

# Gloucester City Council

<b>Meeting:</b>	<b>Licensing and Enforcement Committee</b>	<b>Date:</b>	<b>17 March 2020</b>
<b>Subject:</b>	<b>Members Update for Licensing and Enforcement Committee</b>		
<b>Report Of:</b>	<b>Head of Place</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>		
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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 October 2019 to February 2020, 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 1<sup>st</sup> October 2019 and 29<sup>th</sup> February 2020 a total of 697 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 October 2019 and February 2020**

#### *Taxi and Private Hire Hearing (fourteen Hearings)*

- 4.1 On 7<sup>th</sup> October 2019 a new Private Hire driver application was referred to the Licensing and Enforcement Sub-Committee as they had 6 DVLA penalty points on their DVLA licence. Members resolved to grant the applicant a Private Hire Drivers Licence as they considered them to be a fit and proper person.

On 11<sup>th</sup> November 2019 two drivers and a new Private Hire Vehicle Licence application were referred to the Licensing and Enforcement Sub-Committee. The two drivers were being referred as they had received 12 Council internal penalty points within a 12 month period. They were both issued written warnings by the Sub-Committee and one was asked to undertake a test of the Private Hire Driver and Vehicle Rule Book. The new Private Hire Vehicle application was referred to the Sub-Committee as the vehicle was over the age specification and was not of the latest emission standards. Members refused the application as it fell outside of the Councils Private Hire Driver and Vehicle Policy on the age and emission specifications.

On 26<sup>th</sup> November 2019 two applications were referred to the Licensing and Enforcement Sub-Committee. One a new Private Hire Vehicle application and the other a renewal of a Private Hire Vehicle. The new application was referred to the Sub-Committee as the vehicle was over the age specification and was not of the latest emission standards. Members refused the application as the vehicle was 8 years old and of Euro 4 standard. The renewal application was referred to the Committee as the applicant was requesting that the vehicle be renewed as it was 10 years old. Members refused the application as the vehicle fell outside of the Councils Private Hire Vehicle Policy on the age specification.

On 17<sup>th</sup> December 2019 a driver was referred to the Licensing and Enforcement Sub-Committee as they had received 12 Council internal penalty points within a 12 month period. Members resolved to issue a written warning.

On 11<sup>th</sup> February 2020 a driver was referred to the Licensing and Enforcement Sub-Committee as they had a conviction for plying for hire during the Cheltenham race week in March 2019 and a new Private Hire Driver application was referred to the Sub-Committee. Members resolved that the driver with the conviction for plying for hire was to be issued with a written warning and the new driver was considered to be a fit and proper person.

On 17<sup>th</sup> February 2020 five drivers were referred to the Licensing and Enforcement Sub-Committee. All had received 12 or more Council internal penalty points within a 12 month period. Four were given written warnings and one had to undertake a test on the Private Hire Driver and Vehicle rule book. The fifth driver the Sub-Committee resolved to take no further action.

#### Licensing Act Sub-Committee (one hearing)

On 13<sup>th</sup> January 2020 a review of the premises licence at Czech and Slovak, 171 Barton Street, Gloucester was considered by members of the Licensing Sub-Committee. This was following an application to review the premises licence by Gloucestershire Constabulary. Members resolved to revoke the premises licence.

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

#### 4.2 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 2019 a further 182 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 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.

#### 4.3 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 risk assessment inspections of licensed premises and also visited licensed premises where payment of the annual fee has not been paid.

City Centre Improvement Officers have also worked on operations with the Police undertaking test purchasing on licensed premises.

## Best Bar None

The licensed premises industry of Gloucester came together on the night of Tuesday 21 January 2020 to celebrate the accreditation of the city's pubs, bars, restaurants and nightclubs to the annual Best Bar None scheme.

This year, the awards ceremony was held at Gloucester Rugby's Kingsholm Stadium alongside a gala dinner. Winners were announced for individual categories including Best Chain Pub, Best Independent Pub and Best Food Venue; before the best overall winners were announced. ATIK nightclub was the overall winner taking home the Gold award with Gloucester Guildhall taking Silver and The Lord High Constable of England taking the Bronze.

Fifteen businesses were recognised for their commitment to promoting responsible drinking and providing a vibrant and safe environment for their customers and staff. Best Bar None is a countrywide accreditation scheme with national awards supported by the Home Office and the drinks industry.

### **The full list of winners:**

Gold Award 2020 – **ATIK - Gloucester**

Silver Award 2020 – **Gloucester Guildhall**

Bronze Award 2020 – **The Lord High Constable of England**

Best Chain Pub – **The Regal**

Best Independent Pub – **TANK**

Best Chain Late Bar / Club – **ATIK – Gloucester**

Best Independent Late Bar / Club – **Jax Bar & Nightclub**

Best Small Local Venue – **The Turks Head Inn**

Best Food Venue – **Miller & Carter Steakhouse**

Best Family / Community Venue – **Gloucester Guildhall**

### **Accredited Venues:**

Angies

The Bumble Bee

The Fox & Elm

Jax Bar & Nightclub

Miller & Carter Steakhouse

The Regal

The Turks Head Inn

The Wagon and Horses

Atik – Gloucester

Café Rene

Gloucester Guildhall

The Lord High Constable of England

The Pike & Musket

TANK

The Turmut Hoer

## **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