

Gloucester City Council

Meeting:	Licensing and Enforcement Committee	Date:	11th December 2018
Subject:	Members Update for Licensing and Enforcement Committee		
Report Of:	Head of Place		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
	For Information		
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Appendices:	1. Licensing Forward Plan		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To outline to Members, details of key Licensing Activities carried out in the last quarter (July to September 2018), 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

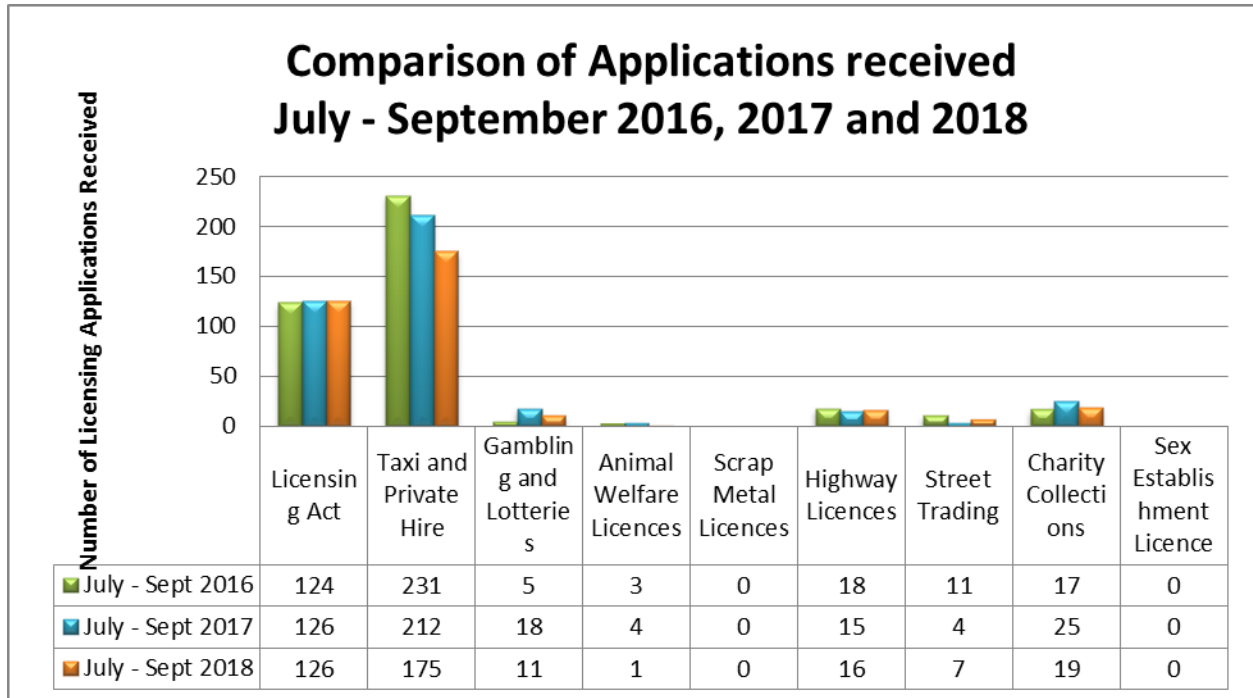
- 2.1 Members of the Licensing and Enforcement Committee note the contents of this report.

3.0 Updates on Licensing Activities in the last Quarter

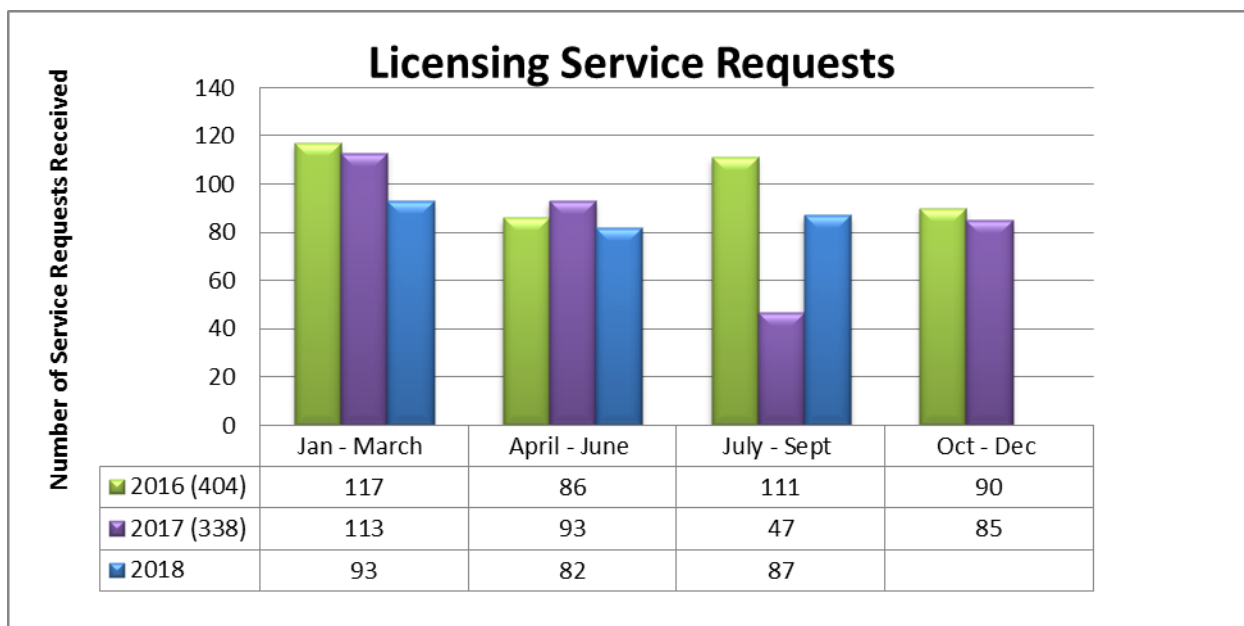
- 3.1 During this quarter, the licensing functions were carried out by the City Centre Improvement and Community Wellbeing Teams.

New Licensing Applications

- 3.2 Between 1st July and 30th September 2018 a total of 355 licensing applications were received, this is 33 less than we received in the previous quarter (April to June 2018)
- 3.3 The graph below illustrates the number of applications received between July and September 2018 in comparison to 2016 and 2017.



- 3.4 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. The graph below compares the numbers received per quarter during 2016, 2017 and 2018.



4.0 Enforcement Work

Sub-Committees Held between September and November 2018

Taxi and Private Hire Hearing (four Hearings)

- 4.1 On the 5th September 2018 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 13 Council internal penalty points within a 12 month period. Members resolved that the driver was considered to be a fit and proper person to hold a Private Hire Drivers Licence and decided to take no further action.
- 4.2 On the 13th November 2018 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 Driver's Licence be suspended initially for a period of two weeks to enable the driver to attend the Council Offices to be examined on their knowledge of the Rule Books.
- 4.3 On the 13th November 2018 two Private Hire Vehicle licence applications were referred to the Licensing and Enforcement Sub-Committee as the vehicles were over the age criteria on when vehicles can be first licenced. Members decided to depart from their policy and granted both of the applications.

Out of Hours and daytime Enforcement

4.4 Taxi and Private Hire Enforcement

City Centre Improvement Officers have continued to monitor activities of drivers and conditions of their Licence. Since the last update in September a further 138 penalty points were issued to drivers for reasons including failure to notify us of convictions/cautions, failure to declare DVLA penalty points/convictions, failure to display bus lane stickers, insurance stickers, approved door panels, Hackney Carriage drivers leaving their vehicle unattended on the Hackney Carriage rank and Private Hire vehicles parking on the Hackney Carriage rank.

In comparison, the total number of penalty points issued during 2017 was 144. Where 12 or more points are issued, the Licence holder will be referred to the Licensing and Enforcement Sub-Committee for a disciplinary hearing. Some infringements can incur 12 points at one time, e.g. plying for hire.

4.5 Licensed Premises

The City Centre Improvement Officers have a close working relationship with the Police and Environmental Protection and regularly share information to ensure compliance at licensed premises. City Centre Improvement Officers have carried out inspections of licensed premises and also visited licensed premises where payment of the annual fee has not been paid.

Again during the last quarter City Centre Improvement Officers have worked with Immigration Officers and visited a number of premises within Gloucester.

Best Bar None

19 premises have up to Best Bar None this year. The judging will take place middle of December with the awards set for January 2019.

4.6 Gambling Premises

A variation to a Bingo Premise Licence was received by the Community Wellbeing Team. Community Wellbeing Officers visited the premises with the Gambling Commission to inspect the proposed area. During the inspection Officers found that gaming machines were being provided in an unlicensed area. Community Wellbeing Officers have issued a written warning as a result of this. The Gambling Commissions Compliance Team have also investigated this and as a result of their investigation the company have offered a sum of money that will be put towards tackling gambling related harm.

5.0 Legislative Updates

The Gambling Act Statement of Principals went to Full Council on 22 November 2018. It was approved and formally adopted. It will now be advertised in line with the legislation to take effect from 31 January 2019.

6.0 Future Work

Animal Welfare fees need to be set for the new financial year.

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 3 years. As the years 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