

# Gloucester City Council

<b>Meeting:</b>	<b>Licensing and Enforcement Committee</b>	<b>Date:</b>	<b>13 December 2022</b>
<b>Subject:</b>	<b>Members Update for Licensing and Enforcement Committee</b>		
<b>Report Of:</b>	<b>Director of Communities</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
	<b>For Information</b>		
<b>Contact Officer:</b>	<b>Darren Mountford, Licensing Team Leader</b>		
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<b>Appendices:</b>	<b>1. Licensing Forward Plan</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To outline to Members, details of key Licensing Activities carried out from 1 September 2022 to 30 November 2022, including applications and service requests received, details of any enforcement work, progress updates of our work plan and any changes in Licensing Law.
- 1.2 To seek suggestions from members as ways to improve the format and content of this report.

### 2.0 Recommendations

- 2.1 Members of the Licensing and Enforcement Committee note the contents of this report.

### 3.0 Updates on Licensing Activities in the last Quarter

- 3.1 During this quarter, the licensing functions were carried out by the Licensing and Community Wellbeing Teams.

## **Licensing Applications**

- 3.2 Between 1 September 2022 and 30 November 2022 a total of 297 licensing applications were received.
- 3.3 In addition to the administration of licensing applications a number of service requests are also received. These can consist of complaints and enquiries about various Licensing matters.

## **4.0 Enforcement Work**

### **Sub-Committees Held between September 2022 and November 2022**

#### Taxi and Private Hire Hearing

- 4.1 On 17 October 2022 a new Private Hire Vehicle Licence application was referred to the Licensing and Enforcement Sub-Committee. The application was referred to the Sub-Committee as the vehicle was over the age specification. Members decided on this occasion to depart from their policy and grant the Private Hire Vehicle Licence. Members gave detailed reasons to why they granted the application.
- 4.2 On 16 November 2022 an existing driver was referred to the Licensing and Enforcement Sub-Committee to question whether they continued to be a fit and proper person to hold a Private Hire Drivers Licence. This was because the driver had received 12 Council internal penalty points within a 12 month period. Members resolved that the Private Hire Drivers licence was suspended and would be reinstated on the passing of a test on the Council's approved rule books.

#### Licensing Act 2003 Hearing

- 4.3 On 21 November 2022 the Licensing Sub-Committee heard an application for a new Premises Licence at Gloucester Rugby Limited. During the consultation period it resulted in 7 representations from other persons (local residents). Gloucestershire Constabulary had put a set of conditions forward and these conditions were agreed by the applicant. Members resolved to grant the application to include the agreed conditions from Gloucestershire Constabulary and added two further conditions.

### **Out of Hours and daytime Enforcement**

#### **4.4 Taxi and Private Hire Enforcement**

Licensing Officers have continued to monitor activities of drivers and conditions of their Licence. Officers have issued Council internal penalty points to drivers for

failing to display their vehicle plates in the right position, failing to notify the council of speeding offences and also for parking a private hire vehicle on a designated hackney carriage rank.

#### 4.5 Licensed Premises

Licensing Officers have a close working relationship with the Police, Trading Standards and Environmental Protection and regularly share information to ensure compliance at licensed premises. Licensing Officers have worked with the Police to undertake ID checks on licensed premises.

#### 4.6 Scrap Metal

Community Wellbeing Officers carried out a half-day multi-agency operation on 12 Oct working in partnership with Gloucestershire Constabulary, HMRC, DVSA and Gloucester City Council's Enviro-Crime Team. On the day of the Operation 14 vehicles were stopped over two locations. Community Wellbeing Officers and the other partner authorities are looking at undertaking further ones in 2023.

### 5.0 **Legislative Updates**

None

### 6.0 **Future Work**

None

### 7.0 **Forward work plan and Conclusions**

7.1 The table in appendix 1 outlines our proposed work plan for Full Licensing and Enforcement Committee meetings over the next 12 months. As the year goes on, additional matters may need to be brought to Members attention or further requests may be presented for decision. However, the items listed illustrate expected matters that are scheduled for consideration Committee dates are in **bold** and shaded grey.

7.2 At each quarterly Licensing and Enforcement Committee meeting, we will continue to update Members on any activities carried out in the last quarter, this will include a summary of what has happened in the team, including number of new Licences, any enforcement work carried out and details of any appeals or prosecutions held, the outcomes of those hearings and any further court cases pending.

## **8.0 Financial Implications**

8.1 There are no financial implications attached to the recommendations in this report.

(Financial Services have been consulted in preparing this report.)

## **9.0 Legal Implications**

9.1 There are none at this time.

(One Legal have been consulted in the preparation this report.)

## **10.0 Risk & Opportunity Management Implications**

10.1 In Compliance with the Council's risk management strategy any decisions made which are unreasonable or unlawful could be open to legal challenge resulting in loss of image, reputation and potential financial penalty. There is no risk to the Authority connected to this report, as it is for information only.

## **11.0 People Impact Assessment (PIA):**

11.1 There are no key decisions included in this report.

11.2 A separate PIA will be carried out for each Policy when it is brought before the Licensing and Enforcement Committee.

## **12.0 Other Corporate Implications**

### Community Safety

12.1 None

### Sustainability

12.2 None

### Staffing & Trade Union

12.3 None

**Background Documents:** None