



Committee and Date

Strategic Licensing  
Committee

10<sup>th</sup> December 2014

Item

9

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 4<sup>th</sup> September 2014 to the 14<sup>th</sup> November 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 4<sup>th</sup> September 2014 to the 14<sup>th</sup> November 2014. During this period the total number of licences processed was 1182. In addition, the table includes the total number of surrendered Hackney Carriage and Private Hire Vehicle licences during the same period.
- 5.4 The Table in Appendix B shows that there were no Licensing and Safety Sub-Committee Meetings held between the 4<sup>th</sup> September 2014 and the 14<sup>th</sup> November 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 4<sup>th</sup> September 2014 and the 14<sup>th</sup> November 2014.
- 5.7 Following the decision at the Strategic Licensing Committee on 21<sup>st</sup> 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:-

<b>Driver</b>	<b>Granted</b>	<b>Granted and/or warning letter</b>	<b>Letter Council is 'Minded to refuse' or 'Suspend'</b>	<b>Refused /Revoked</b>	<b>To refer to Committee</b>
New	5	2		6	
Renewal					
Conduct					
<b>Vehicle</b>	<b>Granted</b>	<b>Granted subject to keeping records</b>	<b>Letter sent stating Council is 'Minded to refuse'</b>	<b>Refused</b>	<b>To refer to Committee</b>
New					
Renewal					
Condition					

## 6. Conclusion

6.1 During the last two 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 4<sup>th</sup> September 2014 to the 14<sup>th</sup> November 2014.

B – Number of hackney Carriage / Private Hire Vehicle applications considered at the Licensing and Safety Sub-Committees from 4<sup>th</sup> September 2014 to the 14<sup>th</sup> November 2014.

C – Hearings held for licensed premises at the Licensing Act Sub-Committees from 4<sup>th</sup> September 2014 and the 14<sup>th</sup> November 2014.

## APPENDIX A

Licences issued – 4<sup>th</sup> September 2014 to the 14<sup>th</sup> November 2014.

General Licensing	Total
Acupuncture Personal	0
Acupuncture Premises	28
Animal Boarding	1
Animal Breeding	0
Caravan Sites	0
Cosmetic Piercing Personal	1
Cosmetic Piercing Premises	0
House to House Collection	20
Pet Shops	1
Riding Establishments	4
Scrap Metal Site	2
Scrap Metal Collector	0
Sex Shop	0
Street Collection	20
Street Trading Consent	3
Tattooing Personal	0
Tattooing Premises	0
Electrolysis	0
Dangerous Wild Animals	1
Zoo	0
Performing Animals	0
<b>Total Applications General</b>	<b>81</b>

Taxi Licensing (Surrendered)	Total
Private Hire Vehicles	11
Hackney Carriages	4
<b>Total Surrendered Vehicles</b>	<b>15</b>

Taxi Licensing		Total
Hackney Carriage	N	7
Hackney Carriage	R	32
Joint HC/PH Driver	N	62
Joint HC/PH Driver	R	55
Private Hire Operator	N	2
Private Hire Operator	R	16
Private Hire Vehicle	N	92
Private Hire Vehicle	R	110
Hackney Vehicle Transfer		8
Private Hire Vehicle Transfer		52
Private Hire Licensee Transfer		0
<b>Total Taxi Applications</b>		<b>436</b>

Licensing Act 2003	Total
Club Certificate with alcohol	0
Personal Alcohol	44
Premises Licence	0
Temp Event Notice no Alcohol	262
Temp Event Notice with Alcohol	0
Minor Variation Application	7
DPS Change/Variation	52
Transfer Application	15
Annual Fee	0
Premises Review	1
Premises Lic with Alcohol - Full Variation	12
Premises Lic without Alcohol - Full Variation	1
<b>Total Lic Act Applications General</b>	<b>394</b>

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	8
Club Machine Permits	4
Occasional Use Licence	0
Adult Gaming Centre	0
Small Society Lotteries	259
Change of Promoter	0
Annual Fee	0
<b>Total Gambling Act 2005 Applications</b>	<b>271</b>

**Total Applications**

**1182**

**Total Surrendered Vehicles**

**15**

**APPENDIX B**

**Licensing and Safety Sub-Committee Meetings – 4<sup>th</sup> September 2014 to the 14<sup>th</sup> November 2014.**

Date of Meeting	Scheduled/ Additional	Item	Time	Decisions
None				

## APPENDIX C

Licensing Act Sub-Committees. Hearings held for licensed premises from 4<sup>th</sup> September 2014 to the 14<sup>th</sup> November 2014.

Date	Premises	Type of application	Councillors	Meeting Venue	Decision	Review Requested by
18/09/14	Drinks Stop, Unit 3 Brownlow Street Parade, Brownlow Street, Whitchurch	Review	J Barrow, P Cherrington, R Hughes	Shirehall	Additional Conditions added to Premises Licence	Trading Standards
21/10/14	Magdalenka, 10-12 Shropshire Street, Market Drayton	Review	P Cherrington, V Bushell, A Davies	Shirehall	Premises Licence revoked	Trading Standards
12/11/14	Shropshire & West Mid Showground, Berwick Street, Shrewsbury	Review	J Barrow, P Cherrington, R Hughes	Shirehall	Premises Licence Conditions revised	Public Protection, Environmental Health