

LICENSING COMMITTEE

13th June 2016

LICENSING ANNUAL REPORT

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|----------------------------|---|
| Relevant Portfolio Holder | Councillor Rod Laight |
| Portfolio Holder Consulted | No |
| Relevant Head of Service | Simon Wilkes - 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 2015/2016 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. The Licensing Team also deals with the operation and administration of Hackney Carriage/Private Hire vehicles, drivers and Operator's licenses, Street

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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.
- 3.5 During 2015/16 the Council's Statement of Principles under the Gambling Act 2005 was reviewed and a revised Statement of Principles was published with effect from 31st January 2016.
- 3.6 The Council's current Statement of Licensing Policy under the Licensing Act 2003 was published with effect from 1st May 2014. The Statement of Licensing Policy will therefore be due for revision prior to 1st May 2019.
- 3.7 The Council also consulted upon and adopted its first comprehensive policy on the licensing of Sex Establishments during 2015/16.
- 3.8 In December 2015 a late night enforcement operation in partnership with West Mercia Police saw Licensing Officers and Police Officers visit a number of licensed premises and carry out spot checks on licensed vehicles. The Council's depot was also utilised to carry out mechanical safety checks on vehicles that were checked at the roadside and required additional scrutiny.

Licensing Act 2003

- 3.9 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.
- 3.10 The number of new licenses issued and granted by Bromsgrove District Council in the year 2015/2016 are:

| | | |
|----------------------------|--------|-----------|
| Personal Licenses | New 40 | Total 935 |
| Premises Licenses | New 11 | Total 308 |
| Club Premises Certificates | New 0 | Total 41 |
| Temporary Event Notices | | Total 196 |

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- 3.11 The Licensing Sub-Committee created by the Licensing Act 2003 to deal with applications, variations and reviews of licensed premises, determined five applications during the year 2015/16. These were two new premises licence applications, two applications to vary premises licences and an application for a personal licence

Gambling Act 2005

- 3.12 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.

- 3.13 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 |

- 3.14 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 2015/16 have been received by the Authority.

Taxi Licensing

- 3.15 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.

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- 3.16 The number of licensed vehicles and drivers has increased slightly over the course of the year.

| | <u>14/15</u> | <u>15/16</u> |
|--|--------------|--------------|
| Hackney Carriage Vehicles | 120 | 125 |
| Private Hire Vehicles | 38 | 42 |
| Dual Hackney Carriage/Private Hire Drivers | 165 | 172 |
| Private Hire Operators | 14 | 14 |

- 3.17 Licensing Officers keep in regular contact with the appointed taxi trade representatives – by phone and one to one meetings when necessary. During 2015/16 the Council consulted upon amendments to its policies and procedures in relation to Hackney Carriage and Private Hire licensing and a new Taxi Handbook incorporating the changes made was approved in March 2016. Further consultation and consideration of ways to increase the number of wheelchair accessible Hackney Carriages licensed in the district remain on-going.

- 3.18 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

- 3.19 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 | 10 |

- 3.20 The Licensing Team is responsible for enforcing the legislation in partnership with the Police and Environment Agency and have taken part in two multi-agency operations in the North Worcestershire area

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during 2015/16, which included trying to identify any unlicensed scrap metal dealers operating in the area.

- 3.21 Members will be asked to consult upon and approve a draft Scrap Metal Policy and Guideline document during 2016/17.

Street Collections

- 3.22 In 2014/15, a site management agreement was 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.
- 3.23 When originally entering into the site management agreement, the PFRA reserved the right on behalf of its members, to request that the number of days on which collections are permitted in Bromsgrove be reviewed in six months if the agreement was having a detrimental impact on their fundraising efforts. No such review has been requested to date by the PFRA. The number of complaints from member of the public about face to face fundraising has remained low throughout the year.

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

- 5.1 None

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