**Report of Licensing Manager**

**to**

**Licensing Committee**

**on**

**28th April 2022**

**LICENSING ACTIVITY UPDATE**

1. **SUMMARY**

1.1 This report provides members of the Licensing Committee with an update on key areas of work within the Licensing Team. An update report will be submitted to every Licensing Committee meeting.

1. **RECOMMENDATION(S)**

(i) That the content of the report be noted.

(ii) That Members inform the Licensing Manager of any additional licensing issues that they would like to have included in future update reports.

1. **BACKGROUND INFORMATION**

3.1 The Licensing Team has responsibility for the Licensing Act 2003, Gambling Act 2005, Taxi and Private Hire Vehicles, Scrap Metal, Massage and Special Treatment, Tattooing, Street Collections and House to House and Animal Welfare Act 2018.

3.2 At each Licensing Committee, a report is written to provide an overview of activity and any significant changes in legislation, consultations and fees. Local issues such as feedback from the Taxi Forum will also be reported to the Licensing Committee.

**Licensing Act 2003**

3.3 The Licensing Team have continued to visit premises to ensure compliance. The team have been working with the Police and have taken part in Amberstag the town centre partnership operation also referred to as ‘Days of Action’.

3.4 The Licensing Team have received 5 applications for a new premise licence; 1 full variation; and 16 temporary event notices since the last meeting.

3.5 The Licensing Team have investigated 5 allegations of breaches of the Licensing Act. A warning has been issued for operating after permitted hours.

3.6 The Licensing Team are working in partnership with the trade and the police to reduce the number of under age people getting into venues using fake identification or identification that does not belong to them.

3.7 The Licensing Officers continue to visit premises. They visit all premises that have a new Designated Premises Supervisors to offer advice and ensure compliance.

3.8 As a consequence of the Immigration Regulations 2022, changes have been made to personal and premise licence forms to ensure that checks are made on immigration status. The forms have been updated to reflect the changes.

3.9 The Government have confirmed an extension to licensing hours for the Queen's Jubilee weekend which will apply to premises already licensed until 11pm for the sale of alcohol for consumption on the premises; for the provision of late-night refreshment (only where there is also the sale of alcohol for consumption on the premises); and for the provision of regulated entertainment in England and Wales. The Order will extend the licensing hours for such premises from 11pm to 1am the following day, on Thursday 2 June, Friday 3 June, and Saturday 4 June.

**Taxi and Private Hire**

3.12 A Drivers Hackney Carriage and Private Hire Licence was revoked with immediate effect on the 22 December 2022 on the grounds of public safety. The driver was able to appeal the decision at the Magistrates court within 21 days of receiving the decision. No appeal was received.

3.13 There have been three new drivers licensed since the last meeting on 20 January 2022.

3.14 There have been three complaints about vehicles that are licensed in other areas parking on the TRO’s reserved for Mansfield District Council licensed vehicles. All complaints have been reported to the relevant authority and the appropriate action has been taken by way of warnings, advice and regulatory points.

3.15 Tax checks for licence holders came into effect on the 4 April 2022. This applies to taxi driver licences, private hire driver licences, and private hire vehicle operator licences. Licensing authorities must carry out extra checks if an individual, company or any type of partnership applies for a licence:

* For the first time
* Of the same type they have already held but which has not been valid for a year or more
* Applying for the same type of licence they already hold with another licensing authority

3.16 The Licensing Authority must confirm a tax check. Individuals, companies and any type of partnership must complete a HMRC tax check and give their Licensing Authority a tax check code if they are:

* Renewing a licence
* Applying for the same type of licence they previously held, that ceased to be valid less than a year ago
* Applying for the same type of licence they already hold with another licensing authority
* The tax code must then be checked to confirm that the tax check has taken place before the application can be granted or refused

3.17 The Department for Transport have published research and analysis for Wheelchair Accessible Travel: taxi and private hire services. This is information is available through the following link:

* <https://www.gov.uk/government/publications/wheelchair-accessible-travel-taxi-and-private-hire-services>

**Gambling Act 2005**

3.18 A new bingo licence has been granted for 3 Westgate, Mansfield.

**Massage and Special Treatment and Tattoo**

3.19 The Licensing Team have had 3 premises not renew their licences but have continued to carry out licensable activities. Licensing officers have visited the premises and all premises are now compliant.

**Animal Welfare Activities Regulations 2018**

3.20 A member of the Licensing Team is currently undertaking training to be qualified to inspect animal premises under the Act.

3.21 We have received 4 complaints about unlicensed dog breeding. One was out of the area and passed to the neighbouring authority. Two did not hit the threshold for having a licence. 1 has applied for a licence.

3.22 The DEFRA Animal Activities Licensing statutory guidance for local authorities has been published and updated.

 **Other Licensing**

3.23 Harsher sentences have been introduced for GHB, a drug that is used to spike drinks, which has also been reclassified as a Class B drug along with two related substances, GBL and 1,4-BD. This means that from 13 April 2022, those found in unlawful possession of these drugs face tougher sentences of up to five years in prison, while those involved in supply and production will face up to 14 years in prison.

3.24 The Pavement Licence guidance has been updated to reflect the Government’s plan for living with Covid-19.

**4. OPTIONS AVAILABLE**

4.1 This report is for noting only with Members having the option of informing the Licensing Manager of any additional licensing issues that they would like to have included in future update reports.

**5. RISK ASSESSMENT OF OPTIONS**

5.1 There are no specific risks associated with noting the report, however by keeping Members and the public informed of licensing activity this reduces any potential negative reputational risks.

5.2 The presentation of this report fulfils the Committee Policy Objective relative to the enforcement of licensing activities, premises and persons in the District in accordance with current legislative controls and demonstrates that conditions and restrictions are attached to Licences to meet the intentions of the legislation.

**6. ALIGNMENT TO COUNCIL PRIORITIES**

6.1 This reports supports the council achieving the following priorities:

* Improve the town centre experience for residents, visitors and businesses
* Create an infrastructure that supports and enhances the quality of life for residents.
* Develop and sustain local businesses and encourage national and regional businesses to invest in the area.
* Support a good quality of life for those who live and work here

**7. IMPLICATIONS RELATING TO RELEVANT LEGISLATION**

(A) Relevant legislation – None

(B) Human Rights – No implications

(C) Equality and Diversity – No implications

(D) Climate Change and Environmental sustainability – No implications.

(E) Crime and Disorder – No implications.

(F) Budget/Resource – No Implications.

**8. COMMENTS OF STATUTORY OFFICERS**

 Head of Paid Services – N/A

 Monitoring Officer – No specific comments.

 Section 151 Officer – No specific comments

**9. CONSULTATION**

9.1 The following services and officers have been consulted in the development of this report:

* + Legal Services
	+ Financial Services
	+ Head of Health and Communities

**10. BACKGROUND PAPERS**

 None.

Report Author – Susie Rhodes-Best

Designation – Licensing Manager

Telephone – 01623 463388

E-mail - srhodesbest@mansfield.gov.uk