

**LICENSING
COMMITTEE**

8th June 2015

LICENSING ANNUAL REPORT - amended

Relevant Portfolio Holder	Councillor Rita Dent
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ivor Pumfrey – Acting Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To provide a report on the activities under the Licensing Act 2003, Gambling Act 2005 and other aspects of Licensing and to inform the Committee on any issues anticipated in the ensuing year as required under the Council's Licensing Act 2003 and Gambling Act 2005 Policies.

2. RECOMMENDATIONS

Members are asked to RESOLVE;

The contents of the licensing Annual Report 2014/2015 be noted.

3. KEY ISSUES

Financial Implications

3.1 None.

Legal Implications

3.2 None

Service / Operational Implications

3.3 Since 1st June 2010 Worcestershire Regulatory Services Licensing Team has taken over operational delivery of the statutory functions of licensing and enforcement of regulated activities and businesses operating under the Licensing Act 2003 on behalf of Bromsgrove District Council. These functions cover premises which sell and supply alcohol, provide regulated entertainment and late night refreshment, gambling premises, gaming machines and lotteries.

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The Licensing Team also deals with the operation and administration of Hackney Carriage/Private Hire vehicles, drivers and Operator's licenses, Street and House to House Collections. The Council retains full policy and statutory responsibility for all licensing functions.

- 3.4 Under the terms of the Licensing Act 2003 and the Gambling Act 2005, each local authority is required to prepare and publish a licensing policy which has to be reviewed periodically.

In April 2014 a new Statement of Licensing Policy under the Licensing Act 2003 was published by Council following consultation. The new policy was completely rewritten based on a template provided by the Local Government Association and took effect on 1st May 2014.

The Gambling Act 2005 Statement of Principles was last published with effect from 31st January 2013 and is therefore now due to be reviewed and a new Statement of Principles prepared and published.

Licensing Act 2003

- 3.5 The Licensing Act 2003 transferred the liquor licensing functions from the Magistrate's Court to the Local Authority and consolidated these activities with entertainment licensing legislation, the provision of late night refreshment, cinemas and theatres.
- 3.6 The number of new licenses issued and granted by Bromsgrove District Council in the year 2014/2015 are:

Personal Licenses	New	69	Total	892
Premises Licenses	New	7	Total	290
Club Premises Certificates	New	0	Total	41
Temporary Event Notices			Total	225

(NB: Premises licenses were surrendered by licence holders and subsequently cancelled)

- 3.7 The Licensing Sub-Committee created by the Licensing Act 2003 to deal with applications, variations and reviews of licensed premises, determined one application during the year 2014/15. This was an application for variation of a premises licence to which the Police had objected. The Sub-Committee granted the application in the terms set out in the applicant's operating schedule.

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Gambling Act 2005

3.8 Last year saw the Council continue its functions under the Gambling Act 2005. This legislation replaced most of the existing law relating to gambling in Great Britain and much like the Licensing Act 2003 aimed to put in place an improved, more comprehensive structure of gambling regulation. Once implemented the Act transferred the licensing of gambling premises from the local Magistrates Court to the Council. The Licensing Team now issue premises licenses for the following; bingo halls, betting shops, adult gaming centres, family entertainment centres and casinos.

3.9 The numbers of premises which have continued to be licensed by this Authority under the Gambling Act are:

Betting Premises	5
Bingo Premises	0
Adult Gaming Centres	8
Family Entertainment Centres	2
Casinos	0

3.10 Again all yearly maintenance fees as set out in the Gambling Act 2003 which have been set by the Local Authority for the year ending 2014/15 have been received by the Authority.

Taxi Licensing

3.11 The Licensing Team is also responsible for the operational function of the licensing and enforcement of Hackney Carriage and Private Hire Vehicles, drivers and Operators.

3.12 The number of licensed vehicles and drivers has remained relatively steady this year.

	<u>13/14</u>	<u>14/15</u>
Hackney Carriage Vehicles	116	120
Private Hire Vehicles	38	38
Dual Hackney Carriage/Private Hire Drivers	163	165
Private Hire Operators	14	14

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- 3.13 Licensing Officers keep in regular contact with the appointed taxi trade representatives – by phone and one to one meetings when necessary. A consultation on taxi licensing policies in Bromsgrove is currently ongoing and two trade forums were held earlier this year to explain the proposals being considered to the trade.
- 3.14 Worcestershire Regulatory Services Licensing Team members regularly attend and represent Bromsgrove District Council at a number of local and regional meetings, such as the Institute of Licensing meetings, the Regional Taxi Licensing Forums and other neighbouring authority groups, which continue to prove to be invaluable, on providing information on national and regional licensing matters inclusive of upcoming changes in any licensing legislation.

Scrap Metal Dealers

- 3.15 In October 2013 the Scrap Metal Dealers Act 2013 came into force in the District. Under this new legislation the Council is responsible for issuing mobile scrap metal collector licences and scrap metal site licences. The Council has issued the following number of licences to date:

Site Licences	5
Mobile Collector Licences	9

- 3.16 The Licensing Team is responsible for enforcing the legislation in partnership with the Police and Environment Agency.

Street Collections

- 3.17 During 2014/15 the Licensing Committee approved a new policy on the regulation of charitable street collections taking place in the District.
- 3.18 Additionally a site management agreement has been negotiated and entered into with the Public Fundraising Regulatory Association (PFRA) in order to put in place some controls on when face-to-face fundraisers can visit Bromsgrove in order to try and solicit donations via direct debit. Under the site management agreement, face-to-face fundraisers should only visit Bromsgrove on Mondays and Wednesdays and are limited to a maximum of five fundraisers.

4. RISK MANAGEMENT

- 4.1 None

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5. APPENDICES

5.1 None

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