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24 June 2019

To: All Members of the Regulatory Committee

Dear Member,

Regulatory Committee - Monday, 1st July, 2019

I attach a copy of the following reports for the above-mentioned meeting which were not available at the time of collation of the agenda:

**6. ANNUAL UPDATE ON LICENSING AUTHORITY ACTIVITY: COUNCIL  
YEAR 2018 - 2019 (PAGES 1 - 4)**

Yours sincerely

Felicity Foley, Acting Committees Manager

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**Report for:** Regulatory Committee 1<sup>st</sup> July 2019

**Title:** Annual update on Licensing Authority Activity:  
Council Year 2018 – 2019

**Report**

**authorised by:** Eubert Malcolm – Interim Assistant Director Stronger Communities

**Lead Officer:** Daliah Barrett

**Ward(s) affected:** ALL

**Report for Key/**

**Non Key Decision:** Key.

**1. Describe the issue under consideration**

- 1.1 This report informs the Committee of progress made by the Licensing Authority (“the Authority”) under the duties of the Licensing Act 2003 and Gambling Act 2005 in 2018-2019. Under both the Gambling and Licensing Act, Statement of Licensing Policy, the Licensing Authority should report to the Committee on matters determined by the Director of Environment and Neighbourhoods, in line with the approved scheme of delegation.
- 1.2 As Members are aware, the Director of Environment & Neighbourhoods has delegated powers to grant licences under the Licensing Act 2003 where there are no representations, or where representations are made and subsequently withdrawn. In such circumstances there is no discretion given to the licensing authority, and a licence must be issued.
- 1.3 In accordance with the above, this report sets out the numbers of the licences and certificates granted, together with an update of any appeals made under the Licensing Act 2003 during the same time frame April 2018 – March 2019.
- 1.4 Officers use their delegated powers in a number of situations, including where:
  - a) A licence has been requested and there have been no objections raised by interested parties or Responsible Authorities.
  - b) The application has met the Council’s policy criteria for accepting an application.

**2. Recommendations**

- 2.1 That the committee note the contents of this report

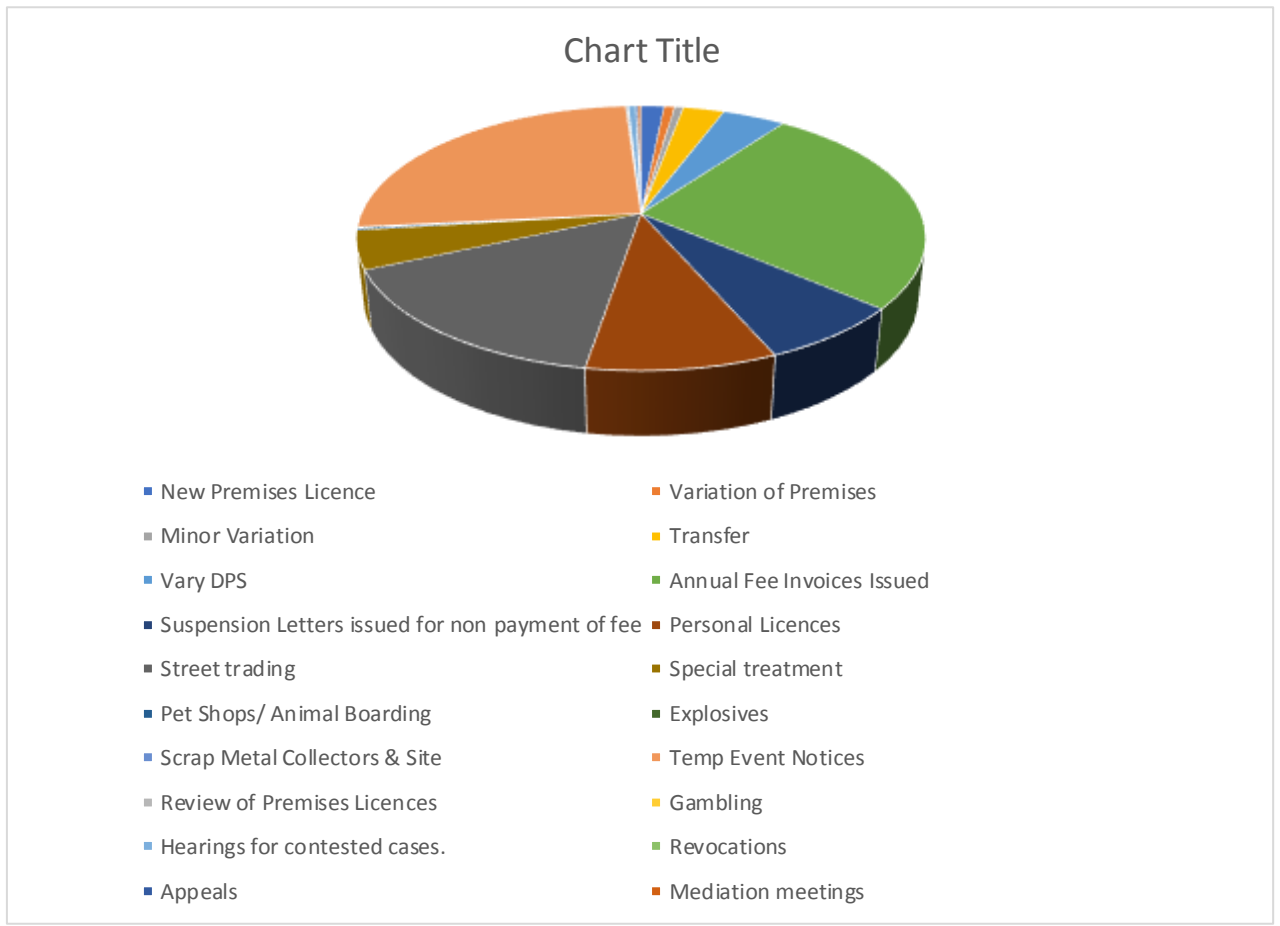
**3. Background information**

- 3.1 The report covers data on service volumes; details of Licensing hearing decisions; decisions made under delegated powers.

The service dealt with over 2,500 applications for grants, renewals, variations, transfers and annual fees for all other licensing functions, the bulk of which related to the Licensing Act 2003. We carried out a review of the Gambling Policy and revised a new local area profile to inform betting operators of ward details and make-up.

Some of the key outputs for the year are set out below:

Service Provision	2018/19 Outturn
New Premises Licence	48
Variation of Premises	22
Minor Variation	18
Transfer	85
Vary DPS	131
Annual Fee Invoices Issued	809
Suspension Letters issued for non-payment of fee	218
Personal Licences	279
Street trading	480
Special treatment	143
Pet Shops/ Animal Boarding	7
Explosives	4
Scrap Metal Collectors & Site	1
Temp Event Notices	783
Review of Premises Licences	4
Gambling	2
Hearings for contested cases.	15
Revocations	1
Appeals	4
Mediation meetings	6



3.2 All of the Premises Licences/Club Premises Certificates granted under delegated powers for the period 1 April 2018 and 31 March 2019 have been issued subject to any relevant mandatory conditions, together with those conditions offered by the applicant in their operating schedule or during the application process.

#### 4. Enforcement

4.1 The Licensing Officer and Police Licensing Officer carry out pro-active compliance checks, and late night enforcement inspections which are to ensure that the Authority keeps a close eye on how the licensed trade upholds the licensing objectives, to record the actions of the Authority in a transparent manner and to place on record that enforcement actions had been undertaken. In addition, they are an opportunity for the Authority to give advice to resolve any issues of non-compliance and to build and maintain a productive relationship with licence holders.

4.2 In addition to the pro-active enforcement, service requests were received by the Licensing Authority from members of the public or other sources. Most related to a variety of failures to uphold the licensing objectives, most notably the prevention of public nuisance and the prevention of crime and disorder.

4.3 All premises issued with Warnings or advice are followed up to ensure compliance with the requirements of the Licensing Act 2003. Should further failures or bad management practices continue further enforcement action may be taken by both the Licensing Authority and Responsible Authorities that may include applying for a Review of the licence and / or prosecution of the licence holder.

#### 5. Legal Implications

There are no Legal requirements for consideration contained within this report.

**6. Finance**

There are no financial requirements for consideration contained within this report.

**7. Equalities Implications**

There are no equalities requirements for consideration contained within this report.

**8. Conclusion**

During the period captured in this report the workload for the Licensing team has continued to be high and the team have been working hard to maintain the flow of applications.