



Committee and Date

Strategic Licensing
Committee

30th March 2016

Item

7

Public

EXERCISE OF DELEGATED POWERS

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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 1 December 2015 and the 29 February 2016 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 1 December 2015 to the 29 February 2016. During this period the total number of licences processed was 1242.
- 5.4 The Table in Appendix B shows that there was 1 Licensing and Safety Sub-Committee Meeting held between the 1 December 2015 and the 29 February 2016.
- 5.5 The Licensing Act activities at Sub Committee have also been given in Appendix C.
- 5.6 The Private Hire Vehicle and Hackney Carriage checks undertaken between the 1 December 2015 to the 29 February 2016, results are provided in Appendix D.
- 5.7 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.

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

Driver	Granted	Granted and/or Warning Letter	Letter Council is 'Minded to refuse' or 'Suspend'	Refuse to Grant	Revoke	To refer to Committee
New	3			3		
Renew		6	4		12	
Conduct		4			9	1
Vehicle	Granted	Granted and/or Warning Letter	Letter Council is 'Minded to refuse' or 'Suspend'	Refuse to Grant	Revoke	To refer to Committee
New						
Renewal						
Condition	2					

6. Conclusion

6.1 During the last three months the workload for the Licensing team continued to be high, the team have been working hard to maintain the flow of applications.

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 Malcolm Price – Portfolio Holder for Regulatory Services, Housing and Commissioning (Central)

Local Member

Cover all areas of Shropshire

Appendices:

A – Licences issued 1 December 2015 to the 29 February 2016.

B – Number of hackney Carriage / Private Hire Vehicle applications considered at the Licensing and Safety Sub-Committees from 1 December 2015 to the 29 February 2016.

C – Hearings held for licensed premises at the Licensing Act Sub-Committees from 1 December 2015 to the 29 February 2016.

D – Private Hire Vehicle and Hackney Carriage checks undertaken between the 1st December 2015 and the 29 February 2016.

APPENDIX A

Licences issued – 1 December 2015 to the 29 February 2016.

General Licensing	Total
Acupuncture Personal	1
Acupuncture Premises	0
Animal Boarding	45
Animal Breeding	12
Caravan Sites	1
Cosmetic Piercing Personal	6
Cosmetic Piercing Premises	4
House to House Collection	8
Pet Shops	5
Riding Establishments	5
Scrap Metal Site	0
Scrap Metal Collector	0
Sex Establishment Licence	1
Street Collection	74
Street Trading Consent	4
Tattooing Personal	2
Tattooing Premises	0
Electrolysis	0
Dangerous Wild Animals	0
Zoo	1
Performing Animals	0
Distribution of Free Printed Matter	4
Total Applications General	173

Taxi Licensing (Surrendered)	Total
Private Hire Vehicles	17
Hackney Carriages	1
Total Surrendered Vehicles	18

Taxi Licensing		Total
Hackney Carriage	N	12
Hackney Carriage	R	25
Joint HC/PH Driver	N	19
Joint HC/PH Driver	R	93
Private Hire Operator	N	2
Private Hire Operator	R	25
Private Hire Vehicle	N	52
Private Hire Vehicle	R	173
Hackney Vehicle Transfer		9
Private Hire Vehicle Transfer		34
Private Hire Licensee Transfer		0
Trailer Licence		2
Total Taxi Applications		446

Licensing Act 2003	Total
Club Certificate with alcohol	1
Personal Alcohol	74
Premises Licence	11
Temp Event Notice no Alcohol	175
Temp Event Notice with Alcohol	0
Minor Variation Application	10
DPS Change/Variation	52
Transfer Application	18
Annual Fee	250
Premises Review	0
Premises Lic with Alcohol - Full Variation	5
Premises Lic without Alcohol - Full Variation	0
Total Lic Act Applications General	596

Gambling Act 2005	Total
Bingo Premise Licence	0
Betting Premise Licence	3
Licensed Premise Gaming Machine Permit	3
Notification of Intent to have gaming machines	2
Club Machine Permits	4
Occasional Use Licence	2
Adult Gaming Centre	0
Small Society Lotteries	13
Change of Promoter	0
Annual Fee	0
Total Gambling Act 2005 Applications	27

Total Applications

1242

Total Surrendered Vehicles

18

APPENDIX B

Licensing and Safety Sub-Committee Meetings – 1 December 2015 to the 29 February 2016.

Date of Meeting	Scheduled/ Additional	Item	Meeting Venue	Decisions
24 th February 2016	Scheduled	Conduct of Licenced Driver	Shirehall	Issue a Warning

APPENDIX C**Licensing Act Sub-Committees.****Hearings held for licensed premises from 1 December 2015 to the 29 February 2016.**

Date	Premises	Type of application	Councillors	Meeting Venue	Decision	Review Requested by
13 th January 2016	Source Vodka Bar (First Floor), 8 Barker Street, Shrewsbury, SY1 1QJ	Sex Establishment Licence	Peter Adams, Keith Roberts and Viv Parry	Shirehall	Granted subject to conditions	n/a
13 th January 2016	Subway, 27 Claremont Street, Shrewsbury	New Premises Licence	Peter Adams, Keith Roberts and Joyce Barrow	Shirehall	Granted	n/a
13 th January 2016	The Huntsman and Whipper Inn, 15 High Street, Much Wenlock,	New Premises Licence	Peter Adams, Keith Roberts and Joyce Barrow	Shirehall	Granted	n/a
1 st February 2016	Bonds, Lower Claremont Bank, Shrewsbury	Variation of Premises Licence	Peter Adams, Andrew Davies and Keith Roberts	Shirehall	Granted	n/a
1 st February 2016	Source Vodka Bar, Barker Street, Shrewsbury, SY1 1QJ	Variation of Premises Licence	Peter Adams, Andrew Davies and Keith Roberts	Shirehall	Granted	n/a

APPENDIX D**Private Hire Vehicle and Hackney Carriage checks undertaken between the 1 December 2015 and the 29 February 2016.**

Inspection Date	Total Number of Vehicles Inspected	Advisory Note	No Action Required
5 th December 2015	7	0	0
5 th December 2015	5	1	4
23 rd January 2016	11	1	10
29 th January 2016	6	1	5
30 th January 2016	5	0	5
13 th February 2016	1	0	1
29 th February 2016	5	0	5
29 th February 2016	8	2	6