

Eden District Council

Licensing Committee

11 May 2022

**Licensing Committee Annual Report 2021-2022**

<b>Portfolio:</b>	Not Applicable
<b>Report from:</b>	Chair of the Licensing Committee
<b>Wards:</b>	All wards
<b>OPEN PUBLIC ITEM</b>	

**1 Purpose**

- 1.1 To provide general information on the activities of the Licensing Committee during the municipal year 2021-2022.

**2 Recommendation**

It is recommended that the report be noted.

**3 Report Details**

- 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 two formal meetings of the Licensing Committee for the municipal year 2021-2022. 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 Licensing Team dealt with the review of the Statement of Policy in relation to the Gambling Act 2005. The Council is required to review this policy every three years. This work included a wide and substantial public consultation, assessment of the responses and reported to the Licensing Committee meetings of 3<sup>rd</sup> November 2021. The Licensing Committee resolved that Council be recommended to approve the draft revised Statement of Policy. This revised policy was subsequently approved by Council on 25<sup>th</sup> November 2021.
- 3.9 The attached Appendix 4 sets out a summary from the Food, Health and Safety Section within Environmental Health of the current number of licences and registrations within the District and consequently subject to the Council's oversight.
- 3.10 I wish to express my sincere thanks to the relevant officers concerned for their dedicated work over the course of the last year. 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. I feel particular mention should be given to Linda Watson, who for many years has been the central part of the Licensing Team. Linda recently left the Council and in my opinion it would be remiss of me and this Committee not to recognise the hard work, knowledge and expertise provided by Linda to this Council in that time and her dedication to the Council should be commended.
- 3.11 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.

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 directly from this report.

### 6.4 Environmental

6.4.1 There are no environmental implications arising directly from this report.

### 6.5 Statutory Considerations

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

### 6.6 Risk Management

<b>Risk</b>	<b>Consequence</b>	<b>Controls Required</b>
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.	Sound management and a properly resources team, and appropriate legal and technical advice provided to Members and officers.

## 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

<b>Governance Check</b>	<b>Date Considered</b>
<b>Chief Finance Officer (or Deputy)</b>	N/A
<b>Monitoring Officer (or Deputy)</b>	N/A
<b>Relevant Assistant Director</b>	3 May 2022

### Appendices Attached to this Report

<b>Appendix No.</b>	<b>Name of Appendix</b>
1	Licensing Committee Membership 2021/2022
2	Formal meetings Licensing Committee 2021/2022
3	Applications and Licences 1 April 2021 to 31 March 2022, No of Licences as at 31 March 2022
4	Food, Health and Safety Section: Current number of licences and registrations within the District

**Contact Officer: Lisa Tremble, Assistant Director Legal and Democratic Services**

**Licensing Committee Membership 2019/2020**

**Membership**

Councillor Deb Holden (Chairman)  
Councillor Peter Baker (Vice-Chairman)  
Councillor Colin Atkinson  
Councillor Michael Hanley  
Councillor Laura Harker  
Councillor Doug Lawson  
Councillor Angela Meadowcroft  
Councillor Joan Raine  
Councillor Henry Sawrey-Cookson  
Councillor Michael Tonkin  
Councillor Douglas Banks (Standing Deputy)  
Councillor Ian Chambers (Standing Deputy)  
Councillor Michael Denis Eyles (Standing Deputy)  
Councillor Sandy Lancaster (Standing Deputy)  
Councillor John Charles Lynch (Standing Deputy)  
Councillor Ali Ross (Standing Deputy)  
Councillor Lissie Sharp (Standing Deputy)  
Councillor Graham Simpkins (Standing Deputy)  
Councillor Debra Wicks (Standing Deputy)  
Councillor Neil McCall (Standing Deputy)

## Appendix 2

During the period 1 April 2021 to 31 March 2022, in addition to the Member training which took place on 12 June 2019, the following formal meetings of the Licensing Committee were held:

<b>Date of Meeting</b>	<b>Item to be considered</b>	<b>Reason</b>
3 November 2021	To review and recommend Council approve the Council's Gambling Act 2005 – Statement of Policy.	The Council is required to review its Gambling Act 2005 – Statement of Policy every three years.
11 March 2022	Review of the District's Hackney Carriage Tariffs.	The Council last reviewed the Hackney Carriage Tariffs on the 4 May 2011. Government guidance is for a review of Hackney Carriage Tariffs to take place every three years.

## Appendix 3

### Applications and Licences 1 April 2021 to 31 March 2022

#### No of Licences as at 31 March 2022

#### 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>
1330	326	74	5	12	124

#### 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>
64	78	17	25	38

#### Gambling Act 2005

Adult Gaming Centres - <i>Indefinite</i>	3
Betting (other than track) - <i>Indefinite</i>	3
Family Entertainment Centre Permits - <i>10 years</i>	5
Club Machine Permits - <i>10 years or indefinite</i>	4
Licensed Premises Gaming Machine Permits - <i>Indefinite</i>	3
Gaming Machine Notifications - <i>Indefinite</i>	50
Small Society Lotteries Registrations - <i>Indefinite</i>	129
No of Occasional use Notices during the year - <i>On demand</i>	12

**Other Licences/Permits**

- 5 Pleasure Boat and 5 Restricted Boat Operator - 1 year
- 10 Street Trading Consents - *daily / 6 months / 1 year*
- 13 House to House Collection Licences *on demand*
- 16 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:		648
Committee decisions:	Granted	0
	Refused	0

**Annual Fees:**

348 Licensing Act 2003

120 Gambling Act 2005 (135 Small Society Lotteries / 12 Premises Licences and Permits)



## Appendix 4

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

Zoo licences – 2

Home Boarding - 8 licences

Day care – 2

Animal Boarding - 14 licences

Pet Shops - 2

Dangerous Wild Animals - 0

Dog Breeding - 7

Riding Establishments – 7 (plus 1 in application)

Performing animals - 4

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: 51 licences, and 2 currently being processed.

Caravan and tents

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

Caravan Sites 104

Tent Sites 4

Scrap Metal

Scrap Metal – site licences 12

Scrap Metal – collectors licences 25