



Committee and Date

Strategic Licensing
Committee

25th September 2013

Item

9

Public

EXERCISE OF DELEGATED POWERS

Responsible Officer

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1. Summary

- 1.1 Licensing officers have been given delegated powers to issue or amend licences, providing no objections have been received in the case of licences issued under the Licensing Act or with regard to general and public health licences.
- 1.2 Further, procedures have been approved for officers with direct line management responsibility for Licensing to use their delegated powers to, amend, revoke or refuse driver and vehicle licences.
- 1.3 This report gives details of the licences issued, variations that have been made and the enforcement action undertaken between 18th of May 2013 to the 31st August 2013 and a summary of applications considered by committee.

2. Recommendations

- 2.1 That members note 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 Information regarding the issue of licences by Officers under delegated powers is reported to Committee on a quarterly basis.
- 5.2 Officers use their delegated powers in a number of situations, including where:
- a) A licence has been requested and there have been no objections raised by interested parties or Responsible Authorities.
 - b) The application has met the Council's policy criteria for accepting an application.
 - c) There are vehicle applications for new or renewal licenses and revocation of licences where the operating criteria as set by the Hackney Carriage and Private Hire Licence policy or Out of Area policy is not met and the officer does not consider there to be any special reason for an exception to be made.
 - d) There are driver's applications for new or renewal licences or revocation of licences where the criteria as set by the Hackney Carriage and Private Hire Licence policy is not met and the officer does not consider there to be any special reason for an exception to be made.
- 5.3 The table in Appendix A shows the complete range of licences issued by the licensing team during the period of the 18th of May 2013 to the 31st August 2013. During this period the total number of licences processed was 1650.
- 5.4 The Table in Appendix B shows that there were two Licensing and Safety Sub-Committee Meetings held between the 18th of May 2013 to the 31st August 2013.
- 5.5 The Licensing Act activities at Sub Committee have also been given in Appendix C.
- 5.6 The Joint Taxi Enforcement Exercises undertaken between the 18th of May 2013 to the 31st August 2013 results are provided in Appendix D.
- 5.7 The Taxi Operator Fleet Checks undertaken between the 18th of May 2013 to the 31st August 2013 results are provided in Appendix E.
- 5.8 Following the decision at the Strategic Licensing Committee on 21st March 2012, vehicles and driver applications are now being considered by Officers using delegated powers. Evidence is obtained by the officers through interview with the applicants, to ascertain where they intend to operate to a material extent and to also obtain agreement that they will keep records if a licence is granted. In relation to Driver Applications where the decision is 'minded to refuse', a letter is sent to the applicant giving them an opportunity to make written representations stating any exceptional circumstances that they wish to be taken into consideration. This is in line with the rules of natural justice which state that there is a right to be heard before a decision is made.

5.9 The number of licences and actions determined by this process is as follows:-

Driver	Granted	Granted with warning letter	Letter sent stating Council is 'Minded to refuse'	Refused	To refer to Committee
New		2		2	1
Renewal		1			
Conduct					
Vehicle	Granted	Granted subject to keeping records	Letter sent stating Council is 'Minded to refuse'	Refused	To refer to Committee
New		1		1	
Renewal				2	
Condition					

6. Conclusion

6.1 During the last quarter the work load for the Licensing team continues to be high the team have been working hard to maintain the flow of applications whilst at the same time prioritise enforcement and introduce Operator Fleet Checks.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Cabinet Member (Portfolio Holder)

Councillor Steve Charmley

Local Member

Cover all areas of Shropshire

Appendices

A – Licences issued 18th of May 2013 to the 31st August 2013.

B – Number of hackney Carriage / Private Hire Vehicle applications considered at the Licensing and Safety Sub-Committees from 18th of May 2013 to the 31st August 2013.

C – Hearings held for licensed premises at the Licensing Act Sub-Committees from 18th of May 2013 to the 31st August 2013.

D – Joint Taxi Enforcement Exercises undertaken between the 18th of May 2013 and the 31st August 2013.

E – Taxi Operator Fleet Checks undertaken between the 18th of May 2013 and the 31st August 2013.

APPENDIX A

Licences issued – 18th of May 2013 to the 31st August 2013.

General Licensing	Total
Acupuncture Personal	1
Acupuncture Premises	1
Animal Boarding	0
Animal Breeding	3
Caravan Sites	1
Earpiercing Personal	1
Earpiercing Premises	1
House to House Collection	12
Motor Salvage	0
Pet Shops	0
Riding Establishments	2
Scrap Metal Dealers	1
Sex Shop	0
Street Collection	20
Street Trading Consent	5
Tattooing Personal	4
Tattooing Premises	2
Electrolysis	0
Dangerous Wild Animals	1
Zoo	0
Performing Animals	0
Total Applications General	55

Taxi Licensing	Total
Hackney Carriage N	14
Hackney Carriage R	49
Joint HC/PH Driver N	60
Joint HC/PH Driver R	91
Private Hire Operator N	6
Private Hire Operator R	12
Private Hire Vehicle N	93
Private Hire Vehicle R	232
Hackney Vehicle Transfer	10
Private Hire Vehicle Transfer	47
Private Hire Licence Transfer	8
Total Taxi Applications	622

Gambling Act 2005	Total
Bingo Premise Licence	0
Betting Premise Licence	0
Licensed Premise Gaming Machine Permit	3
Notification of Intent to have gaming machines	0
Club Machine Permits	0
Occasional Use Licence	0
Adult Gaming Centre	0
Small Society Lotteries	13
Change of Promoter	1
Annual Fee	91
Total Gambling Act 2005 Applications	108

Licensing Act 2003	Total
Club Certificate with alcohol	0
Personal Alcohol	55
Premises Licence	16
Temp Event Notice no Alcohol	35
Temp Event Notice with Alcohol	426
Minor Variation Application	7
DPS Change/Variation	52
Transfer Application	17
Annual Fee	247
Premises Review	2
Premises Lic with Alcohol - Full Variation	7
Premises Lic without Alcohol - Full Variation	1
Total Lic Act Applications General	865

Total Applications

1650

APPENDIX B
Licensing and Safety Sub-Committee Meetings – 18th of May 2013 to the 31st August 2013.

Date of Meeting	Scheduled/ Additional	Number of Cases	Times	Decisions
Wednesday 19 th June	Scheduled	1 Driver application	9.30 a.m. – 10.12 a.m.	Granted
Wednesday 17 th July 2012	Scheduled	2 Street Trading Consent 1 Driver application	10.00 a.m. – 12.03 p.m.	Street Trading Consent granted, subject to Conditions Driver application Granted

APPENDIX C

Licensing Act Sub-Committees. Hearings held for licensed premises from 18th of May 2013 to the 31st August 2013.

Date	Premises	Type of application	Councillors	Meeting Venue	Decision	Review Requested by
3 rd June 2013	Swancote Country Club	Review	Joyce Barrow, Jon Tandy & Rosanna Taylor-Smith	Ludlow Room	Licence Revoked	West Mercia Police
19 th June 2013	Condover Hall	Variation	Joyce Barrow, Andrew Davies & Rosanna Taylor-Smith	Shrewsbury Room	Granted subject to conditions	
19 th June 2013	Shrewsbury Folk Festival	New	Joyce Barrow, Andrew Davies & Rosanna Taylor-Smith	Shrewsbury Room	Granted subject to conditions	
8 th July 2013	The Rock Inn	New	Joyce Barrow, Peter Cherrington & Peter Cherrington	Shrewsbury Room	Granted	
28 th August 2013	Costcutter, 12 Coder Road, Ludlow	Review	Peter Cherrington, Joyce Barrow & Andrew Davies	Shrewsbury Room	Licence Suspended for 14 days, DPS Removed and Conditions added to the licence	Trading Standards

APPENDIX D

Joint Taxi Enforcement Exercises undertaken between the 18th of May 2013 and the 31st August 2013. (Authorities involved include Shropshire Council Licensing, West Mercia Police, VOSA and Telford and Wrekin Council Licensing).

Inspection Date	Total Number of Vehicles Inspected	Prohibitions Issued	Suspensions	Breach of Licence Conditions	No Action Required
28/06/13	6	4	0	0	2
16/08/13	40	4	2	2	32

APPENDIX E

Taxi Operator Fleet Checks undertaken between the 18th of May 2013 and the 31st August 2013.

Inspection Date	Total Number of Vehicles in Fleet	Total Number of Vehicles Inspected	Advisory Note	No Action Required
20/08/13	456	87	3	84
21/08/13	456	62	2	60