

TITLE: LICENSING OFFICERS UPDATE**COMMITTEE: LICENSING COMMITTEE****DATE: 19 APRIL 2017****AUTHOR: SENIOR LICENSING OFFICER**

{R266}

1.0 ISSUE**1.1** To update Members of the Licensing Committee on the work of Officers.**2.0 RECOMMENDATION(S)****2.1** For information purposes only.**3.0 SUMMARY****General****3.1** The following tables illustrate the day to day applications and inspections processed and completed by the Licensing Authority in the period 28 October 2016 and 5 April 2017.**Applications**

Licence type	Number
Taxi driver	93
Taxi vehicle	121
Taxi operator	5
TEN's	95
New and varied premise licences	20
Animal welfare licences	23
Personal licences	21
Small lottery licences	7
DPS and transfers of premise licences	24
DBS criminal record applications	38
TOTAL	447

Inspections

Inspection type	Number
Complaint	1
Enforcement	58
Routine	72
Re-visit	11
Pre-application	7
TOTAL	149

Suspensions

Suspension notice type	Number
DBS	8
Medical	1

Annual fee	1
Vehicle non-compliance	24
Suspension notice becoming active	3

- 3.2 In addition to the suspension notices issued above Officers the following immediate suspension notices for vehicle MOT failures, and driver's who have failed to submit DBS application forms.

Taxi driver – enforcement action	5
Taxi vehicle – MOT failures	9

- 3.3 Considering the large number of inspections, applications, and sub-committee hearings which have taken place during this extended report period, the number of suspension notices raised is relatively small, and although we would ideally never have a suspension become active, ultimately we have no control over this.

4 OTHER ITEMS

General

- 4.1 The Licensing Sub-Committee has been convened on three occasions since the last full Committee in November 2016 to determine whether three licensed drivers could still be considered fit and proper to drive a licensed vehicle. The outcomes of these hearings was an immediate suspension pending a driving course being completed, a standard suspension pending a medical review being conducted, and an immediate revocation. Full details cannot be provided in this report due to the nature of the exempt hearing.
- 4.2 The Licensing Department has been very busy so far in 2017. We have processed a large number of applications, and we have seen an increase in enquiries from persons wishing to licence for dog boarding and street trading activities. In addition to this we have been dealing with a large number of enquiries regarding the consultation over whether or not to extend the taxi rank on Market Street. Despite this we have managed to ensure that all of the service plan requirements have been met, and early indications suggest that the steps Members and Officers have been taking to reduce the budget deficit is beginning to take effect, with an estimated income of £148,000 for the 16/17 period.
- 4.3 Immigration Act 2016 – Update

As previously reported, the Immigration Act 2016 came into force in 2016, but the licensing provisions were not commenced until December 2016 (Taxis) and April 2017 (Licensing Act 2003).

The impact of this piece of legislation so far is that all existing taxi drivers have had to produce suitable documentation in person to prove they have a right to work in the UK, and Officers have had to retain copies of this documentation just in case we are audited.

From 6th April 2017 all applicants wishing to apply for alcohol or late night refreshment licences will have to have a right to work in the UK, and any

licence issued will lapse if that right to work expires. The Home Office is also a responsible authority and will be copied into all relevant alcohol and late night refreshment applications, which includes transfer applications.

Immigration offences have been added to the schedule of offences for Personal Licences, and an individual must have a right to work in the UK to apply for a Personal Licence. In certain circumstances the Home Office must be copied into the application. A Personal Licence will lapse if the holder no longer has the right to work in the UK.

4.4 Policing and Crime Act 2017

The Policing and Crime Act was given Royal Assent in January 2017, and contains sections which amend the Licensing Act 2003, and may have an impact on taxi licensing too. Some sections are yet to commence, but from 6 April 2017 some sections became active. In brief, the alcohol definition has been clarified to include alcohol in any form, so vaporised and powdered forms of alcohol are now clearly within the definition. Also, new relevant offences have been added to schedule 4 of the Licensing Act 2003 used to consider applications for Personal Licences, and Licensing Authorities can now suspend or revoke Personal Licences.

The other sections relate to summary reviews, namely, they clarify the rules about making additional representations during the interim period, and what happens to interim steps pending any appeal of the final review decision.

The Act also introduced a power for the Secretary of State to introduce guidance on the role of the Local Authority in fulfilling its licensing duties with regards to safeguarding of children and vulnerable adults.

Work on updating the web-pages, forms and general procedures is underway.