

Chair of Licensing Report to Council December 2021

At the last Full Council Meeting, Members raised questions regarding licensing enforcement activity and I am pleased to update on this and I'm sure Members will welcome the report that details the extensive activity undertaken;

Here are the highlights of enforcement action taken as a snapshot over one week in October 2021:

Licensed Premises -

- Joint operation with the Police on safeguarding done in Burnley Town Centre revolving around under-age customers in bars, and targeting vulnerable people due to their age, or level of intoxication, at risk of being exploited sexually or becoming the victim of crime.
- Licensing hearing took place in relation to objections to 6 Temporary Event Notices
- 3 x transfer of Premises Licence applications
- Intervention at late night takeaway that was unlicensed and now they have submitted and paid for a new premises Licence application
- Intervention in a town centre pub that had changed hands without transferring licence or DPS. Personal licences now in place as well as gaming permits.
- 5 x premises reminded re due annual fees payments
- Completed audit of small society lottery permits and wrote warning letters to those who had not paid their annual fees. Prior to the audit there were 50 licences live, now we have just 24 and these have now all paid all fees due.
- Advised 2 perspective new street traders
- 1 x street trader warned in relation to overdue renewal.
- 2 x Animal Welfare Licence renewals
- Advised x 2 new dog breeders
- 1 x complaint resolved re noise nuisance relating to a Licensed Premises
- 1 x personal licence dealt with where applicant had previous convictions.

Taxi -

- 18 x Driver Applications verified – includes comprehensive suite of checks to determine fitness and propriety including DBS, DVLA, Medical, NAFN (national refusals/revocations register), Safeguarding, Knowledge Test
- 1 Decision Notice drafted in relation to a potential driver licence refusal
- Targeted Vehicle Standards Intervention carried out with police – 13 vehicles stopped, of which 9 vehicles tested, 7 suspensions completed, 3 subsequently lifted following repair, 2 passes
- Audit of ongoing applications to identify deficiencies & chase documentation
- 2 x advisory letters issued to applicants
- 2 x Final drafts agreed for Nov Licensing Committee Reports (Convictions Policy & Fees)
- Audit of Safeguarding training completions & reminders issued where due
- Licensing Taxi Sub-Committee Report drafted regarding review of driver licence
- 1 x exceptional condition inspection completed
- 4 x complaints investigated – 1 driver -complex & ongoing, 1 driver - verbal warning, 2 vehicles found to be in compliance

Admin

- 8 x Temporary Event Notices processed
- Updated approx. 25 application checks with knowledge test results
- 129 vehicle renewal reminders sent
- 12 driver renewal reminders sent
- 1 operator reminder sent
- 1 x new premises licence issued
- 1x premises licence transfer completed
- 3 x new lotteries issued
- Taxi vehicle upload to Defra completed

Advice provided:

- in relation to submission of various types of licences including new premises, transfers, vary dps, gaming permits, small lotteries, street trading, late night refreshments, temporary event notices.
- dog grooming, dog walking, dog breeding activities
- taxi knowledge tests/safeguarding
- in relation to current premises licence boundaries.
- Various requests for status of taxi applications.
- Requests for application forms to be sent out for various licence types.
- Various requests signposted to the correct department/authority in relation to fireworks, skin piercing, A-board signs, change of use of garage/shop, sale of e-cigs to children, trading times for shops etc.

In addition, 2 appeals against driver licence refusals were dismissed by the Magistrates court on Oct 14th. The Magistrate commended `the excellent decision notice and conclusion as it summarised everything clearly`. This underlines the importance of attention to detail in all aspects of the regulatory role of officers, where drafting of legal documents is an important part of a robust licensing regime.

Licensing Committee

Licensing Committee met in November to consider 3 important policy matters;

Taxi fee proposals were agreed for advertisement, the revised Gambling policy was endorsed for approval by Full Council, and the convictions policy was updated to reflect a small number of changes introduced as part of the suite of statutory taxi and private hire vehicle standards. The review of the convictions policy completes the integration of the Department for Transport standards into Burnley`s local policy.

The committee also discussed spiking incidents which have been widely reported both locally and nationally and will be regularly appraised of steps taken to protect vulnerable individuals from spiking and other criminal behaviour as customers of licensed premises. Incidents continue to be monitored.

Vehicle safety is a priority, and targeted interventions and vehicle testing continue to take place. Monitoring of the impact on safety, of the changes made to vehicle licensing regimes by Licensing Committee in July, are ongoing.