

LICENSING AND SAFETY COMMITTEE
5 JULY 2007

LICENSING ANNUAL REPORT 2006-7
(Director of Environment and Leisure)

1. PURPOSE OF DECISION

- 1.1 This report covers the activities within the Licensing function in the Environment & Leisure Department during the municipal year 2006-7. It is brought to the Committee to consider and comment upon the work carried out.

2. RECOMMENDATION

- 2.1 That the Committee receives the report.**

3. ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 3.1 The Borough Solicitor is satisfied that no significant legal implications arise from this report.

Borough Treasurer

- 3.2 There are no financial implications arising from this report.

Impact Assessment

- 3.3 Not applicable.

Strategic Risk Management Issues

- 3.4 There are no issues to consider.

4. SUPPORTING INFORMATION

- 4.1 Attached as Annex A is a list of those licences, registrations and permits that have been issued or processed by the Licensing Section with the last year. This has increased from 1,637 in 2005-6 to 1,689 in 2006-7. There was a large drop in relation to Personal Licences which once issued remain in force for 10 years. This decreased from 481 to 119 applications in 2006. In most other areas numbers increased to make up for the drop in personal licences.

- 4.2 The number of taxis, that is those that work on ranks and can be hailed in the street, dropped from 95 to 89. The Council set in place a policy in 2001 which set a target of 100% of taxis to be accessible to persons in wheelchairs by 31 December 2009. At present the proportion of accessible taxis is now 63%, an increase from 50% in 2005-6. With a further 25 vehicles which have a swivel seat to aid transfer from a wheelchair, this means that over 91% of the taxis now offer improved facilities to assist not only wheelchair users, but those with restricted lower limb mobility, a common complaint with the elderly. The Council is in line to achieve its target of 100% wheelchair accessible by the set date.

- 4.3 A primary challenge for 2006 was to build upon the successful introduction of the Licensing Act during 2005. During the year 13 new premise applications and 14 applications to vary were received, processed and issued. Five went forward to the Panel for decision. It is pleasing to note that neither an applicant nor a person making a representation has challenged the Panel's decision by lodging an appeal to the Magistrates Court, and this could be said to be a reflection that the decision-making process is balanced, reasonable and proportionate.
- 4.4 The Section work plan required that all the 200+ newly licensed premises would receive a comprehensive visit during the year. The purpose of the visit was to check compliance and offer advice and assistance to licensees, on compliance with new licence conditions. It is pleasing to report that all premises were visited and compliance levels were on the whole good.
- 4.5 In addition a further 115 visits were made to premises during night-time trading periods to check compliance with conditions. These inspections are directed to check how the premises are being managed at busy times, and to follow up on complaints made by local residents in particular in relation to nuisance and crime and disorder. Any problems found were dealt with by discussions with local management, the Designated Premises Supervisor, and the Premise Licence Holder. All concerns were resolved by improvement in management control including the replacement of local management in some instances.
- 4.6 2006 also saw the Service prepare for the implementation of the Gambling Act. The Gambling Policy for Bracknell Forest was published in January this year and set the framework, together with the legislation, for decisions to be made in the forthcoming years on gambling premises located within Bracknell Forest. The work for the Section and the Council as a whole under this new legislation is significantly less than the Licensing Act. The indication is that all existing premises will convert their licences without variation with the result that no consultation or panels will be required.
- 4.7 The number of Street Collection permits issued has risen steeply from 87 in 2005 to 121 in 2006. The main area of change was within Bracknell Town Centre with increased use of the Bandstand. It can be reported that regardless of the increase in number the Council has not received complaints from residents of harassment so the implication must be that conditions set for such collections by the Council appear to work satisfactorily.
- 4.8 In addition there are other collections, particularly in the Town Centre, for charities through direct debit mandates. These are not presently controlled by legislation, but Bracknell Forest has entered into an agreement with the public Fundraising Regulatory Association to control their actions. There were 25 collections in 2006 and no complaints were received. The Government had intended to introduce new legislation to control this activity in the summer of 2006. We are still awaiting that legislation.

Background Papers

None

Contact for further information

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LICENCES CURRENT IN 2006-7

Type	No	Type	No
Animal Boarding Establishments	3	Personal Licences	119
Club Premises Certificate	33	Pet Shops	6
Dangerous Wild Animals	2	Petroleum	18
Hackney Carriage Drivers	208	Poisons	11
Explosives	41	Premises Licence	213
Hackney Carriage Vehicles	89	Riding Establishments	3
Home to School Drivers	11	Special Treatment (Personal)	33
Home to School Vehicles	11	Special Treatment (Premises)	11
House to House Collections	5	Street Collections	121
Lotteries	62	Street Trading	19
Private Hire Vehicles	175	Temporary Event Notices	284
Private Hire Drivers	98	Private Hire Operators	40
Caravan Sites	13	Gambling Permits	10
Hairdressers	10	Motor Salvage	3
Performing Animals	4	Club Premise Certificates	33
TOTAL = 1689			