

REPORT TO:	Licensing Committee
DATE:	4 th March 2020
LEAD OFFICER:	Head of Planning, Public Protection and Countryside Services
CONTACT OFFICER:	Public Protection Business Manager licensing@denbighshire.gov.uk 01824 706066
SUBJECT:	Update on the Work of the Licensing Section in 2019

1. PURPOSE OF THE REPORT

1.1 To update Members of the work of Licensing Officers.

2. EXECUTIVE SUMMARY

2.1 This report provides information on the work in respect of the functions of the Licensing Section and includes licences issued, complaints and service requests received and other activities completed during 2019.

3. POWER TO MAKE THE DECISION

3.1 No decision required.

4. BACKGROUND INFORMATION

4.1 The report is broken down into two main sections, namely operational and management matters.

5. ISSUES AND FINDINGS - OPERATIONAL MATTERS

5.1 Alcohol and Entertainment

5.1.1 Currently there are 435 licensed premises – 102 on sales; 120 off sales; 213 both on/off sales – and 184 Late Night Refreshment establishments.

5.1.2 There were 32 complaints from the public in relation to licensed premises and the vast majority of those were linked to issues in relation to noise nuisance. These have been dealt with in collaboration with Environmental Health Officers and appropriate action or advice given where necessary or are ongoing.

5.1.3 Other complaints concern general anti-social behaviour unlicensed activities and sales to minors. Appropriate action was taken or is ongoing.

5.1.4 During the year there have been applications for:-

- 28 new premises
- 36 transfers of licence
- 30 variation of conditions or licence details
- 78 variations of Designated Premises Supervisor.
- 374 temporary event notices.
- 61 new personal licences and 25 changes to personal licence details

5.1.5 There have been eight joint visits to licensed premises with partners – North Wales Police, Immigration Enforcement Officers and other Denbighshire teams, such as Health & Safety, Food Safety and Trading Standards.

5.1.6 Licensing Officers continue to meet regularly – at least every other week – with North Wales Police colleagues to identify and deal with emerging issues following the principles laid out in the Statement of Licensing Policy e.g. Level 1 engagement / Level 2 Action Plans.

5.2 Hackney and Private Hire Licensing.

5.2.1 Currently there are

- 280 Hackney Carriage Vehicles
- 60 Private Hire Vehicles
- 15 Private Hire Operators
- 30 Private Hire Drivers
- 305 Dual Drivers

5.2.2 There have been 44 taxi related complaints during the year on matters including an unlicensed vehicle, illegal parking/plying for hire, overcharging, abuse and careless driving. Appropriate action was taken or is ongoing at officer level.

5.2.3 Operational process for determining driver applications moved over to online applications for DBS certificates and online checks for DVLA driving licences. Although continuing to have some issues this process is working well and enables applicants to monitor the progress and be in control of their own data.

5.2.4 During the year there have been 33 new applicants for a licence to drive private hire / hackney carriage vehicles. Two applications were withdrawn at the applicants request and four applications were refused with two of those resulting in an appeal to Magistrates' Court; one successful and one pending. In relation to renewal applications one driver was refused on application. During the year one driver had their licence revoked and is subject to an ongoing appeal.

5.2.5 Outside the usual compliance testing of vehicles ad hoc checks were conducted on 102 vehicles at a variety of locations – schools, taxi ranks and roadside. Of those 16 (15%) were issued with suspension notices until issues, primarily relating bodywork condition or cleanliness, were rectified.

5.2.6 Officers had reason to issue three drivers with points under the Penalty Point scheme; two relating to parking / stopping at a rank and one for vehicle condition.

5.3 Gambling, Gaming and Lotteries

5.3.1 There has been some significant work on ensuring accuracy of databases for gambling related premises. Currently there are:

- 5 Adult Gaming Centres
- 3 Family Entertainment Centres
- 13 Betting shops
- 1 Club Gaming Permit
- 9 Club Machine Permit
- 9 Unlicensed Family Entertainment Centre Gaming Permits
- 7 Licensed Premises Permit
- 120 Registered Lotteries

5.3.2 There were three complaints in respect of licensed gambling premises, none of which required any further action.

5.3.3 The Statement of Gambling policy was reviewed and published on 31st January 2019.

5.3.4 Representatives of the Gambling Commission provided some bespoke on the ground training for officers which enabled joint visits to some licensed gambling premises. Additionally, Licensing Officers carried out a small number of inspections testing the compliance for refusing minors access to gaming machines

5.4 Street Trading

5.4.1 There were three applications for street trading and there have been no complaints.

5.4.2 Members are advised that current practice for any new applications will remain until such time as a policy has been determined and approved through this committee. It therefore remains that this will be drafted and presented by officers in due course.

5.5 Charity Collections

5.5.1 There have been:

- 23 permits for house to house collections
- 25 permits for street collections.

5.5.2 There were no complaints in respect of regulated charity street collections.

5.6 Scrap Metal

- 5.6.1 Applications were received for:
- 2 licensed Scrap Metal Sites
 - 4 licensed Scrap Metal Collectors

5.6.2 There have been no complaints in respect of scrap metal issues.

5.7 Service Requests / Freedom of Information

- 5.7.1 During the year there were:
- 67 service requests recorded across the range of functions carried out by the Licensing Team where information or advice etc. have been requested and given, and
 - 30 Freedom of Information requests, relating to a range of matters, were received and had an appropriate response.

5.8 Overall workload results

- 5.8.1 During the year there were:
- 180 inspections, primarily around vehicles and licensed premises, and
 - 2264 actions. Officers highlight that actions are not necessarily linked to inspections but include other interactions with businesses and public, e.g. telephone calls, letters, notices and so on.

5.9 Communications

- 5.9.1 Licensing Officers continue to publish periodic newsletters to the taxi industry locally.
- 5.9.2 Media involvement in messages on the promotion of White Ribbon initiative, safe taxi and generic messages through national licensing week.
- 5.9.3 Social media accounts have seen a number of proactive messages being posted throughout the year.

6. **MANAGEMENT MATTERS**

6.1 Policies

- 6.1.1 A number of policies have been amended during 2019 and this work is ongoing. Officers have drafted a revised forward work plan and will continue to update Members on that at each committee hearing.

6.2 Fees

- 6.2.1 At the time of writing the fees and charges for administering the taxi licensing regime are in consultation phase with a view to new fees from 1st April 2020.

6.3 Complaints against service

- 6.3.1 There have been no formal complaints against service in 2019.

6.4 Future Additional Workload considerations

- 6.4.1 The Public Health (Minimum Price for Alcohol) (Wales) Act 2018 introduces a minimum price for alcohol and may impact on the availability of cheap alcohol from supermarkets and off-licences. Legislation is effective from 2nd March 2020 and inspections will take place during the ensuing months to ensure compliance.
- 6.4.2 In partnership with North Wales Police, Denbighshire are leading on introducing the “Best Bar None” initiative in the area. Focus during 2020 will be to raise awareness and support for the scheme and roll out across Denbighshire after launch in March 2021.
- 6.4.2 Following the Welsh Government’s consultation on “Improving Public Transport” further work is taking place to consider the comments and future licensing regime for taxis in Wales. Officers will be updating Members accordingly as information becomes available.
- 6.4.3 Members will be aware of the Welsh Government’s aim of a zero emission bus and taxi/private hire vehicle fleet by 2028. It is anticipated that Licensing could play a part in that vision through its processes for taxi licensing. Members and officers may wish to begin to identify what incentives could encourage licensees locally to enable the aim to be met.
- 6.4.4 Officers are exploring further opportunities to enable a more efficient process for applicants for the variety of licences issued. This includes further development of database to allow online applications and public registers and the potential to introduce an electronic “Knowledge Test” for new taxi driver applicants.
- 6.4.5 Officers are arranging a training event for Licensing Committee Members towards the end of the year. Additionally, to support continuing Member development, Officers can accommodate any requests from any Committee Member interested in shadowing Officers on their duties.

7. **RECOMMENDATIONS**

- 7.1 That the committee:
 - a. note the activity report for this year, and
 - b. note and comment on the contents of this report.