



Committee and date

Strategic Licensing  
Committee

1<sup>st</sup> December 2011

Item

7

Public

## EXERCISE OF DELEGATED POWERS

### Responsible Officer

Email: Lynne.towers@shropshire.gov.uk Tel: 01939 237492

### 1. Summary

1.1 Licensing officers have delegated powers to issue or amend licenses, providing no objection have been received. This report gives details of the issue of licenses, or variations, that have been issued between 1<sup>st</sup> September 2011 and 31<sup>st</sup> October 2011 and also shows some comparative figures for the same period the previous year. The report also gives a summary of applications considered by committee.

### 2. Recommendations

2.1 That members agree the position as set out in the report.

## REPORT

### 3. Risk Assessment and Opportunities Appraisal

3.1 This is an information report giving Members information on the work undertaken by the Licensing team and Committee and therefore a risk assessment and opportunities appraisal has not been carried out.

### 4. Financial Implications

4.1 There are no financial implications associated with this report.

### 5. Background

5.1 At the Strategic Licensing Committee meeting in March 2010 it was agreed that information regarding the issue of licenses by Officers under delegated powers would be reported to Committee.

5.2 Delegated powers have been given to officers where a license has been requested and there have been no objections raised by interested parties or Responsible Authorities or the application has met the Council's policy criteria for accepting an

application. In these cases the Licensing Authority have no alternative but to issue the licence.

- 5.3 The table in Appendix A shows the complete range of licenses issued by the licensing team during the period 1<sup>st</sup> September 2011 to 31<sup>st</sup> October 2011. Some comparative figures for the same period in 2010 have been included, in brackets, so that members can note the increase in work load during this calendar year. This, as can be seen in the table, relates mainly to the influx of taxi and private hire driver and vehicle applications from outside the area.
- 5.4 With the increase in applications there has also been an additional number of referrals to Committee with the associated reports. A table is included in Appendix B showing that there were an additional 7 Licensing and Safety Sub- Committees that were held from June 2011 to October 2011 and also the number of driver and vehicle applications considered.
- 5.5 The Licensing Act activities at Committee have also been given in Appendix C for June 2011 to October 2011.
- 5.6 The administrative function of the licence process is supported by enforcement of licensing conditions. Appendix D shows the activities that have been carried out during September and October this year.

## 6. Additional Information

- 6.1 An increase in the number of applications is being received for hackney carriage and private hire vehicles from outside the area along with the continuing influx of driver applications.

## 7. Conclusions

- 7.1 The additional administrative and enforcement workload being created by these new applications is creating a pressure on existing staff. Resources from other areas within Public Protection and Enforcement are therefore being called on to help with the workload. Discussions are also being held with our regional Local Authority partners to carry out joint enforcement.

<b>List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)</b>
<b>Cabinet Member (Portfolio Holder)</b> Councillor Steve Charmley
<b>Local Member</b> Cover all areas of Shropshire
<b>Appendices</b> A – Licences issued Sept 2011 – Oct 2011 B – Number of hackney Carriage / Private Hire Vehicle applications considered at

the Licensing and Safety Sub-Committees in Sept and Oct 2011

C – Hearings held for licensed premises at the Licensing Act Sub-Committees in Sept and Oct 2011.

D – Enforcement action carried out in Sept and Oct 2011

**APPENDIX A****Licences Issued September and October 2011**

<b>Licence Type</b>	<b>1<sup>st</sup> September 2011 – 31<sup>st</sup> October 2011</b>	
<b>GENERAL LICENSING</b>		
Acupuncture personal		
Acupuncture premises	1	
Animal Boarding	3	
Animal Breeding	2	
Caravan Sites	2	
Earpiercing Personal	2	
Earpiercing Premises	2	
House to House Collection	10	
Motor Salvage	1	
Pet Shops	1	
Riding Establishments	6	
Scrap Metal Dealers	1	
Sex Shop	0	
Street Collection	7	
Street Trading Consent	4	
Tattooing Personal	2	
Tattooing Premises	2	
Electrolysis	1	
Dangerous Wild Animal	1	
<b>Total General Licensing Applications</b>	<b>48</b>	<b>(70)</b>
<b>TAXI LICENSING</b>		
Hackney Carriage	158	(40)
Joint Driver	191	(74)
Private Hire Driver	2	(0)
Private Hire Operator	8	(15)
Private Hire Vehicle	141	(135)
<b>Total Taxi Licensing Applications</b>	<b>500</b>	<b>(264)</b>
<b>LICENSING ACT 2003</b>		
Club Certificate with Alcohol	22	
Club Machine Permit	0	
Personal Alcohol	58	
Premises Licence NO Alcohol	17	
Premises Licence WITH Alcohol	243	
Temporary Event Notice NO Alcohol	10	
Temporary Event Notice WITH Alcohol	121	
<b>Total Licensing Act 2003 Applications</b>	<b>471</b>	<b>(802)</b>

<b>GAMBLING ACT 2005</b>		
Bingo premises licence	6	
Betting premises licence	1	
Licensed Premises Gaming Machine Permit	4	
Notification of Intent to Have Gaming	1	
Occasional use Licence	0	
Small Society Lotteries	23	
<b>Total Gambling Act 2005 Applications</b>	<b>35</b>	<b>(80)</b>
<b>TOTAL:</b>	<b>1054</b>	<b>(1216)</b>

**APPENDIX B      Licensing and Safety Sub Committee    Number of Hackney  
Carriage /Private hire applications considered from June 2011 – Oct 2011**

<b>Date</b>	<b>Schedule/ Additional</b>	<b>Number of Cases</b>	<b>Times</b>	<b>Decisions</b>
Wednesday 15 <sup>th</sup> June 2011	Scheduled	1 PH Vehicle 14 Drivers	10am – 4.05pm	PH Vehicle – granted <u>14 Drivers</u> 7 granted 6 deferred 1 refused
Wednesday 22 <sup>nd</sup> June 2011	Additional	1 Conduct of Driver 11 Drivers	10am – 12.40pm	Conduct of Driver – deferred <u>11 Drivers</u> 9 granted 1 deferred 1 refused
Wednesday 6 <sup>th</sup> July 2011	Additional	1 Conduct of Driver 10 Drivers	9.30am - 12.00pm	Conduct of Driver – deferred <u>10 Drivers</u> 7 granted 3 deferred
Monday 18 <sup>th</sup> July 2011	Scheduled	1 PH Vehicle Exemption 16 Drivers	9.30am – 2.51pm	PH Vehicle – refused <u>16 Drivers</u> 10 granted 3 deferred 3 refused
Wednesday 10 <sup>th</sup> August 2011	Additional	2 PH Vehicle Exemption 2 Drivers	10am – 12.21pm	2 PH Vehicle – granted 2 Drivers - granted
Wednesday 17 <sup>th</sup> August 2011	Additional	2 Conduct of Driver Drivers 29	9.30am – 7pm	2 Conduct of Driver – 1 revoked 1 deferred <u>29 Drivers</u> 20 granted 4 deferred 5 refused
Wednesday 14 <sup>th</sup> Sept 2011	Scheduled	1 Conduct of Driver 19 Drivers	9.30am – 5.40pm	Conduct of Driver – Written warning given <u>19 Drivers</u> 19 granted
Monday 3 <sup>rd</sup> October 2011	Additional	15 All Drivers	9.30am – 3.25pm	11 granted 2 deferred 2 refused
Wednesday 12 <sup>th</sup> October 2011	Scheduled	11 All Drivers	9.30am – 1.33pm	5 granted 4 deferred 2 refused
Monday 17 <sup>th</sup> October 2011	Additional	18 All HC Vehicles	9.30am – 6.30pm	13 granted 2 deferred 3 refused
Wednesday, 26 <sup>th</sup> October 2011	Additional	19 All HC Vehicles	9.30am – 4.20pm	13 granted 4 deferred 2 refused

**APPENDIX C****Licensing Act Sub-Committees.****Hearings held for licensed premises from 01.06.11 to 31.10.11**

<b>Date</b>	<b>Premises</b>	<b>New Application</b>	<b>Variation Application</b>	<b>Review</b>	<b>Result of hearing</b>	<b>Review requested by</b>	<b>Appeal</b>
1st June	The Wheatsheaf, Whitchurch		X		Approved subject to Conditions		Yes
3rd & 10th June	Stable Tavern, Cleobury Mortimer		X		Approved subject to Conditions		Yes
6th June	The Bull, Butchers Row, Shrewsbury			X	Premises Licence amended	The Prince Rupert Hotel	No
25th July	Sheriffhales Village Hall	X			Approved subject to Conditions		No
15th August	Railway Inn, Shifnal			X	Premises Licence amended	West Mercia Police	No
23rd August	Fox and Goose, Whitchurch			X	Premises Licence amended	West Mercia Police	No
24th August	The Libertine, Bridgnorth		X		Approved subject to Conditions		No
26th September	9 High Street Whitchurch	X			Approved subject to Conditions		No
18th October	Dog and Pheasant, Shrewsbury		X		Approved subject to Conditions		NO
19 <sup>th</sup> October	The Local, Shrewsbury			X			Yes

**APPENDIX D****Enforcement activity carried out in September and October 2011**

Officers conducted checks in all areas of the Authority

AREA	DATE	ISSUES
<b>LICENSING ACT 2003</b>		
Ludlow Food Festival	09/09/11	None found
Shrewsbury Town Centre area	10/09/11	None found
Oswestry, Ellesmere, Whitchurch areas	10/09/11	None found
Bridgnorth Town Centre and Shifnal area,	14/10/11	None found
Shrewsbury town Centre area	28/10/11	None found
<b>TAXI / PRIVATE HIRE</b>		
Joint Enforcement check with Telford Officers in Telford Town Centre areas 11 vehicles checked H/C & P/Hire vehicles	23/09/11	1 minor
Joint enforcement check with Telford Officers in Telford Town Centre areas 16 vehicles checked H/C & P/Hire vehicles	30/09/11	3 x minor 2 x suspension
Vehicles checked in Bridgnorth Town Centre area.	14/10/11	None found
Vehicles checked in Shrewsbury town Centre area late evening / early morning	28/10/11	None found
<b>OTHER</b>		
Joint operation with West Mercia Police inspection of Scrap Metal Dealership sites (National Day of Inspection) Three sites visited in Shrewsbury area.	28/10/11	2 Non-compliant
Court Cases Shrewsbury Magistrates Court		



<p>Prosecution for Plying for Hire Offences (unlicensed driver &amp; vehicle)</p> <p>Licensing hearing appeal in respect of licensed premises The Local Shoplatch Shrewsbury. Licence suspended from 19/10/11 to 16/12/11 with additional conditions placed thereon.</p> <p>Licensing hearing appeal in respect of licensed premises The Wheatsheaf Public House High Street Whitchurch</p>		<p>Licence suspended from 19/10/11 to 16/12/11 with additional conditions placed thereon.</p> <p>Magistrates agreed that the Licensing Committee decision was entirely appropriate and correct. However the appeal against the Committee decision would be allowed. No order for costs were awarded.</p>
---	--	--