

# Taunton Deane Borough Council

## Licensing Committee – 4 March 2015

### Licensing Update Report

#### Report of the Licensing Officer

(This matter is the responsibility of Executive Councillor James Hunt)

#### 1. Executive Summary

<p>This report provides an update on the activities of the Council's Licensing Team, changes to legislation, current consultations and other general licensing matters.</p>
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#### 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

##### 3.1 Applications received and licences in force

The numbers of applications received for each of the regimes administered by the Licensing Team between April and December last year are shown in comparison with those received for the period in the preceding two years at **Appendix 1**. The numbers of licenses in force and notices given at the beginning of February 2015 are shown at **Appendix 2**.

##### 3.2 Hearings

There have been no meetings of the Licensing Sub Committee between April and December, despite there being six separate Licensing Act 2003 applications which drew representations during this time. On each occasion, mediation took place and the applicants were able to reach an agreed position, which enabled the Licensing Authority, to dispense with the hearings in accordance with regulation 9 of the Licensing Act 2003 (Hearings) Regulations 2005. With there being no matters for consideration and in order to determine the applications, members of the committee were instead asked by the case officer to give authorisation to grant the licence via email.

##### 3.3 Forums

There have been several meetings of the taxi forum since the last committee. Matters discussed have led to the presentation of two reports to this committee for consideration with regard to Driver Standards and a proposed amendment to the Driver licensing regime.

### 3.4 Changes to legislation

#### Regulated Entertainment

On 6 April 2015 the Legislative Reform (Entertainment Licensing) Order 2014 will come into effect. It will introduce further exemptions to the requirement to obtain an authorisation for the provision of entertainment under the Licensing Act 2003.

These exemptions will include

- i. Increasing the size of an audience from 200 to 500 people for a performance of amplified live or recorded music between the hours of 8am and 11pm in premises licensed for the sale of alcohol.
- ii. Films being shown as incidental to another unlicensed activity.
- iii. Entertainment put on by or on behalf of a health care provider, local authority or school proprietor on their own land between the hours of 8am and 11pm in front of an audience of no more than 500 people will not require a licence.
- iv. Entertainment at unlicensed community premises subject to conditions similar to the above.
- v. Entertainment that forms part of a performance by a travelling circus.
- vi. A contest, display or exhibition of Greco-Roman wrestling or freestyle wrestling taking place indoors between 8 am and 11pm in front of no more than 1000 spectators that must also be wholly contained within the building.

A full guide to the changes will be produced for Members.

### 3.5 Taxi and private hire multi-agency operation

One of the team's officers joined forces with the Police, VOSA and the Department for Work and Pensions on New Year's Eve as part of an morning of taxi and private hire vehicle checks, dubbed 'Operation Tri Star'.

Over the course of the morning, officers checked 31 licensed vehicles at Taunton Police station to make sure they were safe to work. Only minor breaches of licence conditions were discovered, with the majority of those breaches being rectified at the location. No vehicles had to be taken off the road, in contrast to previous operations of this type.

Overall, the majority of vehicles checked were kept in excellent condition and those that presented their vehicles at the Police station were, in the main, extremely co-operative and supportive of the operation. The team will be working with the Police to arrange more checks in 2015.

## **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**

As an update report there are no equality impacts upon service users, employees or the wider community. Any new policies, procedures and processes implemented by the Licensing Teams undertaking of project work will be subject to the requirement of an Equality Impact Assessment.

**9 Risk Management**

None identified.

**10 Partnership Implications (if any)**

None identified

**11 Recommendations**

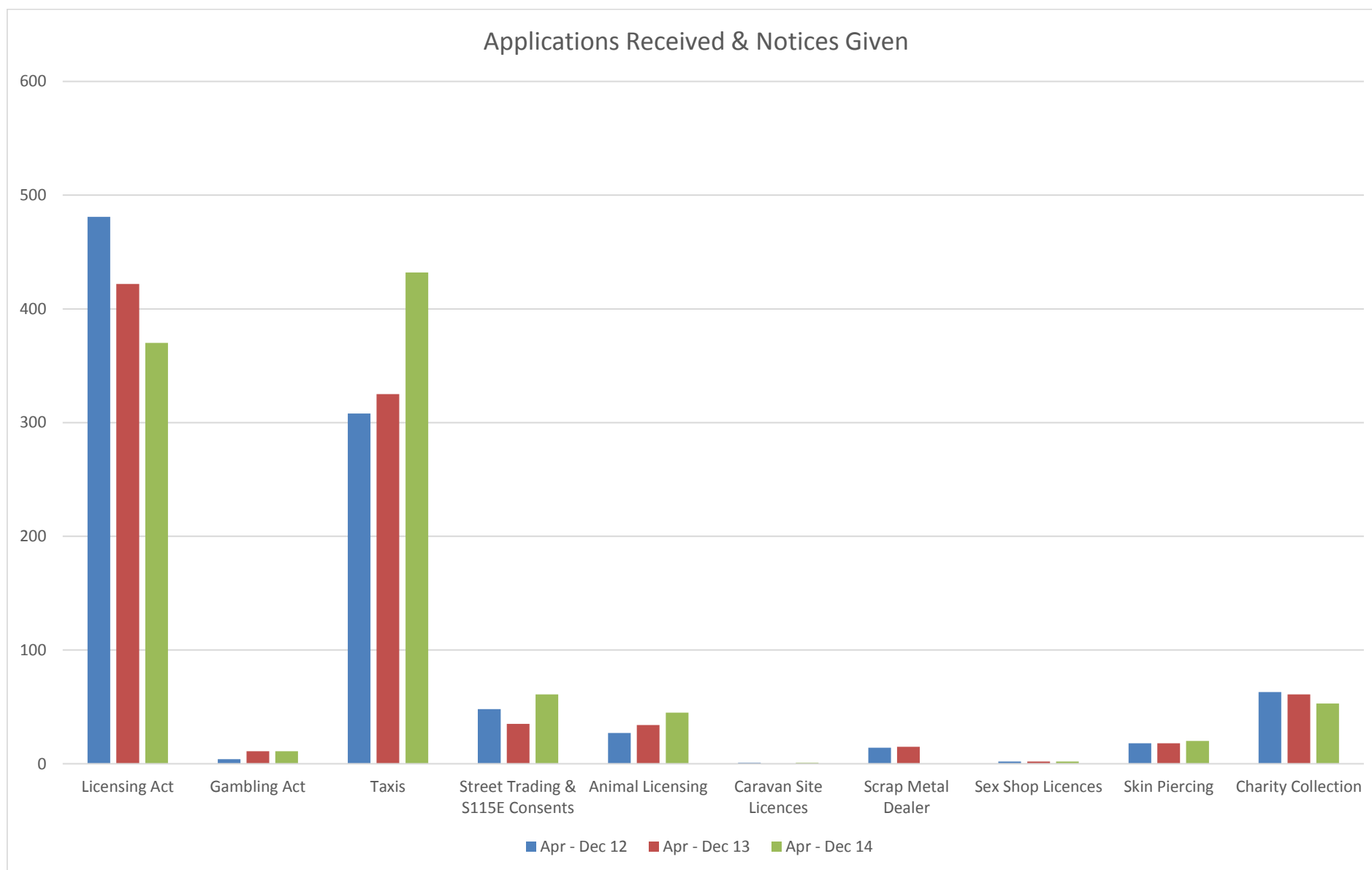
That the report be noted.

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**Licences Issued and Notices Given**

These figures show the number of licences in force at the 5 February 2015 and the number of notices given since commencement of the relevant legislation

Licensing Act 2003 Premises Licences	411
Licensing Act 2003 Club Premises Certificates	30
Licensing Act 2003 Personal Licences	1251
Licensing Act 2003 Temporary Event Notices	2754
Gambling Act 2005 Club Machine Permit	6
Gambling Act 2005 Licensed Premises Gaming Machine Permits	7
Gambling Act 2005 Occasional Use Notices	33
Gambling Act 2005 Premises Licences	16
Gambling Act 2005 Prize Gaming Permits	0
Gambling Act 2005 Society Lotteries (since 01/09/2007)	97
Gambling Act 2005 Temporary Use Notices	0
Gambling Act 2005 Unlicensed Family Entertainment Centres	4
Gambling Act 2005 Notification of 2 or less Gaming Machines	61
Hackney Carriages	177
Private Hire Vehicles	36
Hackney Carriage & Private Hire Drivers	279
Private Hire Operators	22
Street Trading Consents	25
Section 115E (Pavement Café) Permits	10
Zoo Licences	0
Pet Shop Licences	6
Dog Breeding Licence	2
Animal Boarding Licence	12
Riding Establishment Licences	10
Dangerous Wild Animal Licences	0
Caravan Site Licences	42
Scrap Metal Dealer licence	17
Sex Shop Licences	2
Skin Piercing Registrations	155
Street Collection Permits	289
House to House Collection Permit	118

Applications Received and Notices Given

	Apr - Dec 12	Apr - Dec 13	Apr - Dec 14
Licensing Act	481	422	370
Gambling Act	4	11	11
Taxis	308	325	432
Street Trading & S115E Consents	48	35	61
Animal Licensing	27	34	45
Caravan Site Licences	1	0	1
Scrap Metal Dealer	14	15	0
Sex Shop Licences	2	2	2
Skin Piercing	18	18	20
Charity Collection	63	61	53