

Eden District Council

Council
30 July 2020

Licensing Committee Annual Report 2019-2020

Portfolio:	Not Applicable
Report from:	Chairman of the Licensing Committee
Wards:	All Wards
OPEN PUBLIC ITEM	

1 Purpose

- 1.1 To provide general information on the activities of the Licensing Committee during the municipal year 2019-2020.

2 Recommendation

- 2.1 That the contents of the report be noted.

3 Background and Proposals

- 3.1 As Chair of the Licensing Committee I am pleased to report on the work of the Licensing Committee and of the officers in Environmental Health and in the Licensing Team which support the Committee's work.
- 3.2 The Council's Licensing Committee deals with many aspects of licensing and most of its work continues to be discharged on its behalf through delegated powers granted to officers. A list of the Members of the Committee appears at the end of this Report as Appendix 1.
- 3.3 Matters which cannot or which are not appropriate to be dealt with through the Scheme of Delegation for Officers are dealt with by the Licensing Committee under the Scheme of Delegation granted by the Council or under other powers given to it directly by Parliament.
- 3.4 The Council's Constitution sets out in Part 3 ('Responsibility for Functions') the wide range of licensing matters undertaken by the ten elected Members who serve on the Licensing Committee (or by their standing deputies). The scope of the Committee's responsibilities are wide encompassing acupuncture, alcohol licensing, regulated entertainment, late night refreshment, animal boarding establishments, boats and boatmen, caravan sites, dangerous wild animals, dog breeding, ear piercing, electrolysis, game dealing, gaming and gambling, house to house collections, pet shops, private hire and hackney carriage licensing, riding establishments, scrap metal dealers, street trading, street collections, tattooing, taxi licensing, and zoos.
- 3.5 There has been one internally delivered training session for all Committee members. The training summarised the range of functions which are the responsibility of the Committee. The training also reminded Members of the quasi-judicial nature of their decision making role.

- 3.6 There have been three formal meetings of the Licensing Committee – the significant items of business are detailed in Appendix 2.
- 3.7 The attached Appendix 3 sets out a summary from the Licensing team of:
- (a) the number of Licences in existence within the District and consequently subject to the Council's oversight; and
 - (b) the number of applications and Notices considered by Licensing Officers under their delegated powers and by the Committee when referred to the Committee by Officers.
- 3.8 The attached Appendix 4 sets out a summary from the Food, Health and Safety Section within Community Services of the current number of licences and registrations within the District and consequently subject to the Council's oversight.
- 3.9 I express my sincere thanks to the relevant officers concerned for their dedicated work over the course of the last year. In particular I note the routine licensing matters as in Appendix 3 and 4 but also the significant work devoted to major events undertaken each year within the district such as Kendal Calling. This includes the work of secretarial staff, support staff in the Contact Centre, the staff in Member Services who provide the committee administration before, during and after meetings of the Committee and the in-house legal staff.
- 3.10 Finally, it would be remiss of me not to thank my fellow Councillors on the Licensing Committee for their work representing and supporting the people of the District of Eden, enabling the public at large to be safeguarded whilst pursuing their leisure and business activities.

4 Policy Framework

- 4.1 The Council has four corporate priorities which are:
- Sustainable;
 - Healthy, safe and secure;
 - Connected; and
 - Creative
- 4.2 The work by and on behalf of the Licensing Committee supports Sustainable and Healthy, safe and secure priorities.

5 Consultation

- 5.1 There has not been any consultation on this report.

6 Implications

6.1 Financial and Resources

- 6.1.1 Any decision to reduce or increase resources or alternatively increase income must be made within the context of the Council's stated priorities, as set out in its Council Plan 2019-2023 as agreed at Council on 7 November 2019.
- 6.1.2 There are no proposals in this report that would reduce or increase resources.

6.2 Legal

- 6.2.1 There are no legal implications arising directly from this report.

6.3 Human Resources

6.3.1 There are no Human Resources implications arising from this report.

6.4 Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	There are no such implications arising directly out of this report.
Health, Social Environmental and Economic Impact	There are no such implications arising directly out of this report.
Crime and Disorder	There are no such implications arising directly out of this report.
Children and Safeguarding	There are no such implications arising directly out of this report.

6.5 Risk Management

Risk	Consequence	Controls required
That decisions made by the Council as Licensing authority are not sound and subject to legal challenge.	Potential adverse findings by the courts and resulting legal costs.	1. Sound management and a properly resourced team. 2. Appropriate legal and technical advice provided to officers and members.

7 Other Options Considered

7.1 None.

8 Reasons for the Decision/Recommendation

8.1 Members are asked to note the information given in this report.

Tracking Information

Governance Check	Date Considered
Chief Finance Officer (or Deputy)	
Monitoring Officer (or Deputy)	
Relevant Director	

Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Licensing Committee Membership 2019/2020
2	Formal meetings Licensing Committee 2019/2020
3	Applications and Licences 1 April 2019 to 31 March 2020, No of Licences as at 31 March 2020
4	Food, Health and Safety Section: Current number of licences and registrations within the District

Contact Officer: Robert Docherty, Assistant Director Community Services
Tel: 01768 212328

Appendix 1

Licensing Committee Membership 2019/2020

Membership

Councillor D Holden (Chair)

Councillor P Baker

Councillor L Harker

Councillor M Hanley

Councillor E Martin

Councillor A Meadowcroft

Councillor J Raine

Councillor D Wicks

Councillor W Patterson (Vice-Chair)

Councillor H Sawrey-Cookson

Councillor M Clark (Standing Deputy)

Councillor I Chambers (Standing Deputy)

Councillor M Eyles (Standing Deputy)

Councillor D Ryland (Standing Deputy)

Councillor G Simpkins (Standing Deputy)

Councillor D Smith (Standing Deputy)

Councillor J Thompson (Standing Deputy)

Appendix 2

During the period 1 April 2019 to 31 March 2020, in addition to the Member training which took place on 12 June 2019, the following formal meetings of the Licensing Committee were held:

Date of Meeting	Item to be considered	Reason
3 July 2019	Whether driver is fit and proper to continue to hold a Hackney Carriage Driver Licence	Following adjournment on 27 February 2019 for further consideration
4 September 2019	Whether driver is fit and proper to hold a Hackney Carriage Driver Licence	Criminal records history on new application
18 December 2019	Whether driver is fit and proper to continue to hold a Hackney Carriage Driver Licence	Number of penalty points incurred on DVLA licence

Appendix 3

Applications and Licences 1 April 2019 to 31 March 2020

No of Licences as at 31 March 2020

Licensing Act 2003

Personal Licences	Premises Licences with Alcohol	Premises Licences without Alcohol	Premises Licences Vessels	Club Premises Certificates	No of Temporary Event Notices during the year
<i>Indefinite</i>	<i>Indefinite</i>	<i>Indefinite</i>	<i>Indefinite</i>	<i>Indefinite</i>	<i>On demand</i>
1258	333	74	5	13	326

Hackney Carriage / Private Hire

Hackney Carriage	Hackney Carriage Drivers	Private Hire Operators	Private Hire Vehicles	Private Hire Drivers
<i>Annual</i>	<i>1 or 3 yrs</i>	<i>1 or 5 yrs</i>	<i>Annual</i>	<i>1 or 3 yrs</i>
77	89	19	25	52

Gambling Act 2005

Adult Gaming Centres - <i>Indefinite</i>	3
Betting (other than track) - <i>Indefinite</i>	4
Family Entertainment Centre Permits - <i>10 years</i>	5
Club Machine Permits - <i>10 years or indefinite</i>	5
Licensed Premises Gaming Machine Permits - <i>Indefinite</i>	5
Gaming Machine Notifications - <i>Indefinite</i>	52
Small Society Lotteries Registrations - <i>Indefinite</i>	136
No of Occasional use Notices during the year - <i>On demand</i>	16

Other Licences/Permits

- 5 Pleasure Boat and 5 Restricted Boat Operator - *1 year*
- 10 Street Trading Consents - *daily / 6 months / 1 year*
- 22 House to House Collection Licences *on demand*
- 44 Street Collection Permits *on demand*

Total No of Licence Applications / Notices / Annual Fees

During the period 1 April 2019 to 31 March 2020:

Officer delegated decisions:		896
Committee decisions:	Granted	1
	Refused	0

Annual Fees:

362 Licensing Act 2003

152 Gambling Act 2005 (135 Small Society Lotteries / 17 Premises Licences and Permits)

Appendix 4

Food, Health and Safety Section: Current number of licences and registrations within the District

Zoo licences - 2

Animal Boarding - 18 licences

Pet Shops - 3

Dangerous Wild Animals - 1

Dog Breeding - 3

Riding Establishments - 7

Performing animals - 2

Skin Piercing

In addition to this we issue registration for premises and persons who undertake skin piercing such as semi-permanent makeup, tattooing, cosmetic piercing, electrolysis, and acupuncture. We currently have: 53 licences.

Caravan and tents

We also issue licences to Caravan and camp sites and currently have:

Caravan Sites 101

Tent Sites 4