

Taunton Deane Borough Council

Licensing Committee – 9 March 2011

Licensing Update Report

Report of the Licensing Manager

(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 total numbers of licences issued and notices given at the end of January 2011 are set out in Appendix 1.
- 3.2 All Applications and Notices processed since the last Committee have been determined without the need for a formal hearing to take place.
- 3.3 In January 2011, the Home Office conducted a consultation on a relaxation of the licensing hours for the royal wedding. Following this consultation, the government has decided to relax licensing hours for the Royal Wedding. Pubs, clubs and other licenced premises will be allowed to open for an extra two hours from 11pm on Friday 29 April to 1am on Saturday 30 April and from 11pm on Saturday 30 April to 1am on Sunday 1 May.
- 3.4 Also in January 2001, the Home Office gave notice of the government's intention to introduce a new measure which would prevent retailers from selling a 1 litre bottle of vodka (37.5 per cent abv) for less than £10.71 and a 440ml can of lager (4.2 per cent abv) for less than 38p. This has at the time of writing not yet come into being.

- 3.5 A number of the proposals outlined in the Rebalancing the Licensing Act consultation are being taken forward in the Police Reform and Social Responsibility Bill, which was introduced on 1 December 2010. The Bill has had its second reading in the House of Commons and at the time of writing was proceeding to the committee stage.
- 3.6 Although service requests have been received since the last update to committee, a continued co-ordinated multi agency approach has again secured remedy or compliance without the need for formal legal action.

Gambling Act 2005

- 3.7 The total numbers of licences issued and notices given at the end of the last quarter are set out in Appendix 2.
- 3.8 All applications and notices decided since the date of last Committee have been determined without the need for a formal hearing to take place.
- 3.9 Between November 2010 and January 2011, DCMS undertook a consultation on increasing the maximum stake for category B3 gaming machines, which are machines with a maximum stake limit of £1 and a maximum prize limit of £500, and a recalibration of B3 gaming machine entitlements for adult gaming centres (AGCs) and bingo clubs. The results of the consultation have not yet been published.

Taxis

- 3.10 The total numbers of Licences issued at the end of the last quarter are set out in Appendix 3.
- 3.11 All applications decided since the date of last Committee have been determined without the need for a formal hearing to take place.

Taxi Forum

- 3.12 The 2nd Taxi Forum was held on the 21st of February 2011. 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.
- 3.13 The main topics discussed at the meeting were the Council's requirement for licensed taxis and private hire vehicles to have first aid kits, which MOT testing station the Council uses for the vehicle compliance test, smoking in taxis, magnetic advertising signs, a request for an unmet demand survey and a change in Licensing's application procedure.
- 3.14 The Licensing Team would be happy to send the minutes, when published, to any members who would like to see them.

Street Trading & Pavement Cafes

- 3.15 The total number of permits and licences issued and notices given at the end of the last quarter are set out in Appendix 4.
- 3.16 All applications decided since the date of last Committee have been determined without the need for a formal hearing to take place.

Street Traders Forum

- 3.17 On 3rd February 2011 the Licensing Team met with Street Traders. Eight traders attended the meeting, ranging from those that trade in the High Street, to lay-bys. Traders were happy with the way they are dealt with by Licensing, they are also happy with the Police presence in the High Street during late night shopping, and the Christmas period.

It was agreed that there will be regular meetings with the traders and Licensing. An agenda will be sent out a week prior to the meeting, with the traders themselves setting items to be discussed. Individual items of concerns raised by traders are being dealt with under separate cover. One trader at the meeting suggested that it would be very helpful for new traders coming to Taunton to have more information on how to gain a permit, available on the website or a leaflet that could be sent out to applicants on request. This is something that the Licensing Team will be looking into.

Animal Licensing

- 3.18 The total numbers of licences, consents and permits issued at the end of the last quarter are set out in Appendix 5.
- 3.19 All applications decided since the date of last Committee have been determined without the need for a formal hearing to take place.
- 3.20 Recently the Licensing Team have been working with the RSPCA to exchange information and ideas on best practice for animal boarding and breeding establishments.

Other Licensing

- 3.21 The total number of licences, consents, registrations and permits issued at the end of the last quarter are set out in Appendix 6.
- 3.22 All applications and notices decided since the date of last Committee have been determined without the need for a formal hearing to take place.

Sexual Entertainment Venues

- 3.23 The amendment of the Local Government (Miscellaneous Provisions) Act 1982 by the introduction of a new category of sex establishment called 'sexual entertainment venue' came into force in Taunton Deane on 3rd January 2011. To date no applications for sexual entertainment venues have been received.

Training and Workshops

- 3.24 Two very successful Institute of Licensing Courses have been run at Taunton Deane during February. The courses on Inspecting Licensed Premises and the South West Regional Training Day were well attended and gave very useful and topical advice on matters. We hope to retain the strong links we have with the Institute of licensing and look forward to welcoming them to use the Council's facilities for future events.
- 3.25 A series of four workshops exploring drinking cultures in the South West were held by the Alcohol Cultural Exchange in February 2011. Each of these events were attended by representatives of the Licensing team. Councillor Mrs Allgrove, as Chair of this Committee, also attended three of the workshops. These workshops were a very useful opportunity to investigate how cultural influences can support alcohol harm reduction in the south west. Delegates were drawn from licensing authorities, universities, the health sector, the alcohol industry, youth organisations and crime reduction partnerships.
- 3.26 On 23rd February 2011 a Personal Licence Holders Course was attended by members of the Licensing Committee, Licensing Officers and representatives from partner agencies and a neighbouring Licensing Authority. The course was very well received and a verbal update will be presented at the committee.

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.

Contact: Ian Carter
01823 356343
i.carter@tauntondeane.gov.uk

Licensing Act 2003

Licences Issued and Notices Given

	As at end Jan 2011
Premises Licences	385
Club Premises Certificates	30
Personal Licences	941
Temporary Event Notices	1549

Applications Received and Notices Given

	Jan-11
Grant of a Premises Licence	0
Variation of a Premises Licence	1
Transfer of a Premises Licence	3
Change of Designated Premises Supervisor	7
Minor Variations	0
Grant of a Personal Licence	3
Temporary Event Notices given	27

Gambling Act 2005

Licences Issued and Notices Given

	As at end Jan 2011
Club Machine Permit	8
Licensed Premises Gaming Machine Permits	6
Occasional Use Notices	11
Premises Licences	16
Prize Gaming Permits	0
Society Lotteries	195
Temporary Use Notices	0
Unlicensed FECs	2
Notification of 2 or less Gaming Machines	61
Pools Promoter Licence	1

Applications Received and Notices Given

	Jan-11
Applications for a Permit	0
Application for a Licence	1
Notification of Intent to have Gaming Machines	0
Occasional Use Notice	1

Taxis

Licences Issued

	As at end Jan 2011
Hackney Carriages	164
Private Hire Vehicles	30
Hackney Carriage & Private Hire Drivers	250
Private Hire Operators	29

Applications Received

	Jan-11
Hackney Carriage Licence (including renewals, transfers and vehicle changes)	7
Hackney Carriage & Private Hire Drivers Licence (including renewals)	8
Private Hire Vehicle Licence	3
Private Hire Operator Licence	0

Street Trading

Consents & Permits Issued

	As at end Jan 2011
Street Trading Consents	52
Pavement Café Permits	15

Applications Received

	Jan-11
New Consents	3
Renewals	0

Animal Licensing

Licences Issued

	As at end Jan 2011
Zoo Licences	0
Pet Shop Licences	14
Dog Breeding Licence	2
Home Boarding Licence	13
Riding Establishment Licences	8
Dangerous Wild Animal Licences	1

Applications Received

	Jan-11
Zoo Licences (including renewals)	0
Pet Shop Licences (including renewals)	1
Dog Breeding Licence (including renewals)	0
Home Boarding Licence (including renewals)	1
Riding Establishment Licences (including renewals)	1
Dangerous Wild Animal Licences	0

Other Licensing

Licences, Registrations and Permits Issued

	As at end Jan 2011
Caravan Site Licences	46
House to House Collection Permit	70
Motor Salvage Operator	2
Scrap Metal Dealer Registration	10
Sex Shop Licences	2
Skin Piercing Registrations	158
Street Collection Permits	220

Applications Received

	Jan-11
New Applications	12
Renewals	0