



# Borough of Telford and Wrekin

## Licensing Committee

14 March 2023

### Annual Licensing Report

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<b>Cabinet Member:</b>	Cllr Richard Overton - Deputy Leader and Cabinet Member: Housing, Enforcement and Transport
<b>Lead Director:</b>	Dean Sargeant - Director: Neighbourhood & Enforcement Services
<b>Service Area:</b>	Neighbourhood & Enforcement Services
<b>Report Author:</b>	Anita Hunt - Public Protection Group Manager
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<b>Wards Affected:</b>	All wards
<b>Key Decision:</b>	Not Key Decision
<b>Forward Plan:</b>	Not Applicable
<b>Report considered by:</b>	Licensing Committee – 14 March 2023

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#### 1.0 Recommendations for decision:

It is recommended that Licensing Committee:

- 1.1 Note the content of this report and approve the areas of focus for 2023/24, while providing areas for further consideration.
- 1.2 Approve the consolidated Information Sharing Policy – Hackney Carriage and Private Hire Licensing Policy as contained in appendix A.

## 2.0 Purpose of Report

- 2.1 As a council that is on the side of residents, the purpose of this report is for Licensing Committee to receive an update on the Councils Licensing activity during 2022/23.
- 2.2 This report provides an overview of key licensing activity while providing an overview of complaints, enforcement and initiatives that have supported both residents and businesses.

## 3.0 Background

- 3.1 Committee will be aware that the Council fulfils a variety of licensing activities. This report focuses on activity undertaken by the Licensing Service who work to protect and support our residents, businesses and those who visit the borough.
- 3.2 The Council has a statutory duty to approve, review and monitor licences and publish policies in relation to certain licensing functions. It is important to note that this report does not cover licenses or permits relating to street works, skips or scaffolding, skin piercing, petroleum and fireworks or environmental permits.
- 3.3 Since April 2022, 855 licence applications were received with 549 licences issued. The remainder were either in progress, incomplete, withdrawn, or refused. Typically, there are approximately 3,500 active licences in operation across the borough that require regular inspection to ensure compliance; this is supported through investigation of complaints and requests for service. Over 1344 requests for service were received in this period ranging from requests for advice and information, assistance with applications, complaints and enquiries to setting up a new business.



## Taxis

- 3.4 The council regulates hackney carriages and private hire taxis through the following ways:

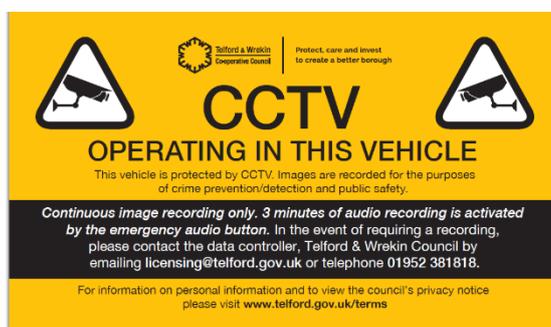
- A Private Hire Operator’s licence;
- A Vehicle Licence, for both hackney carriages and private hire; and
- A Drivers Licence

3.5 There are currently 270 vehicles and 330 drivers holding a licence provided by Telford & Wrekin Council. Since April 2022 there have been an additional 23 private hire operators licensed alongside 193 vehicle and 150 driver, new and renewal licences granted.

3.6 Since April 2022, 54 complaints were received regarding taxis with only 14 relating to those licensed by Telford & Wrekin Council. 27 complaints were referred to neighbouring local authorities, the remainder (13) either had insufficient information or the complainant did not want to take the matter further. The council has a duty to refer and action complaints received and all complaints have been investigated with 1 resulting in a warning being issued that related to a road safety matter.

3.7 There have been no revocations or suspensions during this period. Licensing sub-committee considered one driver licence review with the council refusing two applications as they did not satisfy the approved Licensing policy. The Council is awaiting the outcome of one appeal following refusal to grant.

3.8 The council is currently trialling the use of CCTV in vehicles licensed by the authority. The pilot was launched in December 2022 and so far 20 taxis have had the equipment fitted. Feedback is being obtained from both passengers and drivers that will be used to inform the next steps on the possible benefits of installing CCTV on a larger scale. Taxi’s that have CCTV are noted with the following graphic:



3.9 Furthermore, the council has reviewed and made improvements to the taxi complaint sticker as shown below and developed a ‘frequently asked questions’ to our webpages. This work is intended to increase awareness on the checks carried out while providing clarity on the complaints process.



- 3.10 During 2022, further improvements to the Hackney Carriage and Private Hire Licensing Policy have been undertaken. This has seen a consolidation of information on who and how information is shared to ensure that the protocol on information sharing in respect of licensed drivers, vehicle proprietors and operators is clear. The consolidated Information Sharing Policy is contained in Appendix A.

#### Alcohol, Entertainment & Late Night Refreshment

- 3.11 There are approximately 600 licensed businesses holding an alcohol licence, entertainment or both, or are licensed for late night refreshments. 18 new premises licenses, 181 Temporary Event Notices and 42 personal licences have been issued since April 2022.
- 3.12 In December 2022, the council successfully launched the Licensing Safety and Vulnerability initiative (LSAVI) as part of our continued focus on tackling Violence against Women and Girls. Over 80 licensees attended the launch event with over 50 signed up to complete self-assessment tool that explores how licensed premises provide a safe and secure environment for staff, customers and the local community. So far, over 20 businesses have completed the audit process and been awarded 5 stars.



- 3.13 There are two well established and successful pub watch schemes currently in operation in Wellington and Newport. Officers attend all meetings to promote initiatives such as LSAVI while carrying out training with licensees and providing opportunity to answer licensing queries and promote licensing objectives. Further work is being carried out to develop pub watch schemes in other areas.

#### Night–Time Economy and Licensing Enforcement

- 3.14 The councils dedicated Night-time Economy and Licensing Enforcement team regularly take part in Multi- Agency Targeted Enforcement operations (MATES). These cover licensed alcohol and late night refreshment businesses; Private hire, hackney carriage and scrap metal vehicles and driver compliance exercises, including specific “plying for hire” operations.
- 3.15 Over 30 routine night-time operations focussing on hot spots around late night licensed alcohol and refreshment premises and taxi pick up points have been completed. These operations provide reassurance to the night time community while providing opportunity to tackle specific issues that range from noise nuisance, vulnerable groups, taxi’s plying for hire, anti-social behaviour and breach of licensing conditions. Working in partnership has been a successful approach to bringing about positive change in most circumstances. Actions from such work can include formal warnings, seeking a review of the premises licence and as a last resort prosecution for criminal breaches.
- 3.16 Two plying for hire operations were carried out in 2022. Trained test purchasers approached seven private hire vehicles waiting at the roadside with four drivers accepting an un-booked fare. These breaches are currently under investigation and the local authorities where the drivers are licenced have been informed to enable them to consider revocation of their licence.

#### General and other Licences

- 3.17 The borough has 33 licensed animal activities including kennels and catteries, dog day care, dog breeders, pet shops, riding schools, zoo’s and one Dangerous Wild Animal licence. A strict licensing and inspection regime controlled by legislation and guidance issued by Department for Environment, Food and Rural affairs (DEFRA) ensures that animal welfare is maintained.
- 3.18 There are 18 gambling premises ranging from betting shops, an adult gaming centre and bingo. Full inspections are carried out and all businesses will have received an inspection by end of March 2023. These inspections ensure that licence conditions are being met and maintained. There are no casino or sexual entertainment licensed businesses in borough.
- 3.19 There are eleven licensed scrap metal collectors working within the borough and seven scrap metal sites. Complaints are received regarding unlicensed collectors with regular multi-agency roadside checks carried out in partnership with West Mercia Police to stop and inspect vehicles that are carrying scrap metal. Those that are unlicensed to operate in the borough receive appropriate warnings along with instruction on how to apply for a scrap metal collectors licence.

- 3.20 There are nine permanent residential mobile home and two touring sites. Annual inspections are carried out on residential sites to ensure that licensing conditions are maintained with no issues being reported during 2022.

#### Focus for 2023-2024

- 3.21 In addition to fulfilling statutory duties, the team will continue its work with licensed premises to promote and facilitate LSAVI. Work will continue in developing the trial of CCTV in taxis alongside analysis of feedback received.
- 3.22 Promotion of the enforcement activity will continue alongside planned multi-agency operations that keep residents safe while supporting businesses.

### **4.0 Summary of main proposals**

- 4.1 That committee note the contents of this report, approve areas of focus for 2023-24 and provide further areas for consideration.
- 4.2 That committee approve the consolidated Information Sharing Policy – Hackney Carriage and Private Hire Licensing Policy.

### **5.0 Alternative Options**

- 5.1 There are several statutory functions that the council is required to effectively deliver; this is monitored through performance reporting to national government bodies.
- 5.2 The approach taken to enforcement is to engage, educate and where necessary enforce. This ensures a fair and consistent approach is provided to support residents and complaint traders.

### **6.0 Key Risks**

- 6.1 There is always the risk of challenge and right to appeal by those who are issued with breach of condition notices or penalties. However, such appeal and challenge is mitigated through robust process and compliance with necessary legislation to ensure those who do not comply are tackled.

### **7.0 Council Priorities**

- 7.1 This report supports the following council priorities:
- Every child, young person and adult lives well in their community
  - All neighbourhoods are a great place to live
  - Everyone benefits from a thriving economy
  - A community-focussed innovative council providing efficient, effective and quality services

## **8.0 Financial Implications**

- 8.1 Compliance with statutory duties as part of the licensing function is delivered within existing budgets. Licence fees and charges are reviewed annually with the Licensing Service and are set in line with national guidance.
- 8.2 The council aims to recover all costs associated with criminal investigations.

## **9.0 Legal and HR Implications**

- 9.1 The Committee's responsibilities are set out in the Council's Constitution and include setting and reviewing licensing fees other than those set by statute.
- 9.2 The Council has a number of statutory powers and duties with regard to the issuing of licences and permits and enforcement against those licensed and unlicensed who are non-compliant. Powers and duties are delegated under the scheme of delegation detailed within the Council's Constitution and then further delegated to officers, as appropriate, in order that statutory obligations are met.

## **10.0 Ward Implications**

- 10.1 This report has implications for all wards in the Borough.

## **11.0 Health, Social and Economic Implications**

- 11.1 Licensing of certain premises and activities is important to ensure that businesses comply with licence conditions, guidance and standards set out in legislation or by government bodies. This safeguards public safety by setting clear guidelines for licensees operating within the borough. Gambling regulation incorporates an overarching social responsibility to help prevent gambling addiction and to protect children and vulnerable groups from harm by restricting access to gambling.
- 11.2 An effective and efficient licensing service not only supports residents and businesses but provides opportunity to ensure compliance with relevant conditions and legislation is maintained. Such compliance ensures public safety is not compromised but also supports the Council in tackling health inequalities.
- 11.3 The recommendations contained within this report are not considered to have a direct impact on the Armed Forces Duty, specific socio-economic groups or town and parish councils.

## **12.0 Equality and Diversity Implications**

- 12.1 Having had regard to the council's obligations it is considered that there are no human rights or equalities implications associated with this report, as they will apply equally to everyone regardless of any protected characteristic.

## **13.0 Climate Change and Environmental Implications**

13.1 Effective monitoring and compliance checks ensures licensed traders adhere to the conditions of their license which in some cases are to protect the environment. For example, licensing of scrap metal sites and mobile collectors can play an important part in reducing the effects of environmental crime such as fly tipping while ensuring such waste is managed in the most appropriate way.

#### 14.0 Background Papers

None

#### 15.0 Appendices

Appendix A – Information Sharing - Hackney Carriage and Private Hire Licensing Policy

#### 16.0 Report Sign Off

<b>Signed off by</b>	<b>Date sent</b>	<b>Date signed off</b>	<b>Initials</b>
Legal	27/02/23	03/03/23	SH
Finance	06/03/23	06/03/23	PT
Director	06/03/23	06/03/23	DRS