

## **Licensing Committee**

# **Licensing Annual Report**

## **Report of Executive Member for Housing & Licensing**

Officer contact: John Garforth – Trading Standards & Licensing Manager

6<sup>th</sup> June 2023

### **Executive Summary**

The purpose of this report is to inform Members of the activities undertaken to discharge the Council's Licensing function during the period 1 April 2022 to 31<sup>st</sup> March 2023.

### **Recommendations**

That Members:

- 1) Note the report; and
  - 2) Consider the implications of the report in future licensing decisions
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**Licensing Annual Report**

**1 Purpose of the report**

1.1 The purpose of this report is to inform Members of the activities undertaken to discharge the Council's Licensing function during the period 1 April 2022 to 31<sup>st</sup> March 2023.

**2 Team Objectives**

2.1 There are two strategic objectives that relate to Licensing

2.2 To work with businesses to ensure they are licensed and compliant. This covers:

- Proactively licensing premises and individuals engaged in alcohol supply, entertainment and late-night refreshment.
- Participation in Pubwatch schemes, partnership projects and joint, intelligence led inspections to ensure licence conditions are not being breached.
- Promotion of the four licensing objectives and three gambling objectives.

2.3 The second relates to ensuring safe passenger journeys, in safe licensed vehicles with safe licensed drivers. This covers:

- Undertaking inspections of licensed vehicles.
- Vetting new applicants for licences to ensure they are fit and proper
- Ensuring that passengers are safe in vehicles by responding to complaints and investigating offences and breaches of conditions

### 3 Licensing Act 2003

3.1 The Licensing Act 2003 is governed by four licensing objectives: -

- Prevention of crime and disorder
- Prevention of public nuisance
- Public Safety
- Protection of children from harm

3.2 Numbers of licensed premises under the Act are in the table below with a comparison to previous years.

<b>TYPE</b>	<b>Year ending 31.03.23</b>	<b>Year ending 31.3.22</b>	<b>Year ending 31.3.21</b>	<b>Year ending 31.3.20</b>	<b>Year ending 31.3.19</b>
Premises Licences for alcohol	508	534	528	587	580
Premises Licences non-alcohol	118	126	123	142	139
Club Premises Certificates	49	50	53	61	62
<b>Premises Total</b>	<b>675</b>	<b>710</b>	<b>704</b>	<b>790</b>	<b>781</b>
Personal Licences	3214	3142	3060	2987	2887
<b>Licensing Act Total</b>	<b>3889</b>	<b>3852</b>	<b>3764</b>	<b>3777</b>	<b>3668</b>

3.3 There have been four applications considered by the Licensing Premises Panel in the last twelve months.

Lighthouse Inn, Lees	Temporary Event Notice	Application refused
Anglers Arms, Failsworth	Variation of premises licence	Application approved
Chillz Restaurant	Variation of premises licence	Application approved with agreed times and conditions from GMP
Unit BS1, The Groundworks Building	Temporary Event Notice	Application granted

#### 4.0 **Gambling Act 2005**

4.1 Applications under this legislation continue to be few and far between although Officers continue to work closely with the Gambling Commission to ensure compliance with licence conditions.

4.2 Current permissions in force under this Act are:

Bingo	1
Adult Gaming Centre	5
Betting Shops	20
Club Gaming Permit	1
Club Machine Permit	12
Alcohol licensed premises machine permits	20
Gaming machine notifications in pubs	159
Small Society Lotteries	78

#### 5.0 **Age restricted sales**

5.1 Underage Sales continue to be handled by Trading Standards Officers which result in engagement with premises where intelligence suggests attempts to purchase alcohol or other restricted goods by children may be taking place.

5.2 Officers continued to run the half-day course for all businesses that sell any age restricted products such as alcohol, tobacco or knives. It has been developed by the Trading Standards Team and is suitable for managers and staff and includes:

- what the law requires of business and staff
- proxy sales
- An explanation of due diligence
- Challenge 25, proof of age, refusals, training

## 6 LICENSED DRIVERS AND VEHICLES

### Licences and Hearings

- 6.1 Officers continue to work with the private hire and hackney trade to ensure effective communication and consultation takes place. Elected members also attend these forums.
- 6.2 Below are details of the applicants and drivers brought before the Drivers Licensing Panel over the last twelve months.
- 6.3 The Licensing Drivers Panel usually sits monthly to hear applications for new taxi licences, renewal applications of reviews of existing licences where there are offences or conduct issues recorded.
- 6.4 Since May 2022 a total of **21** determinations by the Panel which are broken down as follows:

Month	Granted	Suspended	Refused	Revoked
Jun 2022	1	2		2
Jul 2022		1		
Sep 2022		2		1
Dec 2022		2	1	
Jan 2023	1	1	1	2
Feb 2023				2
Mar 2023	1	1		
<b>Total</b>	<b>3</b>	<b>9</b>	<b>2</b>	<b>7</b>

- 6.5 In addition there have been seven emergency delegated decisions taken where driver licences have been revoked with immediate effect by the Trading Standards & Licensing Manager.

Appeals lodged from those decisions are as follows:

Appeals withdrawn	2
Appeals dismissed by the court	1
Appeals allowed	2
Appeals still pending	1

6.5 Details of the number of licences in force are detailed below: -

LICENCE TYPE	May 2023	May 2022	May 2021	May 2020	May 2019	May 2018
Private Hire Vehicle Licence	1030	1002	953	1046	1055	1045
Private Hire Operators Licence	38	31	31	29	35	37
Dual drivers' licence	1305	1299	1311	1366	1362	1326
Hackney Carriage Vehicles	85	85	85	85	85	85
<b>Total</b>	<b>2458</b>	<b>2417</b>	<b>2380</b>	<b>2526</b>	<b>2537</b>	<b>2493</b>

## 7 Vehicle testing data

7.1 Data showing details of pass/fail rates of licensed vehicle mechanical compliance tests is extracted below. \*\* The MOT bays closed August, September, and October 2022 due to building works \*\*.

Hackney Carriage		Private Hire	
Pass	Fail	Pass	Fail
<b>2020 (Apr '20 – Mar '21)</b>			
57 (46%)	66 (54%)	791 (51%)	754 (49%)
<b>2021 (Apr '21 – Mar '22)</b>			
108 (54%)	93 (46%)	1092 (52%)	1021 (48%)
<b>2023 (Apr '22 to Mar '23)</b>			
115 (65%)	62 (35%)	911 (56%)	706 (44%)

7.2 The main reasons for failure, disappointingly, relate to tyres, brakes, suspension and bulbs out.

## 8 Other licences

8.1 As well as the main functions outlined previously in this report the Licensing Team also administers and enforces a wide range of other licences, registrations and permits current numbers of which are outlined below.

Licence type	Number in Force
Marriage Premises	10
Sex shops	1
Second hand dealers	41
Scrap metal sites	33
Scrap metal collectors	4
Street trading consents/licences	44
Pavement licences	9
Animal Activity Licences	41

## 9 Future challenges and changes

9.1 There continue to be regular changes to legislation and guidance affecting licensing together with consultations; the summaries of which are detailed below:

- Making the temporary pavement licence legislation permanent;
- Awaiting consultation on the Governments levelling up agenda to review to the number of taxi licensing authorities;
- Awaiting Governments Taxi and Private Hire best practice guidance;
- Implementing changes under the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 which relate to the national register of refusals, revocations and suspensions and the sharing of information with other licensing authorities.

## 10 Current Projects

10.1 Projects underway or due to start in the coming months include:

- Reviewing hackney carriage ranks, licence release policy and unmet demand.
- Reviewing taxi policy to modernise processes and procedures and encourage applicants to licence with our Borough
- Review of Licensing IT capabilities to improve the service and experience of applicants, and encouraging self-serve functions where possible

11 **Legal Services Comments**

11.1 None- Information report

12 **Co-operative Agenda**

12.1 The licensing process is in place not only to protect the public but also to support and where necessary regulate businesses within the Borough.

13 **Environmental and Health & Safety Implications**

13.1 None

14 **Equality, community cohesion and crime implications**

14.1 None

15 **Equality Impact Assessment Completed?**

15.1 No

16 **Key Decision**

16.1 No

17 **Key Decision Reference**

17.1 N/A

18 **Background Papers - None**

19 **Appendices - None**