

Thursday, 28 March 2024

Report of the Assistant Director - Growth & Regeneration**REVIEW OF LICENSING ACTIVITY 2023/24****Exempt Information**

None

Purpose

This is an information item briefing the committee about the Licensing Team's activity for the year 2023/2024

Recommendations

That the Licensing Committee note the content of the report and note future work for 2024-2025.

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 & 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. During 2024 the team will start to administer street trading consents.

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 2023/24.

Legal/Risk Implications Background

The Licensing Team exercises the Council's regulatory functions under the Local Government and Miscellaneous Provisions Act 1976, 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 01st April 2023 - 01st March 2024 it shows the figures provided for April 2022 – February 2022 as a comparison.

SUBJECT AREA	DESCRIPTION	TOTAL 2022/2023	TOTAL 2023/2024
LICENSING ACT 2003	Premises Licence Applications, New/ amendments, variations etc.	60	70
	Premises/ Club Premises Certificate - Annual Fee (renewals)	209	208
	Premises/ Club Premises Certificate – Revoked / Surrendered	5	7
	Temporary Event Notice (TENS) Standard	42	46
	Temporary Event Notice (TENS) Late	11	8
	Annual Fee Enquiries	50	50
	Personal licence, New/amendments. etc.	49	51
	Sub-Committee/Court Hearings for New/Reviews/Appeals	1	1
	Premise Licence Transfer and Change of DPS	65	80
	Request for Service	150	170
	Compliance Visits	10 +	30
GAMBLING ACT 2005	Licence Applications, amendments, variations etc.	1	5
	Premises Notifications/ Permits/ - Annual Fee (renewals)	60	61
	Premises Notification/ Permits/ - Surrendered	4	2
	Lottery Registrations New/Renewals- Annual Fee (renewals)	30	32
	Lottery Registrations - Surrendered	3	3
	Request for Service	25	35
	Compliance Visits	5	8
TAXIS	New Drivers	42	25
	Renewal Drivers	122	186
	Drivers Expired	68	40

	P/H Vehicle – New/Renewal/Transfer	83	100
	P/H Operators - New /Renewal	4	15
	H/C Vehicles – New/Renewal/Transfer	128	130
	H/C & P/H Vehicles - Expired	30	30
	Request for Service	400	450
	Compliance Checks	??	25
SCRAP METAL	New/Renewal Site licence	3	3
	New/Renewal Collectors	10	10
	Site/Collectors Surrendered/Expired	1	1
	Request for Service	10	10
LICENSING OTHER	Applications for Street Collections/ House2 House Collections, Sex Shop, Street Trading etc.	60	75
	Request for Service	50	100

The Responsible Body Group continues to be held every couple of months with representation from Staffordshire Police, Trading Standards, Staffordshire Fire and Rescue, Environmental Health, Environmental Protection, Immigration, Security Industry Agency to discuss Licensing matters, including possible problem premises.

The team continue to take part in the Safer Nights initiative run by Staffordshire Police. Licensing Officers together with Police officers are conducting compliance checks on licensed premises.

The first issue of the Taxi Newsletter was produced in October 2023 and sent to all licensed drivers, vehicle proprietors and operators. The second was produced in March 2024.

Monitoring visits continue to take place at Motor Vehicle Services.

We have started to engage with neighbouring authorities regarding the introduction of a timetable for the taxi trade to be compliant with the councils net zero vision.

Review meetings are being held with Tamworth Railway Station to establish an exchange of information in connection with the permits they issue to our Hackney Carriage Vehicles.

Continued engagement with Staffordshire County Council in connection with badges they issue to drivers & escorts relating to school contracts. Attendance at compliance check's in relation to vehicles used for school contracts.

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

Committee Work

During 2023/2024 we prepared, consulted on and adopted a new Scrap Metal Policy, Charitable Collection Policy, Sexual Establishment Policy and Street Trading Policy.

Future Planned Work

- Implementation of the new Taxi Policy is on going. We intended to do an informal review of the Policy during April/May. 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. Points issued to date are attached at Appendix 1.

- 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.
- Joint enforcement of out of area vehicles with the relevant local authorities.
- 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,
- 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 following the adoption of the policy. This will be a new regime for Tamworth Borough Council.
- Introduction of a Pavement Licence regime should the requirements contained within the Business & Planning Act 2022 become permanent.
- Review of the existing Gambling Act Policy.
- Assist in the development of the new Assure system. This will improve our processes and make the team more efficient.

Report Author

Sarah Gear – Senior Licensing Officer

List of Background Papers

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

Appendices

Appendix 1 Penalty Points Issued