

FAREHAM

BOROUGH COUNCIL

Report to Licensing and Regulatory Affairs Committee

Date **18 March 2014**

Report of: **Director of Regulatory and Democratic Services**

Subject: **MONITORING REPORT ON APPLICATIONS RECEIVED**

SUMMARY

This report aims to inform the Committee of the day to day work of the Licensing Team and provide an update as to the ongoing work associated with the Licensing function.

RECOMMENDATION

That the report be noted.

INTRODUCTION

1. The purpose of this report is to inform and update members of the ongoing level and range of licensing work undertaken by the Licensing Team within the Department of Regulatory and Democratic Services.

ALCOHOL, REGULATED ENTERTAINMENT AND LATE NIGHT REFRESHMENT

2. The Licensing Act 2003 came fully into force in November 2005. Prior to this, between 7 February 2005 and 6 August 2005, existing holders of public entertainment licences, late night refreshment house licences, justices' licences and club premises certificates needed to make an application to the Council in order to convert or vary their licences into a new Premises Licence under the new Act. Under the old regime this Authority dealt with about 45 Public Entertainment licences.
3. The Council as the Licensing Authority not only deals with applications for premises or personal licences, but also deals with representations that could result in a Licensing Panel Review Hearing in relation to a licensing application, or a hearing in relation to an application or application to vary a licence.
4. The numbers of applications and associated income over the last five financial years can be seen at Appendix A, table 1. It is worth noting that the fees in this area are set by statute and have not been increased since the introduction of the Act in 2005.
5. The current total number of licences are as follows:-

Members' Clubs Certificates	32
Premises Licences (with alcohol)	275

Since the introduction of the licensing Act 2003 (18/03/05):-

Licensing Panels	92
Reviews	10
Taxi Hearings	65

PERSONAL LICENCES

6. Currently there are 1120 Fareham Personal Licence Holders. This licensing regime commenced in November 2005 and these licences last for ten years from the date of their grant. The renewal of the licences will commence in 2015/2016, so from this period onwards these renewals will provide a one-off income boost. The government originally indicated that a proportion of the fee income may be required to contribute towards a national database of personal licence holders. Although around 400 licences were granted on conversion in the first year, there have been around 100 new licences granted in each year since. It is difficult at this stage to project how many licence holders will opt to renew for a second 10 year period. Currently Personal Licences still cost £37. The government has now indicated that the requirement to renew personal licences may be removed.

GAMBLING

7. The Gambling Act 2005 came fully into force in October 2007. This Act created the Gambling Commission and created a new licensing regime to govern the provision of all gambling in Great Britain, other than the National Lottery and spread betting. The Commission is responsible for granting operating and personal licences for commercial gambling operators and personnel working in the industry. It also regulates certain lottery managers and promoters.
8. The numbers of applications and associated income over the last four financial years can be seen at Appendix A, table 2.

PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER AND VEHICLE APPLICATIONS

9. Private Hire and Hackney Carriage Vehicle and Driver applications also involve a number of processes. All of the vehicles renew annually together for 30 April each year; this results in the income often being split over two financial years, hence the variation in numbers. Drivers renew on the anniversary of their badge being granted so there are a number of these each month, together with new applications for vehicles and drivers that are received throughout the year.
10. Regular licensing panels are held to determine drivers' applications e.g. where convictions are presented on the Criminal Records Bureau Check.
11. The numbers of applications and associated income over the last five financial years can be seen at Appendix A, table 3.

ANIMAL LICENSING

12. Under various pieces of legislation, there are a number of licensable activities in relation to animals. These licences are required to protect both animal welfare and public safety.
13. The numbers of applications and associated income over the last five financial years can be seen at Appendix A, table 4.

SKIN PIERCING

14. This Authority has adopted byelaws for the registration of a number of skin piercing activities in relation to both persons carrying out the activities and the premises where they are carried out. These byelaws are adopted under the Local Government (Miscellaneous) Provisions Act 1982. The purpose of this registration process is to control the risk of infection.
15. The numbers of applications and associated income over the last five financial years can be seen at Appendix A, table 5.

SCRAP METAL

16. In October last year, the Scrap Metal Dealers Act 2013 replaced the Scrap Metal Dealers Act 1964 and Part 1 of the Vehicles (Crime) Act 2001. This introduced an updated regulatory regime for the scrap metal dealing and vehicle dismantling industries. Whereas before there was a licensing regime for Scrap Metal Dealers, the new regime also catches Scrap Metal Collectors. Since the new arrangements took effect, a number of applications have been received from both Dealers and Collectors as detailed in Appendix A, Table 6 below.

RISK ASSESSMENT

17. The Licensing area of work generates significant income for the Council. In respect of that income the bulk of it is generated by the Licensing Act and Private Hire and Hackney Carriage Licensing. It should be noted that the Licensing Act fees are statutory and that, in respect of Private Hire and Hackney Carriage Licensing, the fees must reflect the cost of providing that element of the service.
18. Despite the economic downturn the income being generated in this area is remaining fairly constant.
19. This report details only the main work areas and therefore the total actual income will vary to the figures shown in Appendix A.

CONCLUSION

19. Appendix A shows the number of applications and income received in relation to the main areas of work. There are many other minor processes which are not shown. It can be seen that the volume of work in these main areas remains fairly constant. In addition, the Committee will be aware that it regularly is required to hold hearings to determine both Licensing Act and Hackney Carriage/Private Hire applications.

Background Papers:

None.

Reference Papers:

None.

Enquiries:

For further information on this report please contact Ian Rickman (Ext 2401).

APPENDIX A - Number of Applications and Associated Income Tables.

NUMBER OF APPLICATIONS AND ASSOCIATED INCOME TABLES.

Table 1. - Alcohol Entertainment and Late Night Refreshment

TYPE OF APPLICATION	2009/10		2010/11		2011/12		2012/13		2013/14 to date	
	No.	£	No	£	No	£	No	£		
Application to vary licence holder / DPS / Minor Variations	68	52,361	72	54,650	70	56,660	75	59,864.90	45	72,198
Premises new Applications/ variations /	34	(incl. annual fees)	42	(incl. annual fees)	34	(incl. annual fees)	21	(incl. annual fees)	13	
Temporary Event	180	3,780	182	3,822	204	4,284	234	4,914	216	4,538
Personal Licences	96	3,552	76	2,812	81	2,997	64	2,368	71	2,627
TOTAL	378	59,693	372	61,284	389	63,941	394	67,151.90		75,589

Table 2. - Gambling / Charitable Activities

Gambling/Charity	2009/10	2010/11	2011/2012	2012/2013	2013/14 to date	Renewal
Gambling Act 2005	28	24	16	24	61	Annual
Lotteries	80	80	75	79	89	1 January
House to House	24	34	32	29	25	One off
Street Collections	206	195	205	162	121	One off
Total Income	£14,160	£16,730	£9815	£11,190	£16,060	

Table 3. - Private Hire and Hackney Carriage Driver and Vehicle Licensing

	2009/10		2010/11		2011/12		2012/13		2013 to date	
	No.	Income £	No.	Income £	No.	Income £	No.	Income £	No.	Income £
Initial Dual Driver	6	690	9	1,035	3	345	15	1,725	11	1,265
Renewal Dual Driver	41	3,567	44	3,828	40	3,480	37	3,219	45	3,915
Total	47	4,287	53	4,863	43	3,825	52	4,944	56	5,170
Initial PH Driver	6	480	14	2,590	5	400	23	1,840	8	640
Renewal PH Driver	28	1,680	21	1,260	21	1,260	26	1,560	25	1,500
Total	34	2,160	35	3,850	26	1,660	49	3,400	33	2,140
Initial HC Driver	10	800	5	400	12	960	17	1,360	8	640
Renewal HC Driver	217	13,020	185	11,100	185	11,100	186	11,160	163	9,870
Total	237	13,820	190	11,500	197	12,060	203	14,520	171	10,510
Initial HC Vehicle	10	1,850	16	2,960	19	3,515	25	4,625	16	2,960
Renewal HC Vehicle	210	38,850	236	43,660	212	39,220	227	41,995	23	4,255
Initial PH Vehicle	12	2,220	14	2,590	14	2,590	20	3,700	24	4,440
Renewal PH Vehicle	35	6,475	44	8,140	36	6,660	33	6,105	5	925
Total	267	49,395	310	57,350	291	51,985	305	56,425	68	12,580
Initial Operator	2	370	1	185	2	370	0	0	4	740
Renewal Operator	12	2,220	11	2,035	7	1,295	6	1,110	7	1,295
Total	14	2,590	12	2,220	9	1,665	6	1,110	11	2,035
Transfer HC MAY to OCT	22	4,070	0	0	15	1,287.50	2	185	12	1,110
Transfer HC MAR - APR	6	1,110	0	0	4	740	2	370	4	740
Transfer HC NOV - FEB	13	1,202.50	9	832.50	9	832.50	15	1,387.50	12	1,110
Total	41	6,382.50	9	832.50	28	2,860	19	1,942.50	28	2,960
Transfer PH MAY - OCT	5	925	4	740	1	92.50	2	185	2	185
Transfer PH MAR - APR	0	0	0	0	0	0	0	0	0	0
Transfer PH NOV - FEB	3	277.5	4	185	1	92.50	2	185	0	0
Total	8	1,202.5	8	925	2	185	4	370	2	185
Temp Transfer	13	2,405	15	2,775	13	2,405	7	1,295	16	2,960
Total	13	2,405	15	2,775	13	2,405	7	1,295	16	2,960
Total	661	82,207	623	84,315.50	609	76,645	645	84,006.50	385	38,540

Table 4. - Animal Licensing

Animal Licensing	2009/10	2010/11	2011/2012	2012/2013	2013 to date	Renewal
Pet Shops	7	6	6	4	4	1 January
Boarding Ests.	19	20	24	34	23	1 January
Breeders	1	1	1	1	1	1 January
Riding Ests.	4	3	4	4	3	1 January
DWA	0	0	0	0	0	N/A
Zoo	0	0	0	0	0	N/A
Total Income	£4,709	£4,640	£3,948	£6,376	£5,745	

Table 5. - Skin Piercing

Byelaws	2009/10	2010/11	2011/12	2012/13	2013 to date	
Electrolysis & Ear piercing, Acupuncture & Tattoo	2	1	1	12	5	Once only registration Once only registration
Total Income	£130	£61	£126	£696	£399	

Table 6. - Miscellaneous

Miscellaneous	2009/10	2010/11	2011/12	2012/13	2013 to date	Renewal
Scrap metal	0	0	0	0	7	3 yearly
Motor Salvage	0	1	0	0	1	N/A
Sex shop	0	0	0	0	0	N/A
Street Trading	4	3	3	1	0	Annual
Total Income	£4,305	£2,700	£2,790	£1,560	£1,065	