

# Agenda

<b>Meeting name</b>	<b>Licensing Committee</b>
<b>Date</b>	<b>Thursday, 22 June 2023</b>
<b>Start time</b>	<b>6.30 pm</b>
<b>Venue</b>	<b>Parkside, Station Approach, Burton Street, Melton Mowbray, Leics, LE13 1GH</b>
<b>Other information</b>	<b>This meeting is open to the public</b>

Members of the Licensing Committee are invited to attend the above meeting to consider the following items of business.

**Edd de Coverly**  
**Chief Executive**

## Membership

<b>Councillors</b>	S. Carter (Chair)	S. Lumley (Vice-Chair)
	P. Allnatt	S. Atherton
	S. Cox	C. Evans
	S. Orson	C. Pitt Miller
	D. Pritchett	R. Sharp

**Quorum:** 5 Councillors

<b>Meeting enquiries</b>	Democratic Services
<b>Email</b>	democracy@melton.gov.uk
<b>Agenda despatched</b>	Wednesday, 14 June 2023

No.	Item	Page No.
1.	<b>APOLOGIES FOR ABSENCE</b>	
2.	<b>DECLARATIONS OF INTEREST</b> Members to declare any interest as appropriate in respect of items to be considered at this meeting.	1 - 2
3.	<b>MINUTES</b> (a) To confirm the minutes of the meeting held on 30 June 2022 (b) To confirm the minutes of the special meeting held on 21 November 2022	3 - 8
4.	<b>MINUTES TO BE NOTED FROM LICENSING SUB-COMMITTEES AND LICENSING PANELS</b> (a) To note the minutes of the Licensing Sub Committee held on 10 October 2022 (b) To note the minutes of the Licensing Sub Committee held on 16 January 2023 (c) To note the minutes of the Licensing Sub Committee held on 25 April 2023	9 - 26
5.	<b>LICENSING PERFORMANCE REPORT</b> To receive a report on the work carried out by the Licensing Team and the wider impacts and benefits of the licensing regime	27 - 38
6.	<b>URGENT BUSINESS</b> To consider any other items that the Chair considers urgent	

## MEMBER INTERESTS

### Do I have an interest?

#### 1 DISCLOSABLE PECUNIARY INTERESTS (DPIs)

A “Disclosable Pecuniary Interest” is any interest described as such in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and includes an interest of yourself, or of your Spouse/Partner (if you are aware of your Partner's interest) that falls within the following categories: Employment, Trade, Profession, Sponsorship, Contracts, Land/Property, Licences, Tenancies and Securities.

A Disclosable Pecuniary Interest is a Registerable Interest. Failure to register a DPI is a criminal offence so register entries should be kept up-to-date.

#### 2 OTHER REGISTERABLE INTERESTS (ORIs)

An “Other Registerable Interest” is a personal interest in any business of your authority which relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority; or
- b) any body
  - (i) exercising functions of a public nature
  - (ii) any body directed to charitable purposes or
  - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

#### 3 NON-REGISTRABLE INTERESTS (NRIs)

“Non-Registrable Interests” are those that you are not required to register but need to be disclosed when a matter arises at a meeting which directly relates to your financial interest or wellbeing or a financial interest or wellbeing of a relative or close associate that is not a DPI.

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**In each case above, you should make your declaration at the beginning of the meeting or as soon as you become aware. In any other circumstances, where Members require further advice they should contact the Monitoring Officer or Deputy Monitoring Officer in advance of the meeting.**

# Declarations and Participation in Meetings

## 1 DISCLOSABLE PECUNIARY INTERESTS (DPIs)

- 1.1 Where a matter arises at a meeting which **directly relates** to one of your Disclosable Pecuniary Interests which include both the interests of yourself and your partner then:
- a) you must disclose the interest;
  - b) not participate in any discussion or vote on the matter; and
  - c) must not remain in the room unless you have been granted a Dispensation.

## 2 OTHER REGISTERABLE INTERESTS (ORIs)

- 2.1 Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests i.e. relating to a body you may be involved in:
- a) you must disclose the interest
  - b) may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter; and
  - c) must not remain in the room unless you have been granted a Dispensation.

## 3 NON-REGISTRABLE INTERESTS (NRIs)

- 3.1 Where a matter arises at a meeting, which is not registrable but may become relevant when a particular item arises i.e. interests which relate to you and /or other people you are connected with (e.g. friends, relative or close associates) then:
- a) you must disclose the interest;
  - b) may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter; and
  - c) must not remain in the room unless you have been granted a Dispensation.

## 4 BIAS

- 4.1 Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be biased in your judgement of the public interest (bias):
- a) you should not take part in the decision-making process
  - b) you should state that your position in this matter prohibits you from taking part
  - c) you should leave the room.

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**In each case above, you should make your declaration at the beginning of the meeting or as soon as you become aware. In any other circumstances, where Members require further advice they should contact the Monitoring Officer or Deputy Monitoring Officer in advance of the meeting.**

# Minutes

<b>Meeting name</b>	<b>Licensing Committee</b>
<b>Date</b>	<b>Thursday, 30 June 2022</b>
<b>Start time</b>	<b>6.30 pm</b>
<b>Venue</b>	<b>Parkside, Station Approach, Burton Street, Melton Mowbray, Leics, LE13 1GH</b>

## Present:

**Chair** Councillor J. Douglas (Chair)

**Councillors** P. Chandler (Vice-Chair) S. Carter  
C. Fisher E. Holmes  
J. Illingworth D. Pritchett  
J. Wilkinson

**Observers** Councillor R. Bindloss

**Officers** Deputy Monitoring Officer  
Senior Solicitor  
Regulatory Services Manager  
Licensing and Compliance Officer  
Senior Democratic Services and Scrutiny Officer

Minute No.	Minute
L1	<p><b>Apologies for Absence</b> Apologies for absence were received from Councillors de Burle and Glancy.</p>
L2	<p><b>Declarations of Interest</b> Councillor Chandler declared a personal interest in relation to Minute Number L4, Licensing Sub-Committee Minutes for 17 January 2022 and 2 March 2022, as the events would have a significant impact upon the Ward she represents.</p> <p>Councillor Carter declared a personal interest in relation to Minute Number L5, Review of the Statement of Licensing Policy 2022-27, as he possesses a personal licence.</p> <p><i>(At 6:34pm, during the consideration of this item, Councillor Wilkinson entered the meeting.)</i></p>
L3	<p><b>Minutes</b> The Minutes of the meeting held on 25 November 2021 were confirmed.</p>
L4	<p><b>Minutes to be noted from Licensing Sub-Committees and Licensing Panels</b> Subject to the below amendment, the Minutes of the Licensing Sub Committee meetings held on 17 January 2022, 2 March 2022, 21 March 2022, 30 March 2022 at 10:30am and 30 March 2022 at 12:30pm were noted.</p> <p><b>30 March 2022, 10:30am, Exempt Minutes</b> The Committee agreed to change 'Cutting Tree Pub' to 'Cutting Rooms'.</p>
L5	<p><b>Review of the Statement of Licensing Policy 2022-27</b> A report that sought approval from Members for the Licensing Policy 2022-27 to go out for consultation for a period of 12 weeks was presented to the Committee.</p> <p>After the presentation, the Chairman commented that she thought that the removal of the requirement for the cumulative impact assessment was a positive step.</p> <p>A discussion ensued regarding whether Members could visit premises seeking licenses, however the Deputy Monitoring Officer advised that if Members wished to visit a premises then it would be prudent to seek advice before doing so.</p> <p>Members noted that there would be a requirement to hold a Special Licensing Committee meeting following the consultation period, in order to agree the final Statement of Licensing Policy 2022-27 prior to submission for approval by Council.</p> <p><b>RESOLVED</b></p>

	<p><b>The Licensing Committee approved that the draft Statement of Licensing Policy 2022-27, made under the Licensing Act 2003, proceed to consultation and endorsed the removal of the Cumulative Impact Policy.</b></p>
L6	<p><b>Licensing Performance Report</b></p> <p>The Licensing Performance Report containing the work carried out by the Licensing Team and the wider impacts and benefits of the licensing regime was presented to the Committee.</p> <p>During a discussion regarding the length of time it took to process licensing applications, Members were informed that applicants tend to drip feed information to the Licensing Team and that Officers are reminding applicants to submit the correct information. In response to the question whether applicants should be encouraged to submit all the information at the same time, it was confirmed that the Licensing Team have no issues with doing that.</p> <p>In response to a query on whether regular checks are made in relation to animal welfare licenses, the Committee were informed that licensed premises are regularly checked but concerns over particular licenses would be investigated.</p> <p>Officers were asked whether there are sufficient levels of staff within the Licensing Team to process applications. In response, Members were informed that the team is stretched which is further stretched by absences (e.g. holiday, sickness) and that more resource is needed. When asked how staffing compares to three or four years ago, Members were informed that four years ago the Licensing Team did not have an Enforcement Officer.</p> <p>Further discussion ensued and covered the Enforcement Officer post which is shared between Licensing and Planning. The Committee were informed that the Planning department receive more of the post's time, despite it being evenly split however resource levels are being reviewed. A Member commented that they would like the Licensing department to receive enforcement hours it should have back.</p> <p>When asked whether the Enforcement Officer carries out night-time enforcement, Members were informed that the Enforcement Officer does carry out night-time enforcement and that the Officer did also work during the Covid pandemic.</p> <p><b>RESOLVED</b></p> <p><b>That the information contained within the Licensing Performance Report be noted.</b></p>
L7	<p><b>Urgent Business</b></p> <p>There was no urgent business.</p>

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The meeting closed at: 7.27 pm





# Minutes

<b>Meeting name</b>	<b>Special Licensing Committee</b>
<b>Date</b>	<b>Monday, 21 November 2022</b>
<b>Start time</b>	<b>6.30 pm</b>
<b>Venue</b>	<b>Parkside, Station Approach, Burton Street, Melton Mowbray, Leics, LE13 1GH</b>

## Present:

**Chair** Councillor J. Douglas (Chair)

**Councillors** P. Chandler (Vice-Chair) S. Carter  
R. de Burle C. Fisher  
J. Illingworth D. Pritchett  
J. Wilkinson

**Observer** Councillor S. Atherton

**Officers** Senior Lawyer  
Senior Environmental Health Officer  
Licensing & Compliance Officer (Business Advisor: Licensing) (SG)  
Democratic Services Officer (SE)  
Democratic Services Officer (CT)

Minute No.	Minute
L8	<p><b>Apologies for Absence</b> Apologies for absence were received from Councillors Holmes and Posnett.</p>
L9	<p><b>Declarations of Interest</b> There were no declarations of interest.</p>
L10	<p><b>Review of the Statement of Licensing Policy 2022-2027</b> The Licensing and Compliance Officer (SG) presented a report which advised that following a 12 week consultation on the draft Statement of Licensing Policy, the Committee's approval was needed to take the policy to Full Council for adoption on 20 December 2022 and not 15 December as stated in the report.</p> <p>The Licensing and Compliance Officer responded to Members' queries and advised that there had been no responses to the consultation exercise therefore there had been no changes required to the draft document since it was presented to the Licensing Committee on 30 June 2022.</p> <p>Members thanked officers for the clarity of the report.</p> <p><b>RESOLVED :</b></p> <p><b>That the Committee RECOMMENDS to Council approval of the revised Statement of Licensing Policy 2022 (Appendix A).</b></p> <p>(Councillor Wilkinson entered the meeting at 6.39 pm during the presentation and before the vote.)</p>

The meeting closed at: 6.50 pm

# Minutes

<b>Meeting name</b>	<b>Licensing Sub-Committee</b>
<b>Date</b>	<b>Monday, 10 October 2022</b>
<b>Start time</b>	<b>10.30 am</b>
<b>Venue</b>	<b>Parkside, Station Approach, Burton Street, Melton Mowbray, Leics, LE13 1GH</b>

## Present:

**Chair** Councillor J. Douglas (Chair)

**Councillors** E. Holmes S. Atherton

**Officers** Senior Environmental Health Officer  
Democratic Services Manager  
Licensing & Compliance Officer (Business Advisor: Licensing) (SG)  
Senior Democratic Services & Scrutiny Officer

**Also present** Simon Oates, Applicant  
Felicity Tulloch, Applicant's Legal Representative  
Robin Pape  
Susan Bellamy, Denton Parish Council  
Sarah Turtle, Denton Parish Council

Minute No.	Minute
LSC1	<p><b>Election of a Chair</b> Councillor Douglas was elected as Chair of the Licensing Sub-Committee.</p>
LSC2	<p><b>Apologies for absence</b> There were no apologies for absence.</p>
LSC3	<p><b>Declarations of Interest</b> There were no declarations of interest.</p>
LSC4	<p><b>Premises Licence Application - Forbidden Forest Festival</b> Prior to the introduction of the report, it was determined that all parties would be given a maximum of 10 minutes to speak.</p> <p>The Licensing and Compliance Officer outlined the application, which was for a permanent license for a four-day camping event each year. In outlining the application, the Licensing and Compliance Officer reminded the Sub-committee of the representations that had been received.</p> <p>During questioning the Licensing and Compliance Officer was asked how many complaints were received during the 2022 event. In response it was explained that there were three in total and that they were of a minor nature, however it was noted that some communities were not aware that complaints had to be submitted to the Local Authority and that a lot of complaints were directed to the organisers of the festival.</p> <p>Following a question regarding drug paraphernalia, it was explained that a significant quantity of drug paraphernalia was found in the village of Denton and that there were a few incidents of drug related seizures at the festival, however it was explained that is not uncommon with festivals of that size.</p> <p>When asked whether the Licensing Authority would consult neighbouring Licensing Authorities regarding events that may affect their area, Members were informed that the Licensing Authority would not normally consult with other Licensing Authorities but the application was advertised in both the Melton Times and Grantham Journal.</p> <p>In summarising, the Licensing and Compliance Officer stated that the event in 2022 was well run and the documentation was provided to the Licensing Authority in sufficient time. The ultimate aim is to ensure that the event is run with minimal impact upon the community.</p> <p>The applicant's legal representative, Ms Tulloch, outlined the application to Members and explained that it is the same application as the previous one with the exception that the application that is sought is permanent. Ms Tulloch explained that the applicant is seeking for Members to agree to the principle of</p>

hosting the event each year and agree that other issues are then dealt with under the management plans.

Ms Tulloch continued by stated that the Police and Environmental Health are satisfied with the application. Residents have been notified that the application is to be submitted. Contractors have been informed not to use Denton as an access route to the site. In addition, the sound element has been reviewed to ensure minimal disruption to neighbouring communities.

In response to a question on refreshments, it was confirmed that there will be teas, coffees and bacon butties provided during the period of 11pm to 5pm. In relation to underage alcohol consumption, it was confirmed that security check ID when patrons enter the site to ensure no-one is underage, also bars have been instructed to challenge any patron who looks 25 years of age or under to ensure they are not underage.

Following a question regarding sound management and concert closing time, Members were informed that noise consultants work alongside Environmental Health to ensure there is minimal disruption for neighbouring communities. In relation to concerts, there are stage managers who are responsible to ensure that concerts are finished at the correct time.

In response to a question about the Safety Advisory Group (SAG), it was confirmed that Lincolnshire Highways Authority and Lincolnshire Police are sent the information and are invited to any SAGs for those events that are held close to the Lincolnshire border such as this one.

After a question on the debrief meeting, it was confirmed that the traffic management plan would be reviewed to establish what worked and what did not work. The routes and timings would be changed accordingly. It was acknowledged that the event was well run but that how the event would be run in the future would evolve. In addition, there was a commitment to put signage out for patrons to follow to access the site, however it was noted that the applicant cannot prevent patrons from using their own routes.

Following a query on the possible routes from the south, the applicant informed Members that he is committed to work with the Highways Authority in order to identify the best route, although reiterated that he can't prevent patrons from using their own routes or following their own satellite navigation devices.

In response to a query on routes to and from the site, it was confirmed that the applicant intends to host the event at Belvoir for a number of years and would assess what are the best routes to and from the site. The applicant would reroute or adjust delivery times of suppliers and ask those suppliers to adhere to weight limits in place.

With regard to littering by patrons, the applicant now has the knowledge of how patrons exit the festival and would have larger litter picking teams in future years.

The applicant reassured Members that there would be an overlap of entertainment to ensure patrons do not start to make their own entertainment and cause disruption.

Mr Pape, resident of Denton, then addressed the Sub-Committee. He explained he was concerned because Denton was not included in the previous consultation but explained that could be the reason for the issues the village had been experiencing.

Mr Pape explained that it was difficult to see how there would be a southern route to the site without going through Denton. He added that he suspected that returning patrons would use the routes they knew instead of the advertised routes.

He also feared that the applicant would use the same plan with minor amendments and stated that he would like vehicles to be banned from travelling through Denton to the site.

Mr Pape asked whether the sound systems could face westwards away from Denton where the sound would be absorbed by the steeper land and the wood. This opposed to facing eastwards towards Denton and Woolsthorpe where the sound travels because of the sloping terrain and little woodland.

In delivering their representation, Denton Parish Council stated that they support what Mr Pape had said and had nothing further to add.

In a closing statement the Applicant's Legal Representative, Ms Tulloch reminded those present that the 2022 event had been seen as a great success and that no one had asked for the application to be refused and that instead there was a plea for greater consultation. Ms Tulloch stated that any condition that compels patrons to use particular routes would mean that the applicant would be in breach as soon as a patron erroneously drives via a different route.

At 11:38am, the meeting was adjourned to allow the Sub-Committee to consider their decision.

At 12:43pm, the meeting was reconvened.

## **RESOLVED**

The Licensing Sub-Committee decided to grant the application subject to the following conditions:

- |  |   |
|--|---|
|  | <ul style="list-style-type: none"><li>(i) the traffic management plan should include the provision for earlier warning signage of the recommended route where possible;</li><li>(ii) the premises licence holder shall commence engagement with the Safety Advisory Group (the SAG to include representation from Lincolnshire and Leicestershire Highways Authority and Police) no later than 6 months before the date of the festival and continue to engage in the lead up to the event in order to ensure that any concerns raised can be addressed at an early stage and reflected in the event safety management plan, transport management plan and any other plan required to be submitted;</li><li>(iii) the premises licence holder shall continue to engage with neighbouring Parish Councils (including those outside of Melton Borough) in the run up to the date of the event in order to ensure that any concerns raised can be addressed at an early stage and reflected in the event safety management plan, transport management plans and any other plan required to be submitted; and</li><li>(iv) the premises licence holder shall use reasonable endeavours to direct the speaker orientations away from nearby villages such details to be recorded in the Noise Management Plan.</li></ul> |
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The meeting closed at: 12.46 pm

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# Minutes

<b>Meeting name</b>	<b>Licensing Sub-Committee</b>
<b>Date</b>	<b>Monday, 16 January 2023</b>
<b>Start time</b>	<b>10.30 am</b>
<b>Venue</b>	<b>Parkside, Station Approach, Burton Street, Melton Mowbray, Leics, LE13 1GH</b>

## Present:

**Chair** Councillor P. Posnett MBE (Chair)

**Councillors** J. Douglas E. Holmes

**Officers** Democratic Services Manager  
Licensing & Compliance Officer (Business Advisor: Licensing) (SG)  
Licensing Enforcement Officer  
Democratic Services Officer (SE)

Minute No.	Minute
LSC5	<p><b>Election of a Chairman</b> Councillor Posnett was elected as the Chairman for this Licensing Sub-Committee meeting.</p>
LSC6	<p><b>Apologies for absence</b> There were no apologies for absence.</p>
LSC7	<p><b>Declarations of Interest</b> It was noted that Councillor Douglas had taken part in a previous sub committee concerning the same driver. She advised that she entered this meeting with an open mind and had an unbiased approach.</p> <p>It was also noted that Councillor Chandler had not taken part in this sub committee meeting due to her previous involvement in a sub committee concerning the same driver.</p>
	<p><b>EXCLUSION OF PRESS AND PUBLIC RESOLVED</b></p> <p><b>That the press and public be excluded from the meeting because the business to be transacted contained information relating to an individual and information that was likely to reveal the identity of an individual.</b></p>
LSC8	<p><b>Hackney Carriage and Private Hire Policy 2021 - Alleged Breach</b> The Licensing Sub-Committee received testimony from the Licensing Enforcement Officer. The Licensed Driver was not present. As a result of the evidence received the Licensing Sub-Committee made their determination.</p> <p><b>RESOLVED</b></p> <p><b>The Licensing Sub-Committee determined that</b></p> <p><b>(1) The sub committee noted their disappointment that the Licensed Driver did not attend the hearing to give their representations in person. The decision was taken to proceed in their absence on the basis that it was confirmed that the driver had received the paperwork and notification of the time and date of the hearing and had provided written representations;</b></p> <p><b>(2) On consideration of the evidence, the Enforcement Licensing Officer's report, the relevant legislation, the written representations provided by the Licensed Driver, case law and policies the sub committee took the decision to:</b></p> <p><b>(i) Add 12 points to the MBC driver's record, having applied the maximum points available to the breach of the policy identified;</b></p>

**(ii) Suspend the Licensed Driver's Combined Private Hire and Hackney Drivers' Licence for a period of up to 2 months, the suspension to end upon successful completion of Driver Remedial Training which must include focus on passenger safety;**

**(3) A reminder be issued to the licensed driver that in line with the Council's policy and the number of points added by the sub committee at that meeting any future breach would be referred back to the Licensing Sub Committee for consideration.**

The driver had a right of appeal within 21 days of notice of this decision.

The meeting closed at: 11.40 am

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

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# Minutes

<b>Meeting name</b>	<b>Licensing Sub-Committee</b>
<b>Date</b>	<b>Tuesday, 25 April 2023</b>
<b>Start time</b>	<b>6.00 pm</b>
<b>Venue</b>	<b>Phoenix House, Nottingham Road, Melton Mowbray, Leics, LE13 0UL</b>

## Present:

**Chair** J. Douglas

**Councillors** P. Chandler  
S. Atherton

**Officers** Legal Advisor/Democratic Services Manager  
Licensing & Compliance Officer (Business Advisor: Licensing) (SG)  
Licensing Enforcement Officer  
Democratic Services Officer (SE)

Minute No.	Minute
LSC9	<p><b>Election of a Chair</b> Councillor Douglas was elected as the Chairman for this Licensing Sub-Committee meeting.</p>
LSC10	<p><b>Apologies for absence</b> There were no apologies for absence.</p>
LSC11	<p><b>Declarations of Interest</b> There were no declarations of interest.</p>
	<p><b>EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p><b>RESOLVED</b></p> <p><b>That the press and public be excluded from the meeting because the business to be transacted contained information relating to an individual and information that was likely to reveal the identity of an individual.</b></p>
LSC12	<p><b>Hackney Carriage and Private Hire Policy 2021 - Alleged Breach</b> The Licensing Sub-Committee received testimony from the Licensing and Compliance Officer. The Licensed Driver was not present. As a result of the evidence received the Licensing Sub-Committee made their determination.</p> <p><b>RESOLVED</b></p> <p><b>The Licensing Sub-Committee determined</b></p> <p><b>(1) The sub committee noted their disappointment that the Licensed Driver did not attend the hearing to give their representation in person. The decision was taken to proceed in their absence on the basis that it was confirmed that the driver had received the paperwork and notification of the time and date of the hearing;</b></p> <p><b>(2) On consideration of the evidence, the Licensing and Compliance Officer's report, the relevant legislation, case law and policies the sub committee took the decision to revoke the driver's Combined Private Hire and Hackney Drivers' Licence.</b></p> <p>There was a right of appeal in respect of this decision which must be made to the Magistrates' Court within 21 days.</p>

The meeting closed at: 6.41 pm



By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

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## Licensing

22 June 2023

Report of: Jo Belcher Regulatory Services  
Team Leader

## Licensing Performance Report

<b>Corporate Priority:</b>	<b>Delivering excellent services positively impacting on our communities</b>
<b>Relevant Ward Member(s):</b>	All
<b>Date of consultation with Ward Member(s):</b>	N/A
<b>Exempt Information:</b>	No

### 1 Summary

- 1.1 To provide Members with knowledge of the work carried out by the Licensing Team and the wider impacts and benefits of the licensing regime.

#### RECOMMENDATION

**That Committee:**

- Note the information**

### 2 Reason for Recommendations

- 2.1 To keep Members up to date with the work carried out by the Licensing Team and their performance.

### 3 Background

- 3.1 The core of the licensing team is made of 1 Business Compliance Officer (which is made up of two 0.5 FTE), 1 Licensing Technician and 1 Enforcement Officer.
- 3.2 The licensing team issue licences and registrations covering the following areas:
- Taxis (vehicles, drivers and operators)
  - Alcohol and Entertainment (including temporary events)
  - Gambling Premises
  - Animal Welfare (boarding, breeding, sale of animals, exhibition of animals, hire of horses, dangerous wild animals, zoo licence)
  - Charity Collections (on the street and house to house)
  - Small Lotteries

- g) Houses in Multiple Occupation
- h) Caravan & Camping Sites
- i) Invasive Beauty Treatments (piercing, tattooing, acupuncture, semi-permanent make-up, microblading, fillers etc.)
- j) Non-invasive Beauty Treatments (hairdressing)
- k) Scrap Metal Dealers (premises and collections)
- l) Pavement Licence (for tables and chairs on the highway)

3.3 This report details a summary of the work delivered up to April 2023 and provides a comparison with previous years.

3.4 The data reviewed in this report focuses on the quantity of work dealt with and the time taken to deal with, but it is important to recognise the wider benefits that the licensing system brings.

3.5 The focus of taxi licensing is about public safety, trying to ensure that the standard and knowledge of drivers and the standard of vehicles has public safety first. The risks associated with the public using unlicensed taxis are high and can be significant.

Taxi licensing regulates hackney carriages and private hire. Unlike private hire vehicles, hackney carriages can be flagged down by members of the public, sit on taxi ranks and be pre booked whereas private hire can only be prebooked through an operator. The drivers licence covers 1-3 years and the operator's licence is for 5 years. There are currently 60 drivers and 7 private hire operators licenced by the council.

3.6 The focus of alcohol and entertainment licensing system is to prevent crime and disorder, to promote public safety, to prevent public nuisance and protect children from harm. All the steps and checks involved help to contribute to these objectives. There are several types of licences available to regulate the sale of alcohol and other regulated entertainment. Regulated entertainment includes:

- a) a performance of a play
- b) an exhibition of a film
- c) an indoor sporting event
- d) a boxing or wrestling entertainment
- e) a performance of live music
- f) any playing of recorded music
- g) a performance of dance

3.7 The focus of gambling licences is to prevent gambling from being a source of crime or disorder and/or being associated with crime or disorder or being used to support crime, ensuring that gambling is conducted in a fair and open way, and protecting children and other vulnerable persons from being harmed or exploited. Our processes contribute to these objectives.

3.8 The focus of animal licensing is to protect the health, safety and welfare of animals being kept (boarding), bred (puppy sales), sold (sale of animals), exhibited (e.g. falconries and animals for therapy) or worked (hire of horses). Licence conditions also contribute to safety of the public particularly with dangerous wild animal and zoo licences (which both apply in Melton). The licensing also tries to protect customers from illegal trading, like puppy farms.

Under the animal welfare licensing regime, premises are awarded a star rating depending on the overall environment and welfare standards. The star rating will determine the length of the licence and also the inspection frequency during the lifetime of the licence. There are currently 36 licensed premises.

Generally, the standard of animal welfare premises is very good with over 97% of premises rated 4 or 5 stars. 5 star is the highest rating. One premises has a star rating of 2.

- 3.9 In essence, an effective licensing service means the sectors are better regulated which in turn brings safer businesses and safer customers. It also assists in identifying non-licensed premises and/or those operating illegally.

## 4 Main Considerations

- 4.1 The performance data for licences reviewed in this section includes all licences and a breakdown of the following areas:

### 4.1.1 Taxis Licences

- (i) Hackney carriage / private hire vehicle
- (ii) driver licences
- (iii) private hire operator

### 4.1.2 Alcohol and Entertainment

- (i) personal alcohol
- (ii) premises alcohol
- (iii) temporary event notices
- (iv) late temporary event notices

### 4.1.3 Miscellaneous Licences

- (i) animal licences
- (ii) society lottery
- (iii) Pavement licenses

This report details a summary of the work delivered during 2022-23 and provides a comparison with previous years.

The data reviewed in this report focuses on the quantity of work dealt with and the time taken to deal with, but it is important to recognise the wider benefits that the licensing system brings.

- 4.2 The **total number of licences** dealt with between the 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023 is 664 which is a slight decrease in the previous year but still higher than during the pandemic and the average time to process has been 10 days.

	<b>All Licences</b>	
	Number of Applications	Av. Days to process
<b>2018-19</b>	798	14.78
<b>2019-20</b>	785	13.75
<b>2020-21</b>	599	14.6
<b>2021-22</b>	682	9.14
<b>2022-23</b>	664	10.0

## Taxis and Private Hire

- 4.3 To operate as hackney carriage or a private hire, the following licences are required:
- Private hire or hackney carriage vehicle licence which is renewed annually.
  - Drivers licence which is up to a three year licence.
  - Operators licence which is a five-year licence and required to operate a private hire business.
- 4.4 The number of **taxi hackney carriage vehicle** licences dealt with between the 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023 is 52 and the average time to process has been 2.06 days on receipt of a valid application and supporting information.

	Number of Applications	Av. Days to process
<b>2018-19</b>	74	19.92
<b>2019-20</b>	63	15.65
<b>2020-21</b>	66	21.56
<b>2021-22</b>	41	1.63
<b>2022-23</b>	52	2.06

Following a reduction in applications post covid the number of licences has increased but there has not been an impact on the length of time taken for the applications to be processed.

- 4.5 The number of **private hire taxi vehicle** licences dealt with between the 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023 is 29 and the average time to process has been 37 days.

	Number of Applications	Av. Days to process
<b>2018-19</b>	27	89.48
<b>2019-20</b>	41	78.71
<b>2020-21</b>	28	53.07
<b>2021-22</b>	22	36.77
<b>2022-23</b>	29	37.00

New private hire taxi vehicle license applications are on average processed within one day of a valid application being made. The average length to process a renewal does take longer and further work will be undertaken during the year to review why this aspect of the licensing process appears to take longer for private hire vehicles as opposed to hackney carriage vehicles.

- 4.6 The number of **taxi driver** licences dealt with between the 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023 is 41 and the average time to process has been 19.63 days.

	Number of Applications	Av. Days to process
<b>2018-19</b>	59	12.42
<b>2019-20</b>	31	25.74
<b>2020-21</b>	36	16.36
<b>2021-22</b>	41	11.27
<b>2022-23</b>	41	19.63

The number of enquiries dealt with remains higher than during and post covid and the introduction of 1, 2 or 3-year licence in September 2021 is proving to be welcomed by the trade as it supports those new to the trade and also those drivers who are considering retirement and do not want to commit to a 3-year licence.

There are currently 60 licenced drivers which is an increase of approximately 10 additional licensed drivers during the year. Whilst the average length of time to process all driver licences is 19.63 days, the average length of time to issues a licence for a new driver is 11.36 days. Delays in processing applications can be due to a number of factors which are outside of the control of the licensing team when supporting information is required to process the application.

- 4.7 The number of taxi **private hire operators licences** dealt with between the 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023 is 2 and the licence applications are dealt with on the day of receipt of the valid application.

	Number of Applications	Av. Days to process
<b>2018-19</b>	4	0
<b>2019-20</b>	1	0
<b>2020-21</b>	2	5.5
<b>2021 -22</b>	3	3.67
<b>2022-23</b>	2	0

There are currently 7 licensed private hire operators in the borough and the time taken to process licence applications remains very low.

### **Alcohol and Entertainment including temporary events.**

- 4.8 **Personal alcohol licenses** are required by individuals who sell alcohol from a licensed premises. There is no expiry date for these licenses however they need to be amended where there is a change of the name or address of the licence holder.

The number of **personal alcohol licences** dealt with between the 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023 is 59 and the average time to process has been 1.79 days.

	Number of Applications	Av. Days to process
<b>2018-19</b>	87	13.26
<b>2019-20</b>	52	2.37
<b>2020-21</b>	35	2.17
<b>2021-22</b>	68	1.79
<b>2022-23</b>	59	4.71

The table above shows 59 personal licences have been processed in 2022-23. Whilst the average length of time to process the application appears to have increased from previous

years, there is a single application which remains open on the system for a long time. If this outlier is removed from the calculation, the average length of time to process the application reduces to just 1.1 days.

- 4.9 The number of **premises licences** dealt with between the 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023 is 107 and the average time to process has been 31.56 days.

	Number of Applications	Av. Days to process
<b>2018-19</b>	106	22.11
<b>2019-20</b>	106	20.3
<b>2020-21</b>	93	24.9
<b>2021-22</b>	107	27.61
<b>2022-23</b>	101	31.56

It can be seen that 101 premises licences have been processed in during the year, the average time to process has increased slightly, but this was due to 1 cancellation/surrender licence taking 87 days and new applications taking an average of 58.67 days. The delays are due to circumstances beyond our control and would include the consultation period where applicable and any hearings required on the event of valid representations being received as part of the application process.

- 4.10 **Temporary event notices** are required to carry out a Licensable activity on a temporary basis or where the activity goes beyond what is allowed under the Premises Licence for the business. The number of **temporary event notices** dealt with between the 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023 is 174 and the average time to process has been 0.1 days.

	Number of Applications	Av. Days to process
<b>2018-19</b>	170	0.75
<b>2019-20</b>	219	1.41
<b>2020-21</b>	21	0.14
<b>2021-22</b>	133	0.20
<b>2022-23</b>	174	0.1

Following covid the number of temporary event notices continues to recover but the length of time it takes to process the notifications remains very good. Events such as the Platinum Jubilee celebrations would have contributed to the increased number of notifications.

- 4.11 The number of **late temporary event notices** dealt with between the 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023 is 34 and the average time to process is 0.18 days.

Please note: the term 'late' is where the applicant has not applied with 10 working days of the event and therefore requires immediate attention by the team.

	Number of Applications	Av. Days to process
<b>2018-19</b>	50	0.12
<b>2019-20</b>	54	0.35
<b>2020-21</b>	13	0.31
<b>2021-22</b>	34	0.18
<b>2022-23</b>	35	0



35 **late temporary event notices** have been processed in during the year, the average time to process has improved and remains within 1 day.

#### 4.12 **Miscellaneous Licences**

4.13 The number of **animal welfare licences** dealt with between the 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023 is 33 and the average time to process has been 6.15 days which is lower than the pre-pandemic levels

	Number of Applications	Av. Days to process
<b>2018-19</b>	37	13.95
<b>2019-20</b>	23	7.96
<b>2020-21</b>	28	4.29
<b>2021-22</b>	53	8.23
<b>2022-23</b>	33	6.15

Generally, the standards for animal welfare premises is very good across the borough with over 97% of premises achieving a star rating of 4 or above with 5 being the maximum rating. Star ratings do not apply to **dangerous wild animal licenses**, of which there are 3 premises licensed in the borough.

4.14 **Society lotteries** are run by non-commercial societies such as charitable organisations or to support sport or cultural activities for example. The number of **society lottery registrations** dealt with between the 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023 is 50 and the average time to process has been 17.58 days

	Number of Applications	Av. Days to process
<b>2018-19</b>	50	31.14
<b>2019-20</b>	57	29.28
<b>2020-21</b>	39	15.74
<b>2021-22</b>	44	19.34
<b>2022-23</b>	50	17.58

50 society lottery registrations have been processed in 2022-23, the average time to process has reduced slightly despite there being an increased number of applications received by the team.

4.15 As part of the covid recovery local authorities were given additional powers in the Business and Planning Act 2020 to issue pavement licences. The streamlined process allowed businesses to secure these licences quickly and allow these licences to remain in place for such period specified in the licence however licences issued under this legislation will expire on the 30<sup>th</sup> September 2023. Prior to the 2020 Act pavement licences were issued by the Highways Authority and this route to obtain a pavement licence is still in place.

During 2022-23 the team dealt with 11 pavement licence applications with an average time to process the application being 0.18 days.

4.16 In summary, the team deal with a wide variety of licence types covering a range of licensable activities. The times taken to process the applications is good. In all categories, except taxi vehicles, the number of applications is higher than during the pandemic.

#### 4.17 Licensing Audit

During 2022-23, an internal audit on the Licensing function was undertaken. The audit selected a sample of 18 taxi licences and 45 other licences for testing which confirmed controls are in place and broadly operating as intended for the processing, verifying and issuing of licences, with only a small number of omissions - none of which posed a significant safeguarding or public safety risk, and all have been addressed since the audit has been completed. However, the audit did identify some areas where action was required, and an action plan has been developed.

Key areas are set out in the table below.

Action	Progress to date
Public Register of Licenses available on the Council's website	A systems upgrade is programmed for 2023-24 which will enable licenses to be available online. We are waiting for an installation date from the supplier and officer training will then be rolled out.
Development of annual licensing enforcement plan	Annual enforcement plan developed and will be reported on in future reports to the Committee.
Review of Licensing performance indicators	<p><b>New performance indicators are being developed as below. These will be included in the corporate performance framework.</b></p> <p><b>Current Performance indicators</b></p> <ul style="list-style-type: none"> <li>Licensing - % of payments made online – currently on hold as corporate credit card payments are not available which means data for this indicator is not readily available.</li> </ul> <p><b>Draft Performance indicators 2023-24:</b></p> <ul style="list-style-type: none"> <li>Length of time from application received to application being duly made in days and working days.</li> <li>Length of time from application being received to approval in days and working days.</li> <li>Length of time from application being duly made to approval in days and working days.</li> </ul> <p>The Licence applications included in the PI are:</p> <ul style="list-style-type: none"> <li>Private Hire &amp; Hackney Vehicle</li> <li>Private Hire &amp; Hackney Driver</li> <li>Private Hire Operator</li> <li>Premises Licence</li> <li>Personal Licence</li> </ul>
Development of Licensing Service Plan	To be completed during 2023 -24 and then reviewed on an annual basis.
Proactive approach to fee debt recovery	The licencing team has worked collaboratively with the Revenues and Finance teams to reduce the debt of £21,000 in August 2021 down to £210 as of April 2023.

#### 4.18 Licensing Policy Information

4.19 There are a number of policies in place for different licences. The table below sets out the information on the policies and review dates.

Policy Name	Publication Year	Review Year
Statement Of Licensing Policy	2022	Due 2027
Gambling Statement of principles	2022	Due 2025
Private Hire and Hackney Carriage Policy	2021	Due 2023

#### 4.20 Enforcement

4.21 The licensing team has one full time Licensing Enforcement Officer. The table below sets out the enforcement activities during 2022-23.

Enforcement activity	Number
Proactive interventions	2
Routine inspections	37
Formal enforcement action	3

During the 2022-23, four licensing hearings or reviews took place. Details of the hearings are set out in the table below:

Licence Type	Reason for a Hearing/Review	Outcome of Hearing/Review
Premises Application	Music Festival hearing	Granted with conditions.
Taxi Combined Drivers Licence	Driving with excess passengers / Excess points	Suspended 2 months whilst undertaking remedial Taxi course
Premises Licence Review	Noise complaint / Failure of premises to provide records	Withdrawn as DPS changed by licence holder
Taxi Combined Drivers Licence	Driving whilst suspended / failure of remedial Taxi Course / Use Mobile phone whilst driving	Licence revoked

4.22 From 31 May 2022, new duties on taxi and private hire vehicle licensing authorities in England came into effect. Authorities must report safeguarding and road safety concerns about drivers licensed in other areas to their 'home' authority. The 'home' authority must consider whether to suspend or revoke the driver's licence within 20 working days and notify the reporting authority.

In addition, taxi and private hire vehicle licensing authorities in England must enter all suspensions, revocations and refusals of taxi and private hire vehicle driver licences relating to safeguarding or road safety concerns into a database designated by the Transport Secretary. Licensing authority must check the database as part of the application process and have due regard to any information in the database when considering an application.

#### 4.23 Events Safety and Safety Advisory Group

Event organisers where attendance of an event is greater than 500 (which includes all attendees – public, staff and performers) are requested to complete an event notification form. For more recent large event licences, engagement with the Safety Advisory Group (SAG) has been included in the license conditions.

The event notification form is circulated to our partners in the SAG. The core members of which are Environmental Health, the Police, Leicestershire Fire and Rescue Service, East Midlands Ambulance Service, Highways, the Local Resilience Forum.

The Team leader is currently the chair of the Safety Advisory Group for Melton.

Where needed a full SAG is held or in some instances a Safety Management Group.

The primary role of the SAG group is public safety (including nuisance prevention).

#### 4.23 Future considerations

4.24 In the Levelling Up White Paper, the Government said it would “explore transferring control of taxi and private hire vehicle licensing to both combined authorities and upper tier authorities.” The Department for Transport will be exploring the implications of this change with stakeholders in due course however no timeframes for this have been confirmed.

4.25 Following the Manchester Arena bombing in 2017 the Terrorism (Protection of Premises) Bill also known as Martyn’s law is due to be enacted (it is currently in draft form), which will have an impact on events. The proposed legislation will place a requirement on those responsible for certain publicly accessible locations to consider the threat from terrorism and implement appropriate and proportionate mitigation measures.

There are no implementation dates for this legislation, but further information can be found on the Government website and event organisers are encouraged to visit the webpage below as the legislation progresses through Parliament.

<https://homeofficemedia.blog.gov.uk/2022/12/19/martyns-law-factsheet/>

### 5 Next Steps – Implementation and Communication

5.1 To bring updated performance information to future licensing committees. It was agreed at Committee in November 2021 this should be on a 6 monthly basis.

### 6 Financial Implications

6.1 There are no financial implications associated with this report.

**Financial Implications reviewed by: Director for Corporate Services**

### 7 Legal and Governance Implications

7.1 There are no legal implications associated with this report.

7.2 The council must be able to demonstrate effectiveness of its licensing policies and provide confidence and reassurance regarding the implementation of those policies.

7.3 The Council’s Enforcement Policy will be reviewed during 2023-24. The Enforcement Policy sets out the Council’s approach to enforcement in an open and transparent manner.

Legal Implications reviewed by: Senior Lawyer 08.06.23

### 8 Equality and Safeguarding Implications

8.1 There are no implications associated with this report.

## 9 Community Safety Implications

9.1 There are no implications associated with this report.

## 10 Environmental and Climate Change Implications

10.1 There are no implications associated with this report however the Hackney carriage and private hire taxi licensing policy includes a reduced licence fee for low emission vehicles which are used as hackney carriage or private hire vehicles.

## 11 Other Implications (where significant)

11.1 There are no implications associated with this report.

## 12 Risk & Mitigation

This reporting of performance data does not identify any risks.

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