

Taunton Deane Borough Council

Licensing Committee – 27 May 2014

Licensing Update Report

Report of the Licensing Officer

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

1. Executive Summary

This report provides an update on the activities of the Council's Licensing Team, changes to legislation, current consultations and 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

3.1 Applications received and licences in force

The numbers of applications received for each of the regimes administered by the Licensing Team during the fourth quarter of the year are shown in comparison with those received for the same quarter in the preceding two years at Appendix 1. The numbers of licenses in force and notices given at the beginning of May 2014 are shown at Appendix 2.

3.2 Hearings

There have been no meetings of the Licensing Sub Committee in the last quarter, despite the team having received a representation from the Police against a Licensing Act 2003 premises licence application for a Taunton based alcohol delivery business. The applicant and Police reached an agreed position and advised the Licensing Authority that a hearing was not required. To determine the application, members of the Committee were instead asked by the case officer to give authorisation to grant the licence via email.

3.3 Forums

No trade forums have been held in the last quarter.

3.4 Changes to legislation

Minimum Alcohol Pricing

In the update report for March, we advised that The Licensing Act 2003 (Mandatory Conditions) Order 2014 would come into force on the 6th of April 2014. This order has been delayed and will now come into force on the 28th of May 2014. It will introduce a new mandatory condition to all licences and certificates issued under the Act, prohibiting the sale of alcohol below cost price.

3.5 Consultations

There have been no consultations on relevant legislation since the last meeting of the Committee.

3.6 Projects

Taxi and private hire licensing policy

Work is underway on a review of the 'Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook'; the Councils taxi and private hire licensing regime policy document.

The handbook began life in 2008 and has had several minor amendments to date, most notably the introduction of a new set of vehicle testing criteria in 2013.

The current document is repetitious and unfriendly and overly formal in style. It therefore does not lend well with its audience; the taxi trade. The aim of the review is to produce a set of policies and licence conditions that are clear, concise and accessible to members of the trade. The review will also provide an opportunity to implement new policies to address issues which have come to the fore since the handbooks inception.

3.7 Street Trading and S115e Guidance

Guidance adopted in November 2012 is currently under review following substantial changes that have taken place which include; the demise of the Taunton Town Centre Company, plans for the future installation of new street furniture and issues that were raised surrounding movement of street traders/markets and pavement cafes during the recent works on the highway.

Further guidance which was not covered in version 1.0 will be given on late night refreshment taking place in the High Street following comments raised by relevant authorities; Police, Somerset Highways and Economic Development, to an application for a take-away catering unit to trade between the hours of 21:00 and 04:00 in the High Street, Taunton.

Sections of the Guidance document which are no longer relevant will be removed and/or updated.

A full report including a draft version of the new guidance and policy will be presented to the Committee at the next meeting for agreement and approval.

3.8 Nominated Testing Stations

Members of the taxi and private hire trade are again able to have their vehicles tested in Taunton following the nomination of Hickleys and CR MOT Centre at the beginning of April. Neither the trade, nor testing stations have reported any problems.

3.9 Taxi and private hire multi-agency operation

Members of the team joined forces with the Police, VOSA and the Department for Work and Pensions as part of an evening of taxi and private hire vehicle checks, dubbed 'Operation Trip'.

Between 5:00pm and 8:45pm, twenty licensed vehicles were escorted to newly nominated testing station Hickleys to be inspected by officers representing the various agencies. Of the twenty, two were immediately ordered off the road for tyre related defects, whilst two others received delayed prohibition notices for not a missing fuel cap and a split drive shaft boot. Warnings and advice was given to other operators for less serious problems.

On a positive note, fourteen of the twenty vehicles were presented in a satisfactory condition of all the vehicles checked, none breached Council licensing requirements.

The exercise proved to be a success and attracted praise from members of the taxi trade, who welcomed efforts to drive up standards amongst those businesses operating in the district. We therefore hope to repeat the operation again in 2014.

3.10 Somerset Rocks – Rod Stewart Concert

Ian Carter and John Rendell attended the final Safety Advisory Group (SAG) meeting before the Rod Stewart concert which will take place on the 18th of June this year. None of the agencies present at the meeting raised concerns and therefore the event organisers just have a few minor amendments to make to their event management documentation before plans are finalised.

3.11 District Councils Network Staff Development Programme

John Rendell is one of sixty local government officers nationally who have been selected to take part in this years District Councils Network Staff Development Programme; a training scheme for young aspiring local government officers.

As part of the training scheme, John will attend four conferences at Local Government House, Westminster, over the course of the following year and will be mentored by Stuart Brown who is the Chief Executive for Mendip District Council. By participating in the scheme, John hopes to further develop his skills, build his

confidence and gain a broader understanding of the challenges that local authorities face at present.

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)

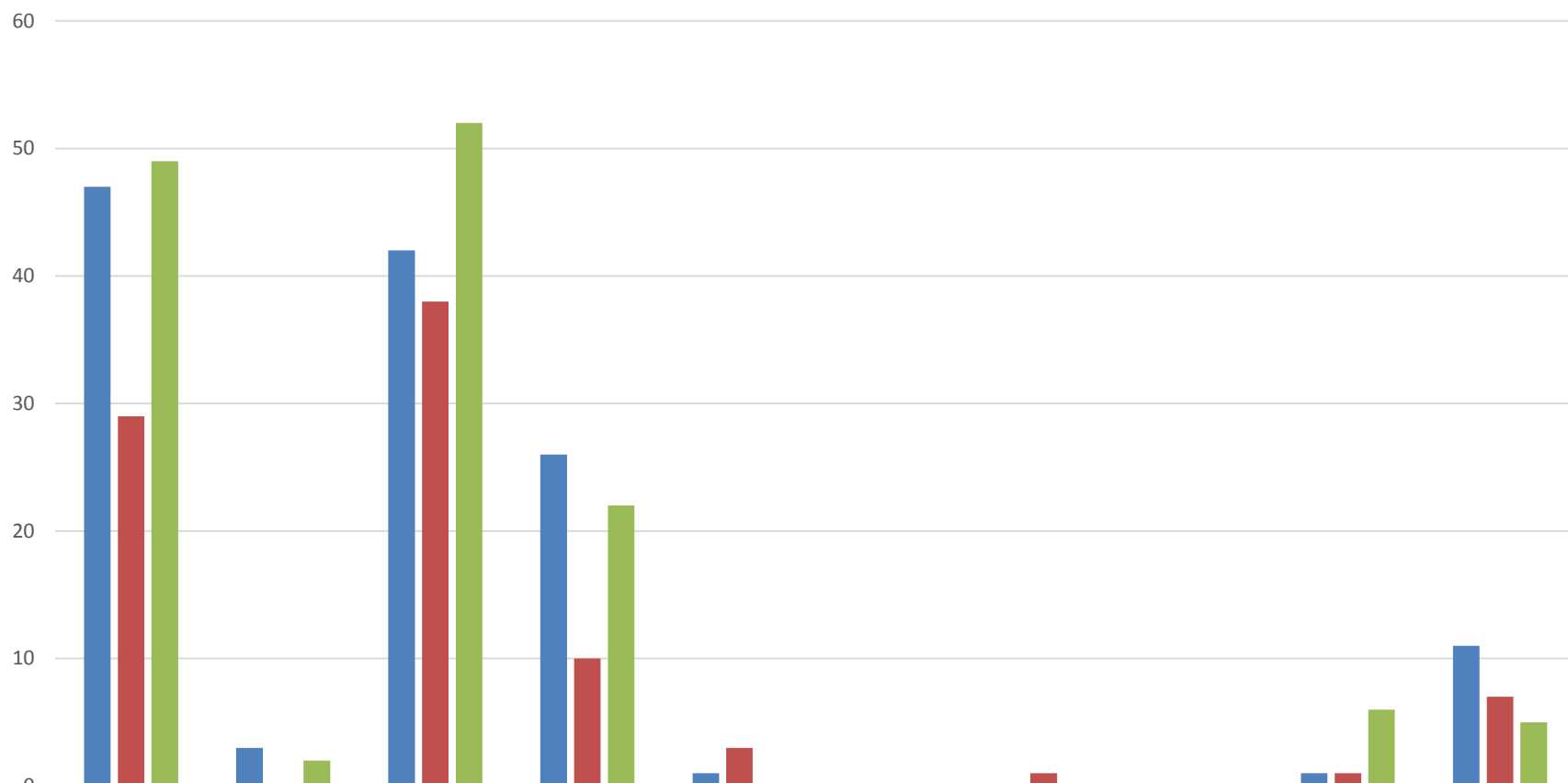
None identified

11 Recommendations

1. That the Licensing Update report be noted.

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Appendix 1 - Applications Received and Notices Given



	Licensing Act	Gambling Act	Taxis	Street Trading & S115E Consents	Animal Licensing	Caravan Site Licences	Scrap Metal Dealer	Sex Shop Licences	Skin Piercing	Charity Collection
■ Jan - Mar 12	47	3	42	26	1	0	0	0	1	11
■ Jan - Mar 13	29	0	38	10	3	0	1	0	1	7
■ Jan - Mar 14	49	2	52	22	0	0	0	0	6	5

■ Jan - Mar 12 ■ Jan - Mar 13 ■ Jan - Mar 14

Licences Issued and Notices Given

These figures show the number of licences in force at the 2 May 2014 and the number of notices given since commencement of the relevant legislation

Licensing Act 2003 Premises Licences	414
Licensing Act 2003 Club Premises Certificates	30
Licensing Act 2003 Personal Licences	1191
Licensing Act 2003 Temporary Event Notices	2684

Gambling Act 2005 Club Machine Permit	6
Gambling Act 2005 Licensed Premises Gaming Machine Permits	6
Gambling Act 2005 Occasional Use Notices	30
Gambling Act 2005 Premises Licences	16
Gambling Act 2005 Prize Gaming Permits	0
Gambling Act 2005 Society Lotteries (since 01/09/2007)	230
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	58

Hackney Carriages	168
Private Hire Vehicles	41
Hackney Carriage & Private Hire Drivers	243
Private Hire Operators	34

Street Trading Consents	27
Section 115E (Pavement Café) Permits	7

Zoo Licences	0
Pet Shop Licences	6
Dog Breeding Licence	3
Animal Boarding Licence	12
Riding Establishment Licences	9
Dangerous Wild Animal Licences	0

Caravan Site Licences	42
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Scrap Metal Dealer licence	17
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Sex Shop Licences	2
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Skin Piercing Registrations	214
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Street Collection Permits	281
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House to House Collection Permit	113
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