

## **REDDITCH BOROUGH COUNCIL**

### **LICENSING COMMITTEE**

**17<sup>th</sup> July 2017**

#### **LICENSING ANNUAL REPORT**

Relevant Portfolio Holder	Councillor Joe Baker
Portfolio Holder Consulted	Yes
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 2016/2017 be noted.**

#### **3. KEY ISSUES**

##### **Financial Implications**

3.1 None

##### **Legal Implications**

3.2 None

##### **Service / Operational Implications**

3.3 Since 1<sup>st</sup> 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 Redditch Borough 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 and House to House Collections. The Council retains full policy and statutory responsibility for all licensing functions.

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- 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 The Council's Statement of Principles under the Gambling Act 2005 was reviewed and a revised Statement of Principles was published with effect from 31<sup>st</sup> January 2016. The Statement of Principles will therefore be due for revision before 31<sup>st</sup> January 2019.
- 3.6 The Council's current Statement of Licensing Policy under the Licensing Act 2003 was published with effect from 1<sup>st</sup> October 2014. The Statement of Licensing Policy will therefore be due for revision prior to 1<sup>st</sup> October 2019.

#### **Licensing Act 2003**

- 3.7 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.
- 3.8 The number of new licenses issued and granted by Redditch Borough Council in the year 2016/17, together with the total number of licences issued, are:

Personal Licenses	New	52	Total	781
Premises Licenses	New	3	Total	219
Club Premises Certificates	New	0	Total	23
Temporary Event Notices			Total	71

- 3.9 The Licensing Sub Committee created by the Licensing Act 2003 to deal with applications, variations and reviews of licensed premises, met on one occasions during the year 2016/17. This hearing was to determine an application for variation of a premises licence, where representations were received and not able to be resolved.

**Gambling Act 2005**

3.10 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.

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

Betting Premises	New	0	Total	10
Bingo Premises	New	0	Total	2
Adult Gaming Centres	New	0	Total	2
Family Entertainment Centres	New	0	Total	0
Casinos	New	0	Total	0

3.12 All yearly maintenance fees as set out in the Gambling Act 2003, which have been set by the Local Authority for the year ending 2016/17, have been received by the Authority.

**Taxi Licensing**

3.13 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.

3.14 There has been an increase of around 7% in the number of driver licences issued. The number of licensed hackney carriages has increased slightly and there has also been an increase of around 18% in the number of vehicles licensed to be used as private hire vehicles. The increase in the number of driver and private hire vehicle licences is similar to the increases seen between 2014/15 and 2015/16.

3.15 At present the following number of licences are valid.

	<u>15/16</u>	<u>16/17</u>
Hackney Carriage Vehicles	201	204
Private Hire Vehicles	203	239
Hackney Carriage / Private Hire Drivers	441	473
Private Hire Operators	14	14

3.16 During 2016/17, the Council took the decision not to implement a penalty points scheme for hackney carriage and private hire licence holders, but instead to allow a period of time for the Redditch Taxi Association to demonstrate that they can effectively self-regulate to reduce complaints about non-compliance with licensing requirements.

3.17 Consultation also took place on the recommendations made by the Overview and Scrutiny Committee's "Improving Access for People with Disabilities to Redditch Taxi Fleets" Short, Sharp Review during 2016/17. The results of this consultation are still under consideration.

3.18 During 2016/17, in response to a request from the licensed trade, the Council introduced an option for private hire operators to apply for a three year licence alongside the one and five year licences they could already apply for.

### **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 number of licences currently in force is:

	<u>16/17</u>
Site Licences	4
Mobile Collector Licences	13

- 3.20 This represents a significant reduction in the number of licences in force compared to this time last year. This is because a number of licence holders did not renew their licences when they fell due for renewal towards the end of 2016. Work is ongoing to establish if any of those that did not renew their licence are still acting as scrap metal dealers.
- 3.21 The Licensing Team is responsible for enforcing the legislation in partnership with the Police and Environment Agency.
- 3.22 Worcestershire Regulatory Services Licensing Team members regularly attend and represent Redditch Borough 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 including upcoming changes in any licensing legislation.

**4. RISK MANAGEMENT**

- 4.1 None

**5. APPENDICES**

- 5.1 None

**AUTHOR OF REPORT**

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