



Report of:	Meeting	Date	Item No.
Chairman of the Licensing Committee, Cllr Simon Bridge	Council	adjourned from 27 November 2014 to be considered on 22 January 2015	6

PERIODIC REPORT-LICENSING

1 Purpose of the Report

- 1.1 To inform the Council of the current position on issues dealt with by the Licensing team and Licensing Committee during the period September 2013 to October 2014 (inclusive).

2. Licensing application hearings

Licensing Act 2003

- 2.1 Members have heard three applications for licensed premises during this period. Two for new premises (one off licence in Poulton and one coffee shop in Fleetwood) and one seeking to increase trading hours (a members club in Cleveleys).
- 2.2 Although no Responsible Authorities objected to the applications, representations were received from residents and businesses in the area. All applications were granted as applied for, but with additional conditions to be attached to the coffee shop to minimise any potential nuisance in the immediate vicinity which might be caused by customers arriving at and leaving the premises.
- 2.3 During the application representation period, in addition to those conditions offered by applicants, all applicants agreed to a number of additional conditions requested by the Police, to assist in upholding the four licensing objectives.

Taxi/Private Hire drivers

- 2.4 During this period members have heard two applications from new drivers and have considered disciplinary cases against 5 current drivers.

- 2.5** Applications from the two new drivers were heard by members as one had failed to declare a conviction and the second applicant admitted to a previous offence for driving with excess alcohol (suspension served and applicable time had elapsed since the suspension). This applicant was granted a driver's licence, subject to the 3 month rule, however the first application was not granted and the decision was not appealed.

3. New legislation/processes/procedures

Scrap Metal Dealers Act 2013

- 3.1** The Scrap Metal Dealers Act 2013 extends to include motor salvage operators, replacing the provisions in the Vehicle (Crime) Act 2001. Under the 2013 Act an application can be refused if the applicant is judged not to be a 'suitable' person to operate as a scrap metal dealer. Applicants are required to produce a current DBS (CRB) report which will indicate if the applicant has any relevant offences. The Police are contacted and are able to object to the licence if they have information regarding the applicant's suitability to hold a licence.
- 3.2** Licences fall into two categories:-
- A site licence applies to those businesses who have the relevant planning permission to operate a business to buy and sell scrap from a premises and
 - A collector's licence authorises the licensee to operate as a mobile collector in the area of the issuing local authority, permitting them to collect scrap metal as appropriate. This will include commercial and domestic scrap metal.
This licence does not permit the collector to collect from any other local authority area and a separate collector's licence must be obtained from each local authority he/she wishes to collect in.
- 3.3** This Authority received 28 applications to trade in this Borough, 21 collectors and 7 sites. No applications were refused and licences are granted for the statutory period of three years. Information is shared with the Environment Agency, the Police and other Local Authorities to ensure that only licensed operators are involved in dealing in scrap metal.

Group 2 medical standard for licensed drivers

- 3.4** The Committee has agreed to change the medical requirement for Wyre licensed drivers (both new and existing) from the previous Group 1 standard to the more stringent Group 2 medical standard. These 3 year, 6 year or annual checks (for drivers over 65) can promote the health of the driver fleet as medical examinations can pick up medical issues that otherwise may not have been detected. Early intervention for medical issues can improve driver health overall and drivers are now able to undergo the medical by their own doctors, who are able to access their medical records. A diabetic policy was also adopted to assist with driver health and passenger safety.

4. Licences/permits/registrations issued

The numbers of licences, permits and registrations issued by the Licensing Team in the period September 2013 to October 2014 inclusive are set out below.

4.1 Licensing Act 2003 applications

- 10 new premises licences
- 18 variations to premises licences
- 11 minor variations to premises licences
- 160 personal licences (new and change of address notifications)
- 223 Temporary Event Notices
- 129 Changes to Licences

There have also been eight Premises Licences surrendered due to closure, however two of these have since re-opened under new ownership, having applied and been granted, new premises licences.

4.2 General Licensing

- 7 Home Boarding establishments
- 18 Boarding establishments
- 11 Pet shops
- 7 Riding establishments
- 27 house to house collection permits
- 58 street collection permits
- 11 Street traders
- 28 scrap metal dealers (under the Scrap Metal Dealers Act 2013)
- 4 second hand dealers

4.3 Taxi Licensing

- 436 vehicle licences (private hire and hackney carriage)
- 568 driver licences issued (private hire and hackney carriage drivers)
- 26 Operator licences have been issued/renewed (although 6 operators have ceased to trade, or have merged with another company)

4.4 Gambling Act 2005

- 5 Licensed premises gaming machine permits (3-5 machines) issued
- 15 Licensed premises gaming machine notifications (up to 2 machines) issued

5. Enforcement and compliance

Gambling Act 2005

- 5.1** All 35 premises licensed under the Gambling Act 2005 were visited in June and July. Betting shops, Adult Gaming Centres and Family Entertainment Centres were inspected and no major issues were found. A couple of premises required follow up letters and visits but knowledge of the legislation and compliance in this sector is generally high.
- 5.2** We have also supported a Police operation at Manchester Airport to ensure that all taxis have the required licences and driver badges. In addition, tax, insurance and road worthiness were checked by officers. Although on this occasion only a small number of Wyre vehicles were in attendance, it is also an exercise that was and should be supported by local authorities in this region as the surprise element of having enforcement officers in unexpected situations cannot be underestimated.

Second Hand Dealers

- 5.3** Also in September 2014 all the registered second hand dealers were visited and their records and registrations checked. This exercise was arranged as part of Fleetwood Police Action week and uncovered three un-registered traders (that have subsequently registered). In addition a number of closed premises were found as proprietors had failed to inform us that they are no longer trading. Records have been updated with all current information.

FINANCIAL AND LEGAL IMPLICATIONS	
Finance	No financial implications with this report.
Legal	No legal implications with this report.

OTHER RISKS/IMPLICATIONS: CHECKLIST

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

Implications	✓ / x
Community Safety	x
Equality and Diversity	x
Sustainability	x
Health and Safety	x

Risks/Implications	✓ / x
Asset Management	x
Climate Change	x
Data Protection	x

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List of Background Papers:		
Name of Document	Date	Where available for inspection

LIST OF APPENDICES

None

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