

## Licensing & Regulatory Committee

27 November 2019

Report from the Assistant Director – Planning and Public Protection

### Licensing Update

#### Summary

1. This report is to update Members on the work undertaken by the Licensing Section since 1 April 2018.

#### Recommendations

2. There are no recommendations arising from the report as it is for information only.

#### Background

3. The Council has a statutory duty to number take a number of licensing functions in accordance with various pieces of legislation, and in some cases statutory guidance.
4. The Council's Licensing Section sits within the Public Protection Service, within the Directorate of Economy and Place.
5. The licensing functions undertaken by the Licensing Section are:

Licensing Function	Legislation
Hackney carriage drivers Hackney carriage vehicles	Town Police Clauses Act 1847 & Local Government (Miscellaneous Provisions) Act 1976
Private hire drivers Private hire vehicles Private hire operators	Local Government (Miscellaneous Provisions) Act 1976
Sale / supply of alcohol Regulated entertainment Late night refreshment	Licensing Act 2003
Gambling premises (bookmakers, bingo halls, adult gaming centres, racecourse) Gaming Machines Small Society Lotteries	Gambling Act 2005

Sex Establishments	Local Government (Miscellaneous Provisions) Act 1982 Part 3 Schedule 3
Street Trading	As above Part 3 Schedule 4
Street Collection Permits	Police Factories, etc (Miscellaneous Provisions) Act 1916 as amended by S251 of the Local Government Act 1972
House to House Collection Permits	House to House Collections Act 1939
Scrap Metal Dealers / Collectors	Scrap Metal Dealers Act 2013
Zoos	Zoo Licensing Act 1981
Exotic, Dangerous and Wild Animals	Dangerous Wild Animals Act 1976 (Modification) Order 1984
Providing Boarding for Cats Providing Boarding for Dogs Providing Day Care for Dogs Selling Animals as Pets Breeding Dogs Hiring out Horses Keeping or Training Animals for Exhibition	The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
Storage of Explosives	Explosives Regulations 2014
Petroleum Storage	Petroleum Regulations 2014
Acupuncture Body Piercing Ear Piercing Electrolysis Tattooing	Local Government (Miscellaneous Provisions) Act 1982 Part 8
Sports Grounds	Safety of Sports Grounds Act 1975(as amended) Fire Safety and Safety of Places of Sport Act 1987
Film Classification	
Hypnotism	Hypnotism Act 1952

6. Due to the nature of our work the Licensing Section has to work closely with colleagues within the Council as well as partner agencies such as North Yorkshire Police, North Yorkshire Fire and Rescue Service, Yorkshire Ambulance Service, Immigration Service and DVSA. This involves sitting on joint agency task group meetings and engaging in joint operations.
7. The Licensing Section also works closely with licensing colleagues from West and North Yorkshire Authorities. The Licensing Manager meets regularly with West Yorkshire colleagues in relation to taxi licensing

policy matters, and also Chairs the North Yorkshire Licensing Practitioners Group, which discusses and shares best practice in relation to all licensing matters.

## **Consultation**

8. There is no consultation associated with this report as it is for information only.

## **Options**

9. There are no options associated with this report as it is for information only.

## **Analysis**

10. Annex 1 gives an over view of some of the applications received and processed, by the Section since 1 April 2018.
11. The Licensing Act 2003 and Gambling Act 2005 stipulates the licensing process with regards to timeframes. The Licensing Section, and if required our colleagues in Democratic Services, makes sure all of these timeframes are met. Failure to meet these timeframes could lead to legal challenge or licenses could be deemed granted. The Council has set in-house timeframes for processing other licensing applications, once the application is completed in full. Occasionally, due to work demands, in-house timeframes are not met, applicants are notified it this is the case.
12. Annex 2 gives an overview of some of the other work undertaken by the Section.

## **Council Priorities**

13. The licensing functions undertaken by the council are statutory, supporting new and existing businesses, as well as local resident and visitors through these functions supports the Council's Plan of a good quality of life for everyone.

## **Implications**

14. The direct implications arising from this report are:
  - (a) **Financial** – There are no financial implications.
  - (b) **Human Resources (HR)** - There are no HR implications.

- (c) **Equalities** – There are no equalities implications.
- (d) **Legal** – The Council has a statutory duty to undertake the licensing functions.
- (e) **Crime and Disorder** – There are no crime and disorder implications.
- (f) **Information Technology (IT)** - There are no IT implications.
- (g) **Property** - There are no property implications.
- (h) **Other** - There are no other implications.

## Risk Management

15. There are no known risks associated with this report.

## Contact Details

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### Chief Officer Responsible for the report:

Mike Slater  
Assistant Director – Planning and Public  
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Report  
Approved

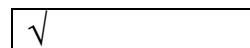


Date 14/11/19

Specialist Implications Officer(s)

Wards Affected:

All



For further information please contact the author of the report

## Background papers

None

## Annexes

Annex 1 – Licensing Applications

Annex 2 – Overview of work undertaken by the Licensing Section in relation to Licensing Act 2003 licensed premises and taxis