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THIS IS A MEETING WHICH THE PUBLIC ARE ENTITLED TO ATTEND

7th November 2019

Dear Sir/Madam

PLANNING, REGULATORY & GENERAL LICENSING COMMITTEE
(GENERAL LICENSING MATTERS)

A meeting of the Planning, Regulatory & General Licensing Committee (General Licensing Matters) will be held in Council Chamber, Civic Centre, Ebbw Vale on Tuesday, 12th November, 2019 at 9.30 am.

Yours faithfully

Michelle Morris
Managing Director

AGENDA

Pages

1. SIMULTANEOUS TRANSLATION

You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided if requested.

2. APOLOGIES

We welcome correspondence in the medium of Welsh or English. / Croesawn ohebiaith trwy gyfrwng y Gymraeg neu'r Saesneg.

To receive.

3. **DECLARATIONS OF INTEREST AND DISPENSATIONS**

To consider any declarations of interest and dispensations made.

4. **ACTIVITIES REPORT FOR QUARTER 2 OF 2019/2020**

5 - 14

To consider the report of the Team Manager – Licensing & Commercial.

5. **EXEMPT ITEMS(S)**

To receive and consider the following report(s) which in the opinion of the proper officer is/are an exempt item(s) taking into account consideration of the public interest test and that the press and public should be excluded from the meeting (the reason for the decision for the exemption is available on a schedule maintained by the proper officer).

6. **SCHEDULE OF APPLICATIONS FOR HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES**

15 - 16

To consider the report of the Team Manager – Licensing and Commercial.

To: Councillor B. Summers (Chair)
Councillor M. Moore (Vice-Chair)
Councillor D. Bevan
Councillor G. L. Davies
Councillor D. Hancock
Councillor W. Hodgins
Councillor J. P. Morgan
Councillor K. Pritchard
Councillor K. Rowson
Councillor T. Smith
Councillor B. Thomas
Councillor G. Thomas
Councillor D. Wilkshire
Councillor B. Willis
Councillor L. Winnett

All other Members (for information)

Manager Director
Chief Officers

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Agenda Item 4

Executive Committee and Council only

Date signed off by the Monitoring Officer:

Date signed off by the Section 151 Officer:

Committee: Planning, Regulatory & General Licensing Committee

Date of meeting: 12th November 2019

Report Subject: Activities Report for Quarter 2 of 2019/20

Portfolio Holder: Planning, Regulatory and General Licensing Committee

Report Submitted by: Lisa Griffin, Team Manager Licensing & Commercial

Report Written by: Lisa Griffin, Team Manager Licensing & Commercial

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	General Licensing Committee
By 29/10/19								12/11/19

1. Purpose of the Report

To update the Licensing Committee on the work of the Licensing Team for the second quarter of 2019/20, i.e. 1st July – 30th September 2019 in respect of general licensing matters.

2. Scope and Background

2.1 This report outlines the work of the Licensing team from 1st July – 30th September 2019, including work such as applications, inspections and reactive complaints in respect of general licensing matters, so that Members are aware of what licensing activities are taking place and why.

Operational Report

2.2 Hackney and Private Hire Vehicle Licensing

2.2.1 There were 68 applications received and processed for both vehicle and driver licences. Driver licence applications continued to remain steady in this period, and at the close of this second quarter (i.e. 30th September) the remainder of the three-yearly driver's licences have now been renewed.

2.2.2 One complaint was received during quarter 2 alleging that a licensed taxi driver had received a ban from driving. Investigations were carried out following receipt of a renewal application and the application was rejected.

2.2.3 One meeting with the local Taxi Association was held during quarter 2. The purpose of these meetings is to discuss issues affecting the local trade, including proposed and requested changes to local taxi ranks.

At the meeting, the following matters were discussed:-

1. Issues relating to Abertillery, Tredegar and Brynmawr taxi ranks were discussed and this will be discussed further in future meetings when more information is made available;
2. It was confirmed that amended policy booklets would be sent out soon. These booklets have now been published and distributed.
3. CCTV in taxis and the legalities of its use;
4. Use of multi-colour taxi roof lights – this matter is being dealt with by Gwent Police;
5. Minibus layout – this matter will be discussed in further detail at the next taxi association meeting when the council's Vehicle Examiner can attend to give an expert opinion.

The continuation of these meetings will be delivered during the remaining quarters of 2019/20.

2.2.4 Work continues to implement the National Register of Taxi Licence Refusals and Revocations (called NR3). NR3 is a UK wide database which has been developed and will be hosted by the National Anti-Fraud Network (NAFN). The NR3 register provides a way for licensing authorities to share details of individuals who have had a hackney carriage or private hire vehicle (PHV) licence revoked or an application for one refused.

The NR3 register will help prevent drivers who have had a hackney carriage or PHV licence revoked, or an application for one refused, going to another authority to dishonestly secure a licence.

All existing drivers were previously informed by letter of the implementation of NR3, and those drivers previously refused or revoked have been advised in writing that their details will be included in the register.

2.3 **Street Trading**

- 2.3.1 Two permanent street trading applications were received in relation to street trading this quarter and there were two complaints.

The complaints received were in respect of cars for sale in the area without Street Trading Consents. Visits were made to the areas given and the sellers of the vehicles were spoken to and given appropriate advice. A further drive by of the areas where the vehicles were positioned showed that they had either been removed or the 'for sale' notice removed from the vehicles.

2.4 **Charity Collections**

- 2.4.1 Five applications were received in relation to charity collections in this quarter and no complaints were received.

2.5 **Scrap Metal**

- 2.5.1 One application for a scrap metal site licence was received this quarter and no complaints were received.

2.6 **Freedom of Information (FOI) requests**

- 2.6.1 Three FOI requests were received during this quarter relating to taxi licensing matters whereby lists of licensed taxis and operators were requested.

2.7 **Inspection and Enforcement Activities**

- 2.7.1 During this quarter, 10 licensed taxis were randomly selected to attend a vehicle spot check test, which is carried out by the Council's Approved Vehicle Examiner, based at Barleyfield Industrial Estate. These tests are carried out to MOT standards to ensure that vehicles continue to be road worthy. All vehicles passed the spot check test.

- 2.7.2 Five separate visits were made in this quarter to the taxi ranks in the borough where 51 vehicle/drivers were inspected. One driver was issued with a penalty point for defective tyres, which was rectified the same day. If the driver obtains additional penalty points within 12 months, further action may be taken, which may result in his licence being suspended or revoked. Six drivers were given advisory notifications for tyres and a light.

- 2.7.3 Two applicants for a new driver's licence attended a meeting of the Licensing Committee as a result of criminal convictions being identified in

their application. The committee agreed that the applicants were fit and proper persons to hold a licence and were both granted a full three year licence, subject to a written warning regarding their future conduct.

Management Report

2.8 Policies

2.8.1 No new requirements for policies have been identified. Members had previously agreed that Sex Establishment and Charity Collection policies should be developed and this work is planned to commence in quarter 4 of 19/20.

2.9 Fees

2.9.1 All licence fees relevant to general licensing matters will be reviewed during quarter 3 and 4 19/20 with a view to any proposed changes being implemented from the 1st April 2020.

2.10 Complaints

2.10.1 There have been no formal complaints about the work of the team in this quarter.

3. Options for Recommendation

- 3.1
1. That the committee note and comment on the contents of this report, or;
 2. That the committee note the activity report for this quarter.

4. Evidence of how does this topic supports the achievement of the Corporate Plan/Statutory Responsibilities/Blaenau Gwent Well-being Plan

4.1 This report relates to the statutory duties and responsibilities of the Authority.

Links to the Corporate Plan and the Well-being Plan are covered in any reports implementing or varying any area of work delivered by the Licensing Team. There are therefore no direct links to this report which provides a quarterly performance update.

5. **Implications Against Each Option**

- 5.1 This report reflects work carried out by the Licensing team within existing resources, and there are therefore no financial implications.
- 5.2 The main risk to the Authority is reputational should efficient and effective licensing enforcement not be delivered.
- 5.3 This report relates to the statutory powers and responsibilities of the authority, and there are therefore no significant legal impact is identified.
- 5.4 This report reflects work carried out by the Licensing team within existing resources, and there are therefore no staffing/workforce implications.

6. **Supporting Evidence**

- 6.1 Details of activities completed in this quarter are attached as Appendix 1.

7. **Monitoring Arrangements**

- 7.1 The Licensing team will continue to monitor workloads and report to future committees.

Background Documents /Electronic Links

- None

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APPENDIX 1 - LICENSING TEAM ACTIVITY REPORT 2019/20

Licence Applications Processed									
Licensing Act 2003 Applications									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
Financial Year	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	
Hackney carriage	39	38	36	37					75
Private hire vehicle	2	1	0	0					1
Hackney carriage driver	2	38	14	31					69
Private hire vehicle driver	0	1	0	0					1
Private hire vehicle operator	0	0	0	0					0
Totals	43	78	50	68					146
Gambling Act 2005 Applications									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
Financial Year	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	
Scrap metal collectors	1	0	0	0					0
Scrap metal sites	0	0	0	1					1
Street trading – permanent	1	0	4	2					2
Street trading - temporary	3	1	3	0					1
Street collections	1	1	4	3					4
House to house collections	5	6	7	2					8
Totals	11	8	18	8					16

Complaints									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
Financial Year	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	
Taxis	0	2	4	1					3
Scrap metal	0	0	0	0					0
Street trading	2	0	0	2					2
Charitable collections	0	0	0	0					0
Totals	2	2	4	3					5
Inspection Activities									
Visits, Inspections and Interventions*									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
Financial Year	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	
Taxi and driver inspections	34	0	0	51					51
Scrap metal collectors	0	0	0	0					0
Scrap metal sites	0	0	0	0					0
Street trading	0	0	0	3					3
Totals	34	0	0	54					54
Other compliance checks, visits and inspections									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
Financial Year	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	
HC and PHV spot checks	9	11	9	10					21
Private hire vehicle operators	0	0	0	0					0
Multi agency operations - taxis	2	0	0	0					0
Totals	11	11	9	10					21

Enforcement Activities									
Penalty Points - Taxis									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
Financial Year	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	
Driver – 1st warning letter	<i>0</i>	1	<i>1</i>	1					2
Driver – 2nd warning letter	<i>0</i>	0	<i>0</i>	0					0
Vehicles – 1st warning letter	<i>2</i>	0	<i>0</i>	0					0
Vehicles – 2nd warning letter	<i>0</i>	0	<i>0</i>	0					0
Totals	<i>2</i>	1	<i>1</i>	1					2
Suspensions, revocations, prosecutions, cautions and appeals									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
Financial Year	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	
Driver licence suspended	<i>0</i>	0	<i>0</i>	0					0
Vehicle licence suspended	<i>0</i>	0	<i>1</i>	0					0
Driver licence revoked	<i>0</i>	0	<i>0</i>	0					0
Vehicle licence revoked	<i>0</i>	0	<i>0</i>	0					0
Scrap metal	<i>0</i>	0	<i>0</i>	0					0
Street trading	<i>0</i>	0	<i>0</i>	0					0
Prosecutions	<i>0</i>	0	<i>0</i>	0					0
Cautions and Fixed Penalties	<i>0</i>	0	<i>0</i>	0					0
Appeals	<i>0</i>	0	<i>0</i>	0					0
Totals	<i>0</i>	0	<i>1</i>	0					0

Licensing Committee Hearings

Type	Q 1		Q 2		Q 3		Q 4		Annual total
	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	
Financial Year									
Taxis and drivers	0	1	0	1					2
Other	0	0	0	0					0
Totals	0	1	0	1					2

By virtue of paragraph(s) 12, 14 of Part 1 of Schedule 12A of the Local Government Act 1972.

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