

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 14<sup>th</sup> 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 11<sup>th</sup> 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 21<sup>st</sup> 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**

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**List of Background Papers**

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

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

**Appendices**

none