

# FAREHAM

## BOROUGH COUNCIL

### **Report to Licensing and Regulatory Affairs Committee**

**Date**                    **16 September 2014**

**Report of:**            **Director of Community**

**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 Community.

## **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)	274

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

Licensing Panels	94
Reviews	11
Taxi Hearings	65

## **PERSONAL LICENCES**

6. Currently there are 1171 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.**

APPENDIX A

NUMBER OF APPLICATIONS AND ASSOCIATED INCOME TABLES.

Table 1. - Alcohol Entertainment and Late Night Refreshment

TYPE OF APPLICATION	2010/11		2011/12		2012/13		2013/14	
	No	£	No	£	No	£	No	£
Application to vary licence holder / DPS / Minor Variations	72	54,650	70	56,660	75	59,864.90	69	70,090
Premises new Applications/ variations /	42	(incl. annual fees)	34	(incl. annual fees)	21	(incl. annual fees)	16	
Temporary Event	182	3,822	204	4,284	234	4,914	228	4,790
Personal Licences	76	2,812	81	2,997	64	2,368	74	1,554
<b>TOTAL</b>	<b>372</b>	<b>£61,284</b>	<b>389</b>	<b>£63,941</b>	<b>394</b>	<b>£67,151.90</b>	<b>387</b>	<b>£76,434</b>

Table 2. - Gambling / Charitable Activities

Gambling/Charity	2010/11	2011/2012	2012/2013	2013/14	Renewal
Gambling Act 2005	24	16	24	30	Annual
Lotteries	80	75	79	90	1 January
House to House	34	32	29	26	One off
Street Collections	195	205	162	175	One off
<b>Total Income</b>	<b>£16,730</b>	<b>£9815</b>	<b>£11,190</b>	<b>£16,180</b>	

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

	2010/11		2011/12		2012/13		2013/14	
	No.	Income £	No.	Income £	No.	Income £	No.	Income £
Initial Dual Driver	9	1,035	3	345	15	1,725	13	1,495
Renewal Dual Driver	44	3,828	40	3,480	37	3,219	51	4,437
<b>Total</b>	<b>53</b>	<b>4,863</b>	<b>43</b>	<b>3,825</b>	<b>52</b>	<b>4,944</b>	<b>64</b>	<b>5,932</b>
Initial PH Driver	14	2,590	5	400	23	1,840	9	720
Renewal PH Driver	21	1,260	21	1,260	26	1,560	27	1,620
<b>Total</b>	<b>35</b>	<b>3,850</b>	<b>26</b>	<b>1,660</b>	<b>49</b>	<b>3,400</b>	<b>36</b>	<b>2,340</b>
Initial HC Driver	5	400	12	960	17	1,360	9	720
Renewal HC Driver	185	11,100	185	11,100	186	11,160	178	10,680
<b>Total</b>	<b>190</b>	<b>11,500</b>	<b>197</b>	<b>12,060</b>	<b>203</b>	<b>14,520</b>	<b>187</b>	<b>11,400</b>
Initial HC Vehicle	16	2,960	19	3,515	25	4,625	18	3,330
Renewal HC Vehicle	236	43,660	212	39,220	227	41,995	214	39,590
Initial PH Vehicle	14	2,590	14	2,590	20	3,700	24	4,440
Renewal PH Vehicle	44	8,140	36	6,660	33	6,105	52	9,620
<b>Total</b>	<b>310</b>	<b>57,350</b>	<b>291</b>	<b>51,985</b>	<b>305</b>	<b>56,425</b>	<b>308</b>	<b>56,980</b>
Initial Operator	1	185	2	370	0	0	4	740
Renewal Operator	11	2,035	7	1,295	6	1,110	10	1,850
<b>Total</b>	<b>12</b>	<b>2,220</b>	<b>9</b>	<b>1,665</b>	<b>6</b>	<b>1,110</b>	<b>14</b>	<b>2,590</b>
Transfer HC MAY to OCT	0	0	15	1,287.50	2	185	12	1,110
Transfer HC MAR - APR	0	0	4	740	2	370	5	925
Transfer HC NOV - FEB	9	832.50	9	832.50	15	1,387.50	12	1,110
<b>Total</b>	<b>9</b>	<b>832.50</b>	<b>28</b>	<b>2,860</b>	<b>19</b>	<b>1,942.50</b>	<b>29</b>	<b>3,145</b>
Transfer PH MAY - OCT	4	740	1	92.50	2	185	2	185
Transfer PH MAR - APR	0	0	0	0	0	0	0	0
Transfer PH NOV - FEB	4	185	1	92.50	2	185	0	0
<b>Total</b>	<b>8</b>	<b>925</b>	<b>2</b>	<b>185</b>	<b>4</b>	<b>370</b>	<b>2</b>	<b>185</b>
Temp Transfer	15	2,775	13	2,405	7	1,295	16	2,960

<b>Total</b>	<b>15</b>	<b>2,775</b>	<b>13</b>	<b>2,405</b>	<b>7</b>	<b>1,295</b>	<b>16</b>	<b>2,960</b>
<b>Total</b>	<b>623</b>	<b>84,315.50</b>	<b>609</b>	<b>76,645</b>	<b>645</b>	<b>84,006.50</b>	<b>656</b>	<b>85,532</b>

**Table 4. - Animal Licensing**

<b>Animal Licensing</b>	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>Renewal</b>
<b>Pet Shops</b>	<b>6</b>	<b>6</b>	<b>4</b>	<b>4</b>	<b>1 January</b>
<b>Boarding Ests.</b>	<b>20</b>	<b>24</b>	<b>34</b>	<b>9</b>	<b>1 January</b>
<b>Breeders</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1 January</b>
<b>Riding Ests.</b>	<b>3</b>	<b>4</b>	<b>4</b>	<b>3</b>	<b>1 January</b>
<b>DWA</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>N/A</b>
<b>Zoo</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>N/A</b>
<b>Total Income</b>	<b>£4,640</b>	<b>£3,948</b>	<b>£6,376</b>	<b>£5885</b>	

**Table 5. - Skin Piercing**

<b>Byelaws</b>	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	
<b>Electrolysis &amp; Ear piercing, Acupuncture &amp; Tattoo</b>	<b>1</b>	<b>1</b>	<b>12</b>	<b>8</b>	<b>Once only registration</b>
					<b>Once only registration</b>
<b>Total Income</b>	<b>£61</b>	<b>£126</b>	<b>£696</b>	<b>£812</b>	

**Table 6. - Miscellaneous**

<b>Miscellaneous</b>	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>Renewal</b>
<b>Scrap metal</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>3 yearly</b>
<b>Motor Salvage</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>N/A</b>
<b>Sex shop</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>N/A</b>
<b>Street Trading</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>Annual</b>
<b>Total Income</b>	<b>£2,700</b>	<b>£2,790</b>	<b>£1,560</b>	<b>£5,265</b>	