

# Briefing Notes

Committee name: Licensing Committee

Date: 31 May 2017

Responsible officer: Licensing Team Leader

This note contains information to keep Members informed of matters relating to the work of the Cabinet or a committee but where no decisions from Members are needed.

If Members have questions relating to matters shown, they are asked to contact the Officer indicated.

## Licensing Service Review 16/17

This briefing note provides the Committee with an overview of the licensing service for the 16/17 financial year.

### 1. Numbers

#### a. Licence applications processed

Type	Number processed
Alcohol/Entertainment - Premises	251
Temporary Events Notices	382
Personal licences	150
Driver licences	197
Vehicles licences	552
Operators	20
Taxi/PH other	14
Charity collections	154
Scrap metal dealers	8
Objects on the highway permission	128
Pre-application advice	16
Gaming permits	10
Lotteries	62
Sex establishments	3

<b>Distribution of free printed matter</b>	40
<b>Betting shops</b>	1
<b>Club premises certificates</b>	1
<b>Street trading consent</b>	55

Officers processed a total of 2092 licensing applications in the 16/17 financial year across the sectors outlined above. The total number of licences processed is broadly similar to that of the 15/16 financial year.

In all cases, applications were determined in accordance with statutory timescales.

The significant majority of these applications were determined under delegated authority by licensing officers.

In the 16/17 financial year, 18 cases were referred to the Licensing Committee:

<b>Street trading</b>	5
<b>Tables and chairs consent</b>	1
<b>Review of Private Hire Driver's Licence</b>	6
<b>Review of Hackney Carriage Driver's Licence</b>	1
<b>Sexual Entertainment Venue Licence</b>	1
<b>Alcohol/entertainment – Premises</b>	4

In general, officers will refer an item to the Licensing Committee in cases where there is an issue with compliance with policy, a particularly contentious matter, where there is a statutory requirement to do so or other cases where officers consider it beneficial to refer the matter to the committee.

## 2. Appeals

The council has a good decision making record that has resulted in minimal number of appeals. In the 16/17 financial year, no officer decisions taken under delegated authority were subject to a judicial challenge.

In the same year, 2 appeals were lodged against a Licensing Committee decision – these being a decision to revoke a Hackney Carriage Driver's licence and another to suspend two alcohol licences. One of the two appeals was settled without the need for a hearing (suspension of alcohol licences). In the case of the other, the appeal was upheld by the Magistrate's Court who overturned the Licensing Committee's decision.

Notwithstanding the appeal being upheld, it is worth noting that no costs were awarded against the council which is an indicator that the Magistrates' Court did not find the council's decision to be irrational or made in bad faith.

## 3. Enforcement/Requests for service

Type	Number
Licensing Inspection	240
Premises - Licensing Act 2003 Complaint	58

HC Driver Complaint	31
Private Hire Vehicle Complaint	1
HC Vehicle Complaint	4
Street Trading	12
PH Operator Complaint	3
Private Hire Driver Complaint	19
Street Collections Complaint	4
Gambling Complaint/Inspection	1
HC Vehicle Inspection	1
Licensing Misc.	10
Objects on the Highway Complaint	85
Personal - Licensing Act 2003 Complaint	1

**Total: 470**

In the 16/17 financial year, officers dealt with 470 requests for service. This includes complaints, inspections or general recording of proactive work undertaken.

100% of premises due for an inspection in the financial year were inspected in accordance with their risk rating.

There were a total of 9 prosecutions brought by the Licensing section all of which related to either people illegally plying for hire in Cheltenham (8) or unlawful obstruction of the public highway (1).

The council was successful in all 9 cases brought before the courts.

#### **4. PED Service Transformation**

In the 16/17 financial year, the licensing service has been heavily involved in the Place and Economic Development service transformation work. The service's involvement consisted of:

- a) Improved officer time-recording procedures to gain a much better understanding of service costs and resource deployment.
- b) Review of all internal procedures that have identified a number of areas where substantial improvements can be made to procedures and processes in order to free up additional officer resource to focus on more important issues such as fee earning activities.
- c) Being successful in obtaining a grant from the LGA that is being put towards developing an online licensing self-service solution that integrates with back office systems.
- d) An agile working project that will allow officers to work more flexibly to improve resilience and improved service delivery.
- e) Expanded the remit of discretionary services provided by the licensing section in order to move the service towards a more commercial approach to service delivery.
- f) Involvement with a number of corporate projects that are linked to the emerging place strategy including the events infrastructure project, the Tour of Britain and public realm CCTV review.

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