



Borough of Telford and Wrekin

Licensing committee

29 July 2024

Annual licensing report

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| Cabinet Member: | Cllr Richard Overton - Deputy Leader and Cabinet Member: Highways, Housing & Enforcement |
| Lead Director: | Dean Sargeant - Director: Neighbourhood & Enforcement Services |
| Service Area: | Neighbourhood & Enforcement Services |
| Report Author: | Anita Hunt - Public Protection Group Manager |
| Officer Contact: Details: | Tel: 01952 381818 Email: anita.hunt@telford.gov.uk |
| Wards Affected: | All wards |
| Key Decision: | Not a Key Decision |
| Forward Plan: | Not Applicable |
| Report considered by: | SMT – 16 July 2024 Licensing Committee – 29 July 2024 |

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 2024/25, while providing areas for further consideration.

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 2023/24.

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.

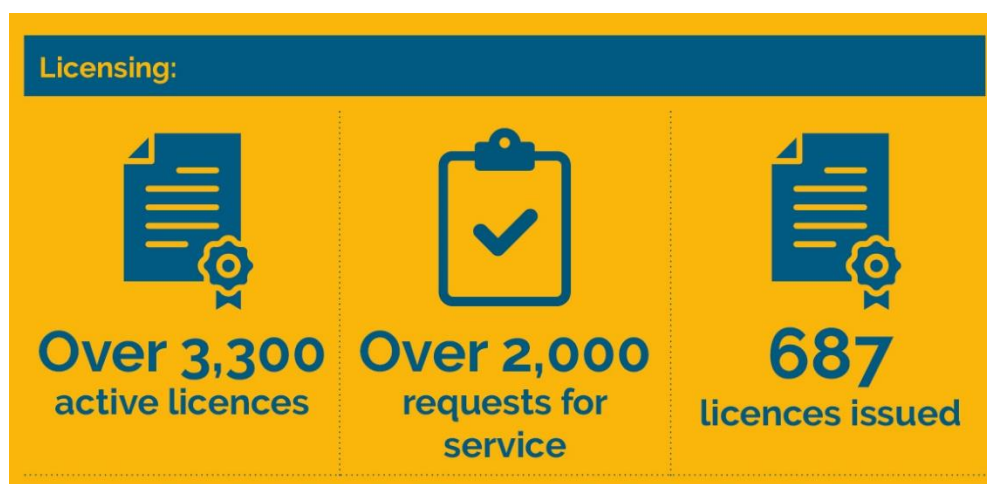
3.0 Background

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 During the period of 1 April 2023 and 31 March 2024, 834 licence applications were received with 687 licences issued. The remainder were either in progress, incomplete, withdrawn, or refused. The total number of licences issued has increased by 20% when compared with 2022/23.

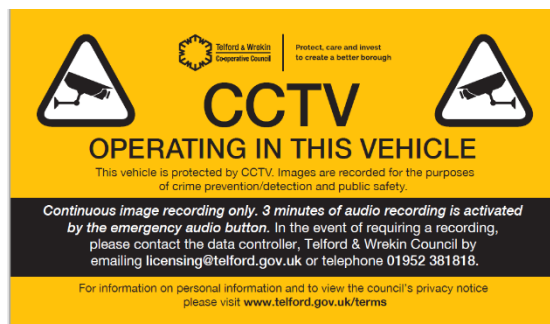
3.4 Typically, there are approximately 3350 active licences in operation across the borough that require regular inspection to ensure compliance; this is supported through investigation of complaints and requests for service. 2006 requests for service were received in this period ranging from requests for advice and information, assistance with applications, complaints and enquiries to setting up a new business. The demand for service has also increased by 33% compared to 2022/23.



Taxis

- 3.5 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
- 3.6 There are currently 309 vehicles and 392 drivers holding a licence with Telford & Wrekin Council; during 2023/24 there has been approximately 15% increase compared with 2022/23. Within the borough there are 35 licensed private hire operators; since April 2023 there has been an additional 8 private hire operators licensed alongside 241 vehicle and 132 driver, new and renewal licences granted.
- 3.7 Licensing Committee will be aware that the council has a duty to refer and action complaints received and all complaints have been investigated. 46 complaints were received regarding taxis with only 13 relating to those licensed by Telford & Wrekin Council. 11 complaints were referred to neighbouring local authorities and 7 referred to the operator or another regulator. The remainder (15) either had insufficient information or the complainant did not want to progress the complaint further. In following up on complaints received, the council has issued 2 written warnings, advice provided to 6 drivers and 3 drivers have undergone re-training. There have been 2 revocations, 1 refusal and 4 suspensions during this period. The council is awaiting the outcome of two appeals following a revocation and refusal to grant (a licence).
- 3.8 A public consultation was carried out during the summer of 2023 to gain feedback on mandating CCTV in taxis. A report was brought to Licensing Committee at their 21 November 2023 meeting that resolved to maintain the current voluntary policy on CCTV and while approving opportunity to actively explore external funding opportunities in order to progress the installation of CCTV in Telford and Wrekin licensed taxis.
- 3.9 Following the successful launch of our CCTV pilot in December 2022 where 20 CCTV units in taxis were fitted as part of the pilot, a further 5 units have been funded from the Building Safer and Stronger Communities programme and a further 45 funded from the Community Safety Partnership. Once installed, there will be 70 CCTV units fitted in Telford & Wrekin Council licensed vehicles and opportunity will be sought to continue to grow this further.

3.10 Taxi's that have CCTV fitted are noted with the following graphic:



3.11 Through active partnership working with neighbouring authorities a partnership statement was signed in January 2024. This agreement seeks to establish a consistent approach to taxi licensing and sets out clear commitments to ensure public safety is at the heart of decision making and enforcement. A copy of the statement is contained within appendix A.

Alcohol, Entertainment & Late Night Refreshment

3.12 Across the borough there are approximately 570 licensed businesses holding an alcohol licence, entertainment (or both), or are licensed for late night refreshments. 20 new premises licenses, 304 Temporary Event Notices (TENS) and 104 personal licences have been issued since April 2023. The number of TENS granted has increased by 40% on the previous year with over 50% of the TENS in support of community events, open days, carnivals and festivals.

3.13 The Licensing Safety and Vulnerability initiative (LSAVI) has continued to grow as part of our continued focus on improving safety within the night time economy with a focus on tackling Violence Against Women and Girls. The borough is leading the way in the number of LSAVI accredited premises which now stands at 70.



3.14 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 a pub watch scheme in Southwater and in other areas.

Night-Time Economy and Licensing Enforcement

3.15 The councils dedicated Night-time Economy and Licensing Enforcement team regularly take part in Multi-Agency Targeted Enforcement (MATES) operations.

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.

- 3.16 Over 35 planned 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.
- 3.17 4 plying for hire operations were carried out in 2023/24. 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

- 3.18 The borough has 43 licensed animal activities, an increase of 10 since 2022/23 These 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.
- 3.19 There are 20 gambling premises ranging from betting shops, an adult gaming centre and bingo and 36 club and machine gaming permits. Inspections are carried out and to ensure that licence conditions are being met and maintained. There are no casino or sexual entertainment licensed businesses in borough.
- 3.20 There are 13 licensed scrap metal collectors working within the borough and 11 scrap metal sites. 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.
- 3.21 There are 43 active street trading consents for static and mobile traders in the borough. These range from ice cream sellers, burger vans and other food stalls.
- 3.22 There are nine permanent residential mobile home and two touring sites. Annual inspections are carried out our residential sites to ensure that licensing conditions are maintained. One compliance notice has been served to improve the sites drainage and sewage connections.
- 3.23 The Council continues to review improvements to reporting mechanisms and promote the work of the enforcement team. Celebrate and stay safe videos have been produced for social media to encourage reporting of incidents and concerns about Taxi’s and licensed premises.

Focus for 2024/25

- 3.23 In addition to fulfilling statutory duties, the team will continue its work with licensed premises to promote and facilitate LSAVI. Further funding has been obtained from the Community Safety Partnership to purchase and install 15 CCTV units. This will take our total to 85 units and will see approximately 25% of Telford and Wrekin licensed vehicles will have active CCTV.
- 3.24 Promotion of the enforcement activity will continue alongside planned multi-agency operations that keep residents safe while supporting businesses.
- 3.25 Two licensing policy reviews will take place in 2024/ 25. The Gambling Policy is due its 3 year review for publication in January 2025. In addition, the Department for Transport (DfT) issued a revised Taxi and Private Hire best practice guidance which will provide the focus for our Taxi Policy review. This review will include revised taxi licence conditions and driver training requirements; Committee will receive a further report on this following public consultation.
- 3.26 In parallel, the council will continue to lobby government to improve consistency of taxi licensing standards across licensing authorities.

4.0 Summary of main proposals

- 4.1 That committee note the contents of this report, approve areas of focus for 2024/25 and provide further areas for consideration.

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.
- 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.
- 9.3 The proposals contained in this report can be delivered using existing resources.

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 - Local Authority Partnership Statement

16.0 Report Sign Off

| Signed off by | Date sent | Date signed off | Initials |
|----------------------|------------------|------------------------|-----------------|
| Legal | 15/07/2024 | 16/07/2024 | SH |
| Finance | 15/07/2024 | 16/07/2024 | PT |
| Director | 15/07/2024 | 16/07/2024 | DRS |