



REGISTRATION AND LICENSING COMMITTEE

10.00 AM - MONDAY, 3 SEPTEMBER 2018

COMMITTEE ROOM 1/2 - PORT TALBOT CIVIC CENTRE

PART 1

1. Declarations of Interest
2. Minutes of the Previous Meeting (*Pages 3 - 6*)

Report of the Head of Legal Services

3. Licensing Section - Annual Report (*Pages 7 - 20*)
4. Urgent Items
Any urgent items at the discretion of the Chairperson pursuant to Section 100B(4)(b) of the Local Government Act 1972.
5. Access to Meetings
That pursuant to Section 100A(4) and (5) of the Local Government Act 1972, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraph 12 and 15 of Part 4 of Schedule 12A of the above Act.

Part 2

Private Reports of the Head of Legal Services.

6. Hackney Carriage and Private Hire Driver Licensing - Case 1
(*Pages 21 - 26*)

7. Hackney Carriage and Private Hire Driver Licensing - Case 2
(Pages 27 - 30)

S.Phillips
Chief Executive

Civic Centre
Port Talbot

Tuesday, 28 August 2018

Committee Membership:

Chairperson: Councillor S.Paddison

**Vice
Chairperson: Councillor D.Whitelock**

Members: Councillors A.P.H.Davies, J.Miller, D.M.Peters,
J.Warman, C.Edwards, M.Protheroe,
N.J.E.Davies, S.E.Freeguard, N.T.Hunt,
C.James, L.Jones, S.A.Knoyle and R.Mizen

c.c. Superintendent of Police, Neath
Chief Fire Officer, Neath

REGISTRATION AND LICENSING COMMITTEE

(Committee Room 1/2 - Port Talbot Civic Centre)

Members Present:

6 August 2018

Chairman: Councillor S.Paddison

Vice Chairman: Councillor D.Whitelock

Councillors: A.P.H.Davies, J.Miller, D.M.Peters,
S.E.Freeguard, N.T.Hunt, C.James and
R.Mizen

Officers In Attendance N.Chapple, G.White and
J.Woodman-Ralph

1. **ACCESS TO MEETINGS**

RESOLVED: That pursuant to Section 100A (4) and (5) of the Local Government Act 1972, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the above Act.

2. **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE - CASE 1**

The Committee was asked to consider the undermentioned application for the grant of a Hackney Carriage and Private Hire Driver Licence, where the applicant has incurred convictions.

The Applicant was present at the meeting to disclose the details of the convictions.

RESOLVED: That the application for the Grant of a Hackney Carriage and Private Hire Driver Licence, be approved.

3. **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENSING - CASE 2**

Members received information about the lifting of a suspension of a Hackney Carriage and Private Hire Driver Licence following additional information being received from the driver's doctor.

It was noted that the driver's Hackney Carriage Licence was suspended immediately in the interests of public safety until further medication information had been received.

RESOLVED: That the report be noted.

4. **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENSING - CASE 3**

Members were updated on the outcome of an appeal against the decision to revoke a driver's hackney carriage and private hire driver licence.

It was noted that the appeal to Magistrates Court was dismissed but a further appeal to Crown Court has been lodged. Officers agreed to keep Members updated on the outcome.

RESOLVED: That the report be noted.

RESOLVED: That the Committee resolved to go into Open Session.

5. **EXPLOSIVE REGULATIONS 2014 - DELEGATED AUTHORITY**

Members received an overview of the Explosive Regulations 2014 – Delegated Authority Report.

Officers explained that The Explosive Regulations 2014 allows the Local Authority to issue licences for a maximum period of 5 years and have received requests from existing operators for the new licences. As a result officer delegated powers needed updating.

Members asked the following questions:

- Was there any specific storage criteria used when storing explosives?

Officers explained that there are a variety of containers used by operators that comply with the regulations and Officers check the storage facilities as part of their inspection prior to issuing the licence.

- Would the inspections continue on an annual basis if the licence was changing to 5 yearly?

Officers confirmed that the inspections would continue on an annual basis and that Members would receive the data confirming this information contained within the Annual Report to the Registration and Licensing Committee.

An amendment to the recommendations was proposed and supported as follows:

RESOLVED: That the Director of Finance, Head of Legal Services and the Licensing Manager in consultation with the Chair and Vice Chair of the Registration and Licensing Committee be given delegated authority to issue licences under the Explosive Regulations 2014 for up to 5 years, subject to the following:-

1. All new licence applications that are premises based to be notified to local members prior to issuing;
2. That consultation on licence applications be sought in accordance with legal or policy requirements'
3. That there are no objections to the application;
4. That all licences expire on the 30 September.

CHAIRPERSON

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Registration and Licensing Committee

3rd September 2018

Report of the Head of Legal Services – Craig Griffiths

Matter for Information

Wards Affected: All

Licensing Section - Annual Report

Purpose of the Report

1. To provide information to members in relation to licensing matters for the period 2017 – 2018.

Executive Summary

2. The Licensing Section is responsible for ensuring that the Council fulfils its statutory duty in respect of the administration and enforcement of licensing matters detailed in this report.

Background

3. The Licensing Section is responsible for the administration and enforcement of licences and registrations that are issued for the following functions:-

Hackney Carriage (taxis) and Private Hire

Alcohol and Entertainment licences

Gambling premises i.e. Bingo Halls, Betting Shops, Arcades

Charitable Collections

Boats and Boatmen

Firework Storage

Hairdressers

Petroleum Storage

Scrap Metal Dealers

Sex Establishments and Sexual Entertainment Venues

Stage Hypnotism

Street Trading

Tattooing, Cosmetic Piercing, Acupuncture

Taxis and Private Hire Vehicle

4. An annual report for the period 2016 – 2017 was reported to members in September 2017, for comparison purposes, these figures are shown below in brackets.

Taxis and Private Hire Vehicles

The Licensing Section issue licences for hackney carriage vehicles and drivers and private hire vehicles, driver and operators. Licensing Officers carry out inspection of licensed drivers and vehicles during routine stop checks in addition to the pre-arranged inspections that take place at Tregelles court. The tables below provide information on the taxi and private hire function

5. Table 1 - Number of drivers, vehicles and operators as of 31st March 2018 and the number of new applications received between 1st April 2017 and 31st March 2018

Type of Licence	No. of licence holders	New Applications		
		Total	Granted	Refused

Dual Drivers (both hackney carriage and private hire)	344 (341)	22 (28) 3 didn't pass knowledge test	17 (27)	2 (1)
Hackney Carriage Vehicles	255 (255)	7 (19)	7 (19)	0 (0)
Private Hire Vehicles	43 (37)	6 (11)	6 (11)	0 (0)
Private Hire Operators	26 (17)	10 (1)	10 (1)	0 (0)

6. Table 2 – Scheduled vehicle inspections carried out between 1st April 2017 and 31st March 2018

Type of Licence	Inspections		
	Total	Passed	Failed
Hackney Carriage and private hire vehicles	639 (623)	386= 60% pass rate (381 = 61% pass rate)	253 - 40% failure rate (242 - 39% failure rate)

7. Table 3 – Random vehicle inspections carried out between 1st April 2017 and 31st March 2018

Type of Licence	Inspections			
	Total	Passed	Failed	
			Immediate Suspension	Deferred Suspension
Hackney Carriage and private hire vehicles	107 (146)	96 (141)	11 (5)	(0)

8. Table 4 – Number of drivers suspended or revoked and number of drivers seeking medical exemptions between 1st April 2017 and 31st March 2018.

Type of Licence	Suspended	Revoked	Total Medical Exemptions Issued
Driver	1 (5)	2 (1)	3

Alcohol and Entertainment

Since November 2005, the Licensing Section has been responsible for the administration and enforcement of licences for premises which sell / supply alcohol and/ or provide regulated entertainment and / or provide late night refreshment. The tables below provide information on the function.

9. Table 1 – Number of licensed premises as of 31st March 2018.

Type of Licence	No. of licences
Premises Licences	493 (481)
Club Premises Certificates	73 (75)
Personal Licences	1671 (1567)

10. Table 2 - Number of applications received between 1st April 2017 and 31st March 2018

Type of Application	No. of applications			No. of applications that went to a committee hearing
	Total	Granted	Refused	
New Premises	17 (16)	15 (16)	0 (0)	(2 withdrawn)

Variation of Premises	3 (5)	3 (5)	0 (0)	9 (22)
New Club	0 (1)	0 (1)	0 (0)	
Variation of Club	0 (0)	0 (0)	0 (0)	
Minor Variation of Premises or Club	15 (8)	15 (8)	0 (0)	n/a
	Received	Granted	Withdrawn	Returned
Temporary Event Notices	232 (157)	229 (151)	3 (4)	0 (2)

11. Table 3 – Number of applications for review of a premises licence or club certificate between 1st April 2017 and 31st March 2018

Type of Licence	No. of reviews & action taken						Licence Revoked
	Total	Hours Modified	Activity partially restricted	Conditions added / modified	DPS removed	Licence Suspended	
Premises Licence	1 (1)	1 (0)	1 (0)	1 (1)	0 (1)	0 (0)	0 (0)
Club Premises Certificate	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)

Gambling

Since September 2007, the Licensing Section has been responsible for the administration and enforcement of premises used for gambling. These include Casinos, bingo halls, betting shops, arcades and tracks.

12. Table 1 – Number of licensed premises as of 31st March 2018 and number of new applications

Type of Licence	Number of licences	No. of new applications		
		Total	Granted	Refused
Casino	0 (0)	0 (0)	0 (0)	0 (0)
Betting Shop	16 (16)	0 (0)	0 (0)	0 (0)
Adult Gaming Centre	4 (4)	0 (1)	0 (1)	0 (1)
Family Entertainment Centre	0 (0)	0 (0)	0 (0)	0 (0)
Bingo Hall	1 (1)	0 (0)	0 (0)	0 (0)
Track	1 (1)	0 (0)	0 (0)	0 (0)
Lottery Registration	134 (128)	11 (12)	11 (12)	0 (0)

Other Licensing Functions

The Licensing Section is responsible for the administration and enforcement of a number of other licensing functions. The type of authorisation issued by the Licensing Section is determined by the relevant legislation, this is usually either a licence, consent, registration or a permit. The table below outlines the various functions which are the responsibility of the Licensing Section and the type and number of authorisations issued.

13. Table 1 – Number of authorisations for each licensing type as of 31st March 2018

Function	Type of Licence	Type of Authorisation	No. of authorisations
Street Trading	Mobile	Consent	4 (6)
	Static	Consent	16 (18)
Animal Licensing	Riding Establishment	Licence	3 (3)
	Animal Boarding Establishments	Licence	18 (17)
	Dog Breeding Establishments	Licence	13 (10)
	Dangerous Wild Animals	Licence	0 (2)
	Pet Shops	Licence	6 (6)

	Performing Animals	Registration	5 (5)	
Charitable Collections	House To House	Licence	52 (61)	
	Street Collection	Permit	53 (80)	
Pleasure Boats	Boat	Licence	0 (0)	
	Boatman	Licence	3 (3)	
Fireworks	Storage Licence	Licence	1 year 20 (27)	5 year 0 (0)
	Supply Licence	Licence	1 (1)	
	Inspections		25	
Hairdressers		Registration	174 (169)	

Petroleum		Licence	19 (19)
Scrap Metal Dealers	Site	Licence	11 (11)
	Collector	Licence	9 (10)
Sex Establishments	Sex Shops	Licence	0 (0)
	Sexual Encounter Venue	Licence	0 (0)
	Sex Cinema	Licence	0 (0)
Stage Hypnotism		Consent	0 (0)
Tattooing, cosmetic piercing, electrolysis and acupuncture		Consent	29 (42)

Complaints

The Licensing Section receives complaints in relation to licensed and unlicensed premises and persons. All complaints received by the Section are logged and investigated by officers. The table below provides information on the number of complaints received and investigated by the Licensing Section between 1st April 2017 and 31st March 2018.

14. Table 1 – Complaints dealt with between 1st April 2017 and 31st March 2018.

Type of Licence	No. of Complaints
Taxis	77 (56)
Alcohol and Entertainment Premises	41 (38)
Gambling Premises	1 (1)
Street Trading	11 (5)
Animal Licensing	14 (17)
Charitable Collections	6 (6)
Pleasure Boats	0 (0)
Fireworks	0 (0)

Hairdressers	0 (0)
Petroleum	0 (0)
Tattooing etc	3 (3)
Scrap Metal Dealers	6 (4)
Sex Establishments	0 (0)
Stage Hypnotism	0 (0)

Officer Report

15. That members note the details contained in the report.

Financial Impact

16. There are no financial impacts associated with this report

Equality Impact Assessment

17. There are no equality impacts associated with this report

Work force Impact

18. There are no workforce impacts associated with this report

Legal Impacts

19. There are no legal impacts associated with this report

Risk Management

20. There are no risk management issues associated with this report

Consultation

21. There is no requirement under the Constitution for external consultation on this item.

Recommendation

22. That members note the details contained in the report.

Reasons for Proposed Decision

23. Not applicable

Implementation of Decision

24. Not applicable

Appendices

25. Not applicable

List of Background Papers

26. Not applicable

Officer Contact

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