



#### Committee and Date

Strategic Licensing  
Committee

30<sup>th</sup> September 2015

#### Item

8

Public

## **EXERCISE OF DELEGATED POWERS**

**Responsible Officer** Mandy Beever, Team Manager Operational Community Safety  
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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<sup>st</sup> of May 2015 to the 31<sup>st</sup> August 2015 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<sup>st</sup> of May 2015 to the 31<sup>st</sup> August 2015. During this period the total number of licences processed was 2061.
- 5.4 The Table in Appendix B shows that there were two Licensing and Safety Sub-Committee Meetings held between the 1<sup>st</sup> of May 2015 and the 31<sup>st</sup> August 2015.
- 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<sup>st</sup> of May 2015 and the 31<sup>st</sup> August 2015, results are provided in Appendix D.
- 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</b>	<b>To refer to Committee</b>
New	3	2		2	
Renewal		4			
Conduct		6	1	3	
<b>Vehicle</b>	<b>Granted</b>	<b>Granted subject to keeping records (warning)</b>	<b>Letter sent stating Council is 'Minded to refuse'</b>	<b>Refused</b>	<b>To refer to Committee</b>
New		1		1	
Renewal					
Condition		(2)			

## 6. Conclusion

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

<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 1 <sup>st</sup> of May 2015 to the 31 <sup>st</sup> August 2015. B – Number of hackney Carriage / Private Hire Vehicle applications considered at the Licensing and Safety Sub-Committees from 1 <sup>st</sup> of May 2015 to the 31 <sup>st</sup> August 2015. C – Hearings held for licensed premises at the Licensing Act Sub-Committees from 1 <sup>st</sup> of May 2015 to the 31 <sup>st</sup> August 2015. D – Private Hire Vehicle and Hackney Carriage checks undertaken between the 1 <sup>st</sup> of May 2015 and the 31 <sup>st</sup> August 2015.

## APPENDIX A

### Licences issued – 1<sup>st</sup> May 2015 to the 31<sup>st</sup> August 2015.

General Licensing	Total
Acupuncture Personal	1
Acupuncture Premises	1
Animal Boarding	4
Animal Breeding	2
Caravan Sites	1
Cosmetic Piercing Personal	7
Cosmetic Piercing Premises	
House to House Collection	22
Pet Shops	
Riding Establishments	9
Scrap Metal Site	10
Scrap Metal Collector	31
Sex Shop	1
Street Collection	29
Street Trading Consent	6
Tattooing Personal	8
Tattooing Premises	3
Electrolysis	2
Dangerous Wild Animals	1
Zoo	
Performing Animals	
<b>Total Applications General</b>	<b>138</b>

Taxi Licensing (Surrendered)	Total
Private Hire Vehicles	3
Hackney Carriages	1
<b>Total Surrendered Vehicles</b>	<b>4</b>

Taxi Licensing		Total
Hackney Carriage	N	9
Hackney Carriage	R	42
Joint HC/PH Driver	N	45
Joint HC/PH Driver	R	231
Private Hire Operator	N	6
Private Hire Operator	R	13
Private Hire Vehicle	N	68
Private Hire Vehicle	R	287
Hackney Vehicle Transfer		13
Private Hire Vehicle Transfer		54
Private Hire Licensee Transfer		
<b>Total Taxi Applications</b>		<b>768</b>

Licensing Act 2003	Total
Club Certificate with alcohol	
Personal Alcohol	126
Premises Licence	21
Temp Event Notice no Alcohol	
Temp Event Notice with Alcohol	523
Minor Variation Application	13
DPS Change/Variation	85
Transfer Application	33
Annual Fee	306
Premises Review	1
Premises Lic with Alcohol - Full Variation	8
Premises Lic without Alcohol - Full Variation	
<b>Total Lic Act Applications General</b>	<b>1116</b>

Gambling Act 2005	Total
Bingo Premise Licence	1
Betting Premise Licence	1
Licensed Premise Gaming Machine Permit	3
Notification of Intent to have gaming machines	6
Club Machine Permits	3
Occasional Use Licence	2
Adult Gaming Centre	
Small Society Lotteries	23
Change of Promoter	
Annual Fee	
<b>Total Gambling Act 2005 Applications</b>	<b>39</b>

**Total Applications**

**2061**

**Total Surrendered Vehicles**

**4**

**APPENDIX B****Licensing and Safety Sub-Committee Meetings – 1<sup>st</sup> May 2015 to the 31<sup>st</sup> August 2015.**

<b>Date of Meeting</b>	<b>Scheduled/ Additional</b>	<b>Item</b>	<b>Time</b>	<b>Decisions</b>
29 <sup>th</sup> April 2015	Scheduled	Review of Private Hire Operators Licence	10.00 a.m.	Licence Holder not present therefore the item was deferred to the next scheduled Meeting.
27 <sup>th</sup> May 2015	Scheduled	Review of Private Hire Operators Licence	10.00 a.m.	Private Hire Operators Licence suspended for six weeks commencing 19 <sup>th</sup> June 2015

**APPENDIX C****Licensing Act Sub-Committees. Hearings held for licensed premises from 1<sup>st</sup> May 2015 to the 31<sup>st</sup> August 2015.**

<b>Date</b>	<b>Premises</b>	<b>Type of application</b>	<b>Councillors</b>	<b>Meeting Venue</b>	<b>Decision</b>	<b>Review Requested by</b>
11 May 2015	The Kings Head, 205 Shrewsbury Road, Market Drayton	Variation of Premises Licence	Peter Adams Andrew Davies Keith Roberts	Ludlow Room Shirehall	Variation Granted	
18 May 2015	Ashley's Wine Bar, 9 Shoplatch, Shrewsbury	Review of a Premises Licence requested by local residents	Vernon Bushell Michael Wood Simon Jones	Shrewsbury Room, Shirehall	No reduction to opening hours, request the submission of noise management plan and removal of conditions contained in Annex 2 points 5 and 1.	Local Residents
13 July 2015	Seven Bar and Attic 8 Broadway, Shifnal, Shropshire	Variation of a Premises Licence	Joyce Barrow Viv Parry Keith Roberts	Ludlow Room, Shirehall	Variation Granted	

## APPENDIX D

**Private Hire Vehicle and Hackney Carriage checks undertaken between the 1<sup>st</sup> May 2015 and the 31<sup>st</sup> August 2015.**

Inspection Date	Total Number of Vehicles Inspected	Advisory Note	No Action Required
10 <sup>th</sup> July 2015	48	12	36