

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 3rd of May 2014 to the 3rd of September 2014 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 3rd May 2014 to the 3rd September 2014. During this period the total number of licences processed was 1661.
- 5.4 The Table in Appendix B shows that there were no Licensing and Safety Sub-Committee Meetings held between the 3rd of May 2014 and the 3rd of September 2014.
- 5.5 The Licensing Act activities at Sub Committee have also been given in Appendix C.
- 5.6 There were no Taxi Operator Fleet Checks undertaken between the 1st of March 2014 and the 2nd of May 2014.
- 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'	Refused /Revoked	To refer to Committee
New		1		4	
Renewal					
Conduct					
Vehicle	Granted	Granted subject to keeping records	Letter sent stating Council is 'Minded to refuse'	Refused	To refer to Committee
New		1			
Renewal					
Condition					

6. Conclusion

6.1 During the last four months the work load for the Licensing team continues to be high the team have been working hard to maintain the flow of applications whilst changing over processing systems.

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 3rd of May 2014 to the 3rd of September 2014.

B – Number of hackney Carriage / Private Hire Vehicle applications considered at the Licensing and Safety Sub-Committees from 3rd of May 2014 to the 3rd of September 2014.

C – Hearings held for licensed premises at the Licensing Act Sub-Committees from 3rd May 2014 and the 3rd of September 2014.

APPENDIX A

Licences issued – 3rd of May 2014 to the 3rd of September 2014.

General Licensing	Total
Acupuncture Personal	6
Acupuncture Premises	4
Animal Boarding	10
Animal Breeding	8
Caravan Sites	2
Cosmetic Piercing Personal	4
Cosmetic Piercing Premises	2
House to House Collection	4
Pet Shops	1
Riding Establishments	13
Scrap Metal Site	1
Scrap Metal Collector	4
Sex Shop	0
Street Collection	12
Street Trading Consent	15
Tattooing Personal	4
Tattooing Premises	2
Electrolysis	0
Dangerous Wild Animals	0
Zoo	0
Performing Animals	2
Total Applications General	94

Taxi Licensing	Total
Hackney Carriage N	12
Hackney Carriage R	34
Joint HC/PH Driver N	50
Joint HC/PH Driver R	39
Private Hire Operator N	8
Private Hire Operator R	0
Private Hire Vehicle N	135
Private Hire Vehicle R	219
Hackney Vehicle Transfer	14
Private Hire Vehicle Transfer	62
Private Hire Licensee Transfer	9
Total Taxi Applications	582

Gambling Act 2005	Total
Bingo Premise Licence	0
Betting Premise Licence	0
Licensed Premise Gaming Machine Permit	0
Notification of Intent to have gaming machines	2
Club Machine Permits	0
Occasional Use Licence	1
Adult Gaming Centre	0
Small Society Lotteries	73
Change of Promoter	0
Annual Fee	63
Total Gambling Act 2005 Applications	139

Licensing Act 2003	Total
Club Certificate with alcohol	0
Personal Alcohol	107
Premises Licence	33
Temp Event Notice no Alcohol	33
Temp Event Notice with Alcohol	518
Minor Variation Application	4
DPS Change/Variation	59
Transfer Application	32
Annual Fee	51
Premises Review	3
Premises Lic with Alcohol - Full Variation	6
Premises Lic without Alcohol - Full Variation	0
Total Lic Act Applications General	846

Total Applications

1661

APPENDIX B

Licensing and Safety Sub-Committee Meetings – 3rd of May 2014 to the 3rd of September 2014.

Date of Meeting	Scheduled/ Additional	Item	Time	Decisions
None				

APPENDIX C

Licensing Act Sub-Committees. Hearings held for licensed premises from 3rd of May 2014 to the 3rd of September 2014.

Date	Premises	Type of application	Councillors	Meeting Venue	Decision	Review Requested by
15 May 2014	St Nicholas Café, 24 Castle Street, Shrewsbury	Variation of Premises Licence	Vernon Bushell, Roger Hughes and Keith Roberts	Shirehall	Granted subject to amended hours	
27 May 2014	Cromwells, 11 Dogpole, Shrewsbury	New Premises Licence	Joyce Barrow, Peter Cherrington and Roger Hughes	Shirehall	Granted subject to additional condition	
29 May 2014	Percy's Coffee and Curios, Whitchurch	New Premises Licence	Joyce Barrow, Peter Cherrington and Andrew Davies	Shirehall	Granted subject to additional condition	
07 July 2014	Greenfields Convenience Store, 41 Wood Street, Shrewsbury	Review of Premises Licence	Joyce Barrow, Peter Cherrington and Jon Tandy	Shirehall	Premises Licence suspended for 3 months and conditions added to licence	Trading standards