



Borough of Tamworth

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LICENSING COMMITTEE

22 March 2023

Dear Councillor

A meeting of the Licensing Committee will be held in **Town Hall, Market Street, Tamworth on Thursday, 30th March, 2023 at 6.00 pm**. Members of the Committee are requested to attend.

Yours faithfully

A handwritten signature in black ink, consisting of a stylized 'A' followed by a long horizontal line that tapers to a point.

Chief Executive

A G E N D A

NON CONFIDENTIAL

- 1 Apologies for Absence**
- 2 Minutes of the Previous Meeting (Pages 3 - 4)**
- 3 Declarations of Interest**

To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.

When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.

4 Review of Licensing Activity 2022/23 (Pages 5 - 8)

(Report of the Assistant Director, Growth and Regeneration)

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

If a member of the public is particularly concerned about accidental filming, please contact a member of Democratic Services before selecting a seat

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

To Councillors: A Cooper, T Clements, M Bailey, D Box, R Claymore, C Cooke, S Doyle, M J Greatorex, J Oates, B Price, S Smith, J Wade and J Wadrup.



MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD ON 15th FEBRUARY 2023

PRESENT: Councillors A Cooper (Chair) T Clements (Vice-Chair), M Bailey, D Box, R Claymore, C Cooke, S Doyle, M J Greatorex, J Oates and B Price

Cabinet: Councillor M Summers

The following officers were present: Rebecca Cooper, Legal Advisor, Wendy Smith (Head of Environmental Health), Sarah Gear (Senior Licensing Officer) and Tracey Pointon (Legal Admin & Democratic Services Manager)

18 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S Smith and J Wadrup

19 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 23rd November 2022 were approved and signed as a correct record.

(Moved by Councillor T Clements and seconded by Councillor M Greatorex)

20 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

21 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY 2023 - 2028

Report of the Assistant Director of Growth and Regeneration to bring before the Licensing Committee the outcome of the approved consultation exercise for the draft Hackney Carriage and Private Hire Licensing Policy 2023 – 2028. The public consultation exercise concluded on 15th January 2023.

The draft policy outlines the decision-making framework that Tamworth Borough Council will apply when exercising its responsibilities for licensing hackney carriage and private hire vehicles, drivers and operators.

RESOLVED: That the Committee

recommended that Full Council consider the draft Hackney Carriage and Private Hire Licensing Policy 2023 – 2028 as suitable for adoption.

(Moved by Councillor C Cooke and seconded by Councillor S Doyle)

Chair

Thursday, 30 March 2023

REPORT OF THE ASSISTANT DIRECTOR GROWTH AND REGENERATION**REVIEW OF LICENSING ACTIVITY 2022/23****Exempt Information**

None

Purpose

This is an information item briefing the committee about the Licensing Team's work from April 2022 – February 2023.

Recommendations

That the Licensing Committee note the content of the report and note future work for 2023-2024.

Executive Summary

The Licensing Team deals with the administration of the Licensing regimes under the Licensing Act 2003 and Gambling Act 2005. In addition, it covers Taxi and Private Hire Licensing under Local Government (Miscellaneous Provisions) Act 1976 & 1982 & Town Police Clauses Act 1847. The Licensing Team also administer the licensing of scrap metal dealers and motor salvage businesses under The Scrap Metal Dealers Act 2013 and co-ordinates Street & House to House Collections.

This report reviews the work over the last financial year and provides information upon the various activities undertaken in fulfilment of the Council's obligations.

Options Considered

This report is for information only.

Resource Implications

No specific financial implications emanate from this report which provides a review of the Council's Licensing Team's enforcement and administration activities during 2022/23.

Legal/Risk Implications Background

The Licensing Team exercises the Council's regulatory functions under the Local Government and Miscellaneous Provisions Act 1976 & 1982, Town Police Clauses Act 1842; Licensing Act 2003, Gambling Act 2005 and the Scrap Metal Dealers Act 2013. The Council will be at risk of legal challenge if its decision making process on determining applications is not transparent and evidentially based. Also the Council will be at risk where a decision to take, or not to take, enforcement action does not follow the Authority's published enforcement policy.

This report reviews the work over the last financial year in fulfilment of the Council's obligations. There are no immediate legal implications arising from this report.

Equalities Implications

This report has been prepared in accordance with the Council's Diversity and Equality Policies

Environment and Sustainability Implications (including climate change)

A visibly effective taxi/licensing/gambling service links into the Corporate Plan Priorities. Furthermore measures to promote fair trading; reduce crime and disorder will enhance the attraction of Tamworth as a place to visit and run a business.

Background Information

The following figures reflect the number of applications received by the team from April 2022 – February 2022

Licensing Act 2003	
Premises Licence New applications/Variations	60
Transfer & Vary DPS applications	65
Personal Licences	49
Temporary Events Notices	53
Premises Surrendered	5
Request for Service	150
Annual Fees	209
Gambling Act 2005	
Premises Licences New Applications	1
Machine Notifications & Permits	60
Lotteries	30
Surrendered	7
Request for Service	25
All 5 premises were inspected.	
Taxi Licensing	
New Drivers	42
Renewal Drivers	122
Hackney Carriage Vehicles	128
Private Hire Vehicles	83
New & Renewal P/H Vehicle Operators	4
Request for Service	400
Miscellaneous	
Street Collections & House to House Collections	60
Request for Service	50
Scrap Metal	
New/Renewal Site Licence	3
New Renewal Collectors	10

The Senior Licensing Officer post has been made permanent. This enables all the current work to be built upon and the future work listed below to be achieved.

The Responsible Body Group was resurrected by the Senior Licensing Officer. The first meeting was held on 14th September 2022, with representation from Staffordshire Police, Trading Standards, Staffordshire Fire and Rescue, Environmental Health, Environmental Protection, Immigration, Security Industry

Agency. The Group have met every couple of months to discuss Licensing matters, including possible problem premises. The resurrection of this group has enabled partnership working. The Senior Licensing Officer arranges and chairs the meetings.

The team have taken part in the Safer Nights initiative run by Staffordshire Police. Licensing Officers together with Police officers are conducting compliance checks on licensed premises. Safer Nights are conducted once a month and commenced 11th November 2022.

The Taxi association requested an increase in the Hackney Carriage tariff. The required process was undertaken and the revised fares were implemented in September 2022

The contract in relation to the testing station for licensed vehicles was due late 2022. We therefore undertook a tender exercise inviting all eligible Garage's to tender for the contract. Motor Vehicle Services were successful and was awarded the contract commencing January 2023. A monitoring visit was made in March and further visits will be conducted during the year. We are very happy with the performance of Motor Vehicle Services and believe that vehicle standards will be improved with this new contractor.

Licensing Officers accompanied immigration officers in conducting information visits to a couple of premises. Licensing Officers conducted compliance checks at these premises.

Meetings have been held with Tamworth Railway Station to establish an exchange of information in connection with the permits they issue to our Hackney Carriage Vehicles.

At the time of writing this report a meeting has been arranged with Staffordshire County Council to establish an exchange of information in connection with badges they issue to drivers & escorts relating to school contracts.

A review of the website is on going to ensure all guidance & application forms are up to date.

Committee Work

Adoption of a Revised Gambling Act Statement of Principles 2023 – 2026 and the adoption of a revised Statement of Licensing Policy 2023 - 2025 together with approval for the Cumulative impact assessment area to remain; the review of the Taxi Policy is currently on going and at the time of writing this report is due to be adopted at Full Council on the 21st March 2023.

Future Work

- Implementation of the new Taxi Policy. This includes new application forms and updates to the trade with regard the changes contained within the policy. The Penalty Points System has been bought in line with the new conditions on Drivers, Vehicles and Operators. The Penalty Points System will be implemented by increasing our presence and conducting more checks on Drivers, Vehicles and Operators.
- Licensed Scrap Metal Site Compliance checks to be conducted with partners.
- Test purchasing of licensed vehicles and drivers will be taking place this coming year.

- All licensed premises will be entered onto a work programme to ensure all premises receive compliance visits at regular intervals.
- An increase in trade engagement will be taking place in the form of regular checks of the taxi ranks, the re introduction of regular trade meetings and regular updates via email or newsletter,
- Introduction of a Scrap Metal Policy, A Charitable Collections Policy and Sexual Entertainment Venue Policy
- The Medical contract with Aldergate Medical Practice requires reviewing. A tender exercise will be undertaken, together with a review of the medical form used to assess the medical fitness of licensed drivers.
- Introduction of a Street Trading regime. This will be a new regime for Tamworth Borough Council and will include the adoption of the relevant legislation, consultations, policy and the introduction of a new process for applications.
- Introduction of a Pavement Licence regime should the requirements contained within the Business & Planning Act 2022 become permanent.
- To assist the Partnerships Team with the implementation of attaining the Purple Flag award for Tamworth Borough Council

Report Author

Sarah Gear – Senior Licensing Officer

List of Background Papers

[Statement of Licensing Policy \(tamworth.gov.uk\)](https://www.tamworth.gov.uk)

[List of licences | Tamworth Borough Council](#)

Appendices

none