration	0	0	3	1	0	0
Sex Shop Licences	1	1	0	0	0	0
Skin Piercing Registrations	1	2	3	1	0	0
Street Collection Permits	7	6	7	8	6	3