

Gloucester City Council

Meeting:	Licensing and Enforcement Committee	Date:	14 June 2022
Subject:	Members Update for Licensing and Enforcement Committee		
Report Of:	Head of Communities		
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 from 1 March 2022 to 31 May 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 March 2022 and 31 May 2022 a total of 281 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 March 2022 and May 2022

Taxi and Private Hire Hearing

- 4.1 On 21 April 2022 a new Hackney Carriage Vehicle Licence application was referred to the Licensing and Enforcement Sub-Committee. The application was brought before the Committee on the grounds that the vehicle did not meet the specification required by the Council's policy in relation to Wheelchair Accessible Vehicles, nor in relation to vehicle age and Euro status. Members accepted the application on the grounds that the Council's Hackney Carriage Vehicle policy should be departed from in this particular case.

Licensing Act 2003 Hearing

- 4.2 On 27 April 2022 members of the Licensing Sub-Committee considered an application to vary a Premises Licence following representations by other persons and agreed times and conditions from Gloucestershire Constabulary. The Sub-Committee resolved to accept the application for the retail sale of alcohol until 01:00 and modify the conditions of the licence by adding that hot refreshments served from 23:00 to 01:00 are limited to hot drinks only.

Out of Hours and daytime Enforcement

4.3 Taxi and Private Hire Enforcement

Licensing Officers have continued to monitor activities of drivers and conditions of their Licence.

4.4 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.

5.0 Legislative Updates

The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 received Royal Assent on 31 March 2022.

From 31 May 2022, if any licensing authority in England has information about a Taxi or Private Hire driver licensed by another authority that is relevant to safeguarding or road safety concerns in its area, it must share that information with the authority that issued that driver's licence. Please click on the below link for more information:-

[Taxis and private hire vehicles \(Safeguarding and Road Safety\) Act 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/legislation/the-taxis-and-private-hire-vehicles-safeguarding-and-road-safety-act-2022)

On 28 June 2022, the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 will take effect in England, Scotland, and Wales. It will amend the Equality Act 2010 to introduce new, and amend existing, duties for local authorities and taxi and private hire vehicle drivers and operators.

All licensing authorities must maintain and publish a list of licenced Taxis and Private Hire Vehicles they designate as being wheelchair accessible. This will identify the vehicles whose drivers are subject to the duties at section 165 on providing assistance to wheelchair users and refraining from charging extra for this.

For further information please click on the below link:-

[Taxis and Private Hire Vehicles \(Disabled Persons\) Act 2022 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2022/12/section-1)

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

Licensing Forward Plan

LICENSING AND ENFORCMENT COMMITTEE	POLICY ITEM
September 2022	<ul style="list-style-type: none"> • Quarterly Licensing Update for Members • Street Trading Policy review (consultation) • Gloucestershire Common Standards for Hackney Carriage and Private Hire Vehicle Licensing (CCTV in vehicle consultation results)
December 2022	<ul style="list-style-type: none"> • Quarterly Licensing Update for Members • Street Trading Policy (results following consultation) • Table and Chairs Policy and A-Board review (Consultation)
March 2023	<ul style="list-style-type: none"> • Quarterly Licensing Update for members • Table and Chairs Policy and A-Board review (Consultation results)