

Agenda Licensing Committee

**Monday, 7 June 2021 at 10.00 am
At Council Chamber; Sandwell Council House, Oldbury**

This agenda gives notice of items to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

- 1 Apologies for Absence**
- 2 Declarations of Interest**

Members to declare any interests in matters to be discussed at the meeting.
- 3 Minutes** 7 - 12

To confirm the minutes of the meeting held on 16 September 2019.
- 4 Establishment of Licensing Sub Committees** 13 - 18

To approve the terms of reference and appointments to the Licensing Sub Committees
- 5 Annual Report of the Licensing Committee for 2019/20 and 2020/21 Municipal Years** 19 - 38

To approve the annual report of the Committee for submission to full Council



D Stevens**Chief Executive**

Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution

Councillor Allen (Chair)

Councillors Piper, Rouf, Chidley, Fenton, Gill, Gill, Gill, Hadley, Hussain,
Jones, R Jones, Singh, S Singh and J Webb

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Minutes of the Licensing Committee

**16th September 2019 at 10.00am
at the Sandwell Council House, Oldbury**

Present: Councillor Allen (Chair);
Councillor S Davies (Vice Chair) Rouf (Vice Chair);
Councillors Downing, Eaves, I Jones and O Jones.

Apologies: Councillors Crumpton, Dhallu, E M Giles, L Giles,
G Gill, Mabena, Moore and Preece.

7/19 **Minutes**

Resolved that the minutes of the meeting of the Licensing Committee, held on 31st May 2019, be confirmed as a correct record.

8/19 **Establishment of Licensing Sub Committee**

At its meeting on 16th July 2019 Council was notified of a change in political membership resulting in the opposition group ceasing to exist. A resignation from the Licensing Committee resulted in a vacant position. An elected member was appointed to the vacant position.

Approval was sought to revise membership of the three Sub Committees as set out in Appendix 1 for the remainder of the municipal year.

It was proposed that three sub-committees, consisting of five members with a Chair/Vice Chair each sitting on a sub-committee be appointed for the remainder of the municipal year. However, in accordance with the provision of the Act, sub -committees sitting to consider Licensing Act 2003/Gambling Act 2005 functions were required to consist of only three members.

The Director – Law and Governance and Monitoring Officer, in consultation with the Chair of the Licensing Committee was authorised to select members from the Licensing Committee to serve on sub-committees as necessary and to ensure a quorum should be a named member not be available for a meeting or unable to consider a particular case due to a conflict of interest.

Resolved that the revised membership of the three Sub Committees, as set out in Appendix 1, be approved for the remainder of the municipal year.

9/19 **Review of Statement of Principles under the Gambling Act 2005**

Sandwell's Statement of Gambling Principles was implemented by 2016. The Gambling Act 2005 required Sandwell Council, as the Licensing Authority, to review its Statement of Principles under the Gambling Act 2005, (Gambling Policy) every three years.

On 7th August 2019 Cabinet approval was received to commence formal consultation on the revised Statement of Principles in accordance with the Gambling Act 2005.

The Licensing Committee was requested to consider the revised Statement of Principles and provide any relevant feedback or observations to the formal consultation exercise so that these may be considered prior to a final version of the document being submitted to Council in January 2020 for approval.

The updated Gambling Statement of Principles had been drafted in conjunction with partners, in recognition of the impact that Gambling had on the borough's population and economy.

Once the consultation had been completed, responses would be collated and used to inform a further cabinet report which would seek approval to submit the revised Statement of Principles to Council for adoption.

Resolved that, in accordance with the Gambling Act 2005, and subject to any comments received as a result of the consultation process, Council be recommended to approve the revised Statement of Principles, with effect from 31st January 2020;

10/19

Alcohol Licensing Policy Consultation

On 20th March 2019 Cabinet approval was received to commence formal consultation on a revised statement of draft Statement of Licensing Policy for the borough in line with formal timescales.

The Licensing Committee was requested to consider the draft statement of Licensing Policy and provide any relevant feedback or observations to the formal consultation exercise so that these may be considered prior to a final version of the document being put forward to Council in January 2020 for approval.

The Licensing Act 2003 required the Local Authority to prepare and publish a Statement of Licensing Policy, setting out how the authority intended to approach its licensing responsibilities and this statement should be reviewed every five years.

The updated Licensing Policy had been drafted in conjunction with health partners in recognition of the impact the sale and supply of alcohol had on the health of the borough's population.

The proposed Statement of Licensing Policy being put forward for consultation now contained far more health-related information outlining the potential harm the misuse of alcohol was having on the residents of the borough.

The revised policy also included more information on Modern Day Slavery, Child Sexual Exploitation and Public Health related information.

It was proposed to provide a guidance document for applicants and license holders to support them to understand the practical steps they can take to manage their responsibilities as a License Holder effectively and support the long-term health and well-being of the borough's residents.

Resolved that, in accordance with the Licensing Act 2003, and subject to any comments received as a result of the consultation process, Council be recommended to approve the revised Statement of Licensing Policy;

(The meeting ended at 10.28am)

Contact Officer: Shane Parkes
Democratic Services Unit
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Licensing Committee – 16th September 2019

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Statutory Licensing Sub Committee

	Councillor Allen (Great Bridge)	Councillor Rouf (Soho & Victoria)	Councillor S Davies (Langley)
A	Councillor Dhallu (West Bromwich Central) Councillor E M Giles (Bristnall)	Councillor L Giles (Wednesbury North) Councillor I Jones (Tipton Green)	Councillor Downing (Oldbury) Councillor Crumpton (Old Warley)
B	Councillor O Jones (Wednesbury South) Councillor Mabena (Blackheath)	Councillor Preece (Charlemont with Grove Vale) Councillor Eaves (Rowley)	Councillor Moore (Hateley Heath) Councillor G Gill (Great Barr with Yew Tree)

Non-Statutory Licensing Sub Committee

Sub Committee 1

Councillor Allen
Councillor Dhallu
Councillor E M Giles
Councillor O Jones
Councillor Mabena

Sub Committee 2

Councillor Rouf
Councillor L Giles
Councillor I Jones
Councillor Preece
Councillor Eaves

Sub Committee 3

Councillor S Davies
Councillor Downing
Councillor Moore
Councillor Crumpton
Councillor G Gill

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Statutory Licensing Sub Committee

	Councillor Allen (Great Bridge)	Councillor Piper (Abbey)	Councillor Rouf (Soho and Victoria)
A	Councillor Z Hussain (Soho and Victoria) Councillor K Singh (Wednesbury South)	Councillor S Gill (St Pauls) Councillor Webb (Cradley Heath & Old Hill)	Councillor G Gill (Great Barr with Yew Tree) Councillor R Jones (Old Warley)
B	Councillor O Jones (Wednesbury South) Councillor W Gill (Great Bridge)	Councillor Chidley (Princes End) Councillor Hadley (Great Bridge)	Councillor Fenton (Bristnall) Councillor S Singh (Rowley)

Non-Statutory Licensing Sub Committee

Sub Committee 1

Councillor Allen
Councillor Z Hussain
Councillor K Singh
Councillor O Jones
Councillor W Gill

Sub Committee 2

Councillor Piper
Councillor S Gill
Councillor Webb
Councillor Chidley
Councillor Hadley

Sub Committee 3

Councillor Rouf
Councillor G Gill
Councillor R Jones
Councillor Fenton
Councillor S Singh

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Licensing Sub Committee

Terms of Reference

Statutory Licensing Committee

- (1) Exercise those functions of the Licensing Committee under the Licensing Act 2003 and any regulations made under that Act, together with any related functions, with the exception of:-
- a) any function conferred on the Licensing Authority by Section 5 of the Licensing Act 2003 (Statement of Licensing Policy);
 - b) any function discharged under Section 7(5)(a) of that Act by a committee other than the Licensing Committee;
 - c) any function specifically reserved to the Licensing Committee;

and in particular, deal with the following matters in the circumstances indicated:-

Application for personal licence.	If a police objection has been made.
Application for personal licence with unspent relevant convictions.	If a police objection is made
Application for premises licence / club premises certificate.	If a relevant representation is made.
Application for provisional statement.	If a relevant representation is made.
Application to vary premises licence / club premises certificate.	If a relevant representation is made.
Application to vary designated premises supervisor.	If a police objection has been made.
Application for transfer of premises licence.	If a police objection has been made.
Applications for interim authorities.	If a police objection has been made.

Determination of interim steps pending summary review	All cases
Decision to give counter notice following police objection to temporary event notice	All cases
Review following review notice	If a police objection has been made.
Review following closure order	If a police objection has been made.
Application to review premises licence / club premises certificate.	All cases.
Decision to object when local authority is a consultee and not the relevant authority considering the application.	All cases.
Determination of a police or environmental health objection to a temporary event notice.	All cases.
Review of provisional licence to consider revocation or suspension.	All cases.

- (2) Exercise those functions of the Licensing Committee under the Gambling Act 2005 and any regulations made under that Act, together with any related functions, with the exception of:-
- a) any function conferred on the Licensing Authority by Section 166 of the Gambling Act 2005 (Casino Resolution);
 - b) any function conferred on the Licensing Authority by Section 212 of the Gambling Act 2005 (Fees);
 - c) any function conferred on the Licensing Authority by Section 349 of the Gambling Act 2005 (Statement of Principles);
 - d) any function specifically reserved to the Licensing Committee;

and in particular, deal with the following matters in the circumstances indicated:-

Application for premises licence.	If a relevant representation is made
Application for a variation to a licence.	If a relevant representation is made
Application for a transfer of a licence.	If a relevant representation is made
Application for provisional statement.	If a relevant representation is made
Application for club gaming/club machine permits.	If a relevant representation is made
Application for licensed premises gaming machine permits	If a relevant representation is made
Cancellation of club gaming/club machine permits.	
Review of premises licence.	
Decision to give a counter notice to a temporary use notice.	

Section 101 of the Local Government Act 1972

- (3) Functions relating to the licensing of private hire and hackney carriage licenses, with the exception of any review and recommendations to the Cabinet on the guidance for use in connection with applications for private hire and hackney carriage licenses;
- (4) Exercise those functions of the Licensing Committee under Section 101 of the Local Government Act 1972 the Council's powers and duties under the following Acts and Regulations:-

Betting, Gaming and Lotteries Act 1963;

Town Police Clauses Act 1847;

Local Government (Miscellaneous Provisions) Act 1976;

House to House Collections Act 1939;

Local Government (Miscellaneous Provisions) Act 1982;

Theatres Act 1968;

The Police, Factories etc. (Miscellaneous Provisions) Act 1916;

Safety of Sports Grounds Act 1975.

- (5) The registration and licensing of matters under other existing or future miscellaneous statutes, government directives or directions not referred to or dealt with by any other Committee, including in particular, and where appropriate to this Council, those functions B 1 to B 72 inclusive set out in Appendix 1 (Functions not to be the responsibility of an Authority's Executive) to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.
- (6) Functions under any of the "relevant statutory provisions" within the meaning of Part 1 (Health, safety and welfare in connection with work, and the control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer.
- (7) Functions for the licensing of sex establishments in accordance with the Local Government (Miscellaneous Provisions) Act 1982 Section 2 and Schedule 3, together with any regulations made under the Act.

ends

Report to Licensing Committee

7 June 2021

Subject:	Annual Report of the Licensing Committee and Licensing Sub Committees for both 2019/20 and 2020/21 Municipal Years
Director:	Interim Director – Borough Economy – Nicholas Austin
Contact Officer:	Nicola Plant – Service Manager, Regulatory Services nicola_plant@sandwell.gov.uk

1 Recommendations







- 1.1 That the Licensing Committee annual report for the 2019/20 and 2020/21 municipal years be agreed and approved for submission to full Council on 13 July 2021.

2 Reasons for Recommendations

- 2.1 To receive and approve the Licensing Committee annual report for the 2019/20 and 2020/21 municipal years and seek approval to submit the annual report to Council.



3 How does this deliver objectives of the Corporate Plan?

	The work of the Licensing Committee enforces key council policies and provides an effective response to local issues as they arise.
	<p>The activities undertaken contributes to the delivery of the 2030 Vision, in particular the following:</p> <ul style="list-style-type: none"> - our communities are built on mutual respect and taking care of each other, supported by all the agencies that ensure we feel safe and protected in our homes and local neighbourhoods. - our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.
	
	
	
	

4 Context and Key Issues

4.1 The Licensing Committee is responsible for exercising the powers and duties of the Council with regard to licensing matters under relevant legislation set out in this report.

The committee is required to produce an annual report to Council detailing activities completed throughout the municipal year including the outcomes of the Committee. Due to the COVID-19 pandemic the production of the annual report for 2019/20 has been delayed and the report submitted covers the two municipal years 2019/20 and 2020/21. The report outlines the activity of the committee and responses to local issues. A copy of the annual report is attached at Appendix 1.

5 Alternative Options

5.1 There are no alternative options given for consideration as it is a requirement under the legislations that an annual report of the activity of the Licensing Committee is produced.



6 Implications

Resources:	There are no resource implications arising from this report.
Legal and Governance:	<p>Licensing Committee is responsible for the exercising of the powers and duties of the Council, i.e. those matters that are not the responsibility of the Executive/Cabinet, with regards to Licensing matters under the Licensing Act 2003, the Gambling Act 2005, the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 as extended by the Public Health Act 1875.</p> <p>The Licensing Act 2003 (Alcohol Licensing) The Gambling Act 2005 (The Licensing of Gambling) and the Local Government Act 1972 (Licensing of Taxis) allow the Licensing Committee to arrange for the discharge of any of its functions by a sub-committee or an officer of the Licensing Authority in accordance with its terms of reference and officer scheme of delegation. Arrangements may provide for more than one sub-committee or officer to discharge the same functions concurrently.</p> <p>The membership of the Sub Committee is reviewed each year following the appointment of members to the Licensing Committee at the Annual Council Meeting.</p> <p>The Licensing Committee has already delegated the majority of its licensing functions to the Sub Committee and/or Officers.</p>
Risk:	<p>There are no risks identified in relation to crime and disorder from the recommendation of this report.</p> <p>The activity undertaken by Licensing Committee seeks to reduce instances of crime and disorder that may impact on residents and visitors of the Sandwell borough.</p>



Equality:	An initial equality screening has been undertaken and no adverse impact on protected groups has been identified.
Health and Wellbeing:	There are no direct health and wellbeing implications arising from this report.
Social Value	There are no direct social value implications arising from this report.

7. Appendices

Annual Report of the Licensing Committee and Licensing Sub Committees for both 2019/20 and 2020/21 Municipal Years

8. Background Papers

None





Sandwell

Metropolitan Borough Council

Annual Report of the Licensing Committee 2019/20 and 2020/21

Foreword – Chair of the Licensing Committee

The 2019/20 and 2020/21 municipal years were distinctively different as the COVID Pandemic took hold. The operating of the Licensing Committee under its current structure was able to continue to discharge its functions swiftly moving to online hearings during the Pandemic.

Overcoming technical difficulties on the way, with some hearings being a mix of hearings open to the public and closed due to the restrictions on disclosure of personal information. The Committee and ALL of the officers managed all of the processes, exceptionally well.

The Licensing Committee is made up of 15 elected members including myself as Chair and two Vice Chairs. Under the provisions of the Licensing Act 2003, the main committee is supported by three sub committees to assist in the discharge of the licensing functions.

Three members of the Licensing Committee sit when considering matters in relation to the Licensing Act 2003 and Gambling Act 2005 and five members of the Licensing Committee when considering matters affecting applications for licenses and licenses previously granted under the terms of the Local Government (Miscellaneous Provisions) Act 1976.

In order to maintain the integrity of the service, it is essential that members of the public can feel confident and safe when engaging with licensed services throughout the borough. I am confident that the decisions made by the Committee make activities such as travelling in a hackney carriage or purchasing alcohol a safe and comfortable experience.

I would like to take this opportunity to thank fellow committee members and officers of the council involved in the licensing process for their work throughout the year and I look forward to the coming year when we can resume normal meetings and the challenges it presents in regulating licensable activity within Sandwell.



Cllr Pete Allen
Chair of Licensing Committee

1. The Licensing Committee

The Licensing Committee is established by Council each year. Its purpose is to determine all matters in relation to the Council's powers and duties under the following Acts and Regulations:-

- Town Police Clauses Act 1847;
- Local Government (Miscellaneous Provisions) Act 1976;
- House to House Collections Act 1939;
- Local Government (Miscellaneous Provisions) Act 1982;
- The Police, Factories etc. (Miscellaneous Provisions) Act 1916;
- Consumer Credit Act 1974;
- Safety of Sports Grounds Act 1975;
- Part II of the Local Government (Miscellaneous Provisions) Act 1972.

Membership of the Licensing Committee for 2019/20 was as follows:-

- Councillor Allen (Chair)
- Councillor Rouf (Vice Chair)
- Councillor S Davies (Vice Chair)
- Councillor Crompton
- Councillor Dhallu
- Councillor Downing
- Councillor Eaves
- Councillor E M Giles
- Councillor L Giles
- Councillor G Gill
- Councillor I Jones
- Councillor O Jones
- Councillor Mabena
- Councillor Moore
- Councillor Preece

Membership of the Licensing Committee for 2020/21 was as follows:-

- Councillor Allen (Chair)
- Councillor Rouf (Vice Chair)
- Councillor S Davies (Vice Chair)
- Councillor Dhallu
- Councillor E M Giles
- Councillor O Jones

Annual Report of the Licensing Committee 2019/20 and 2020/21

- Councillor Mabena
- Councillor Eaves
- Councillor L Giles
- Councillor I Jones
- Councillor Preece
- Councillor Downing
- Councillor G Gill
- Councillor Moore

The Committee receives officer support from Licensing Managers, Democratic Services and Legal Services.

The key objectives of the Licensing Committee are to: -

- protect the health and safety of the public; and
- the establishment of professional and respected hackney carriage and private hire trades.

Committee Member training

Training has been provided to all Committee members on the following topics:-

- Licensing Act 2003
- Taxi Licensing
- Gambling Act

Training included licensing procedures, natural justice, understanding the risks of child sexual exploitation, and disability equality, as well as any additional issues deemed locally appropriate.

2. Contribution to the 2030 Vision

The Licensing Committee delivers a range of activity which contributes to the delivery of the 2030 Vision, in particular the following ambitions:

Ambition 5: our communities are built on mutual respect and taking care of each other, supported by all the agencies that ensure we feel safe and protected in our homes and local neighbourhoods.

Ambition 8: our distinctive towns and neighbourhoods are successful centers of community life, leisure and entertainment where people increasingly choose to bring up their families.

The work of Licensing Committee enforces key council policies and provides an effective response to local issues as they arise.

3. Purpose of the report

The report outlines the activity of the Licensing Sub Committee for the municipal years 2019/20 and 2020/21. For the purpose of this report the activities have been separated into two parts:

- Private Hire and Hackney Carriage Licensing
- General Licensing

The Annual report of the Licensing Committee is ordinarily submitted early in the following municipal year to which it relates. The submission of the Annual report for 2019/20 has been delayed as a result of the priorities and demands placed upon both the Elected Members and Licensing Authority Officers in providing timely responses to the COVID 19 pandemic, whilst managing and maintaining continued service delivery in line with Government Guidelines throughout the pandemic. Therefore, a combined report reflecting the activities and outcomes of the Licensing Committee for 2019/20 and 2020/21 has been produced.

4. Private Hire and Hackney Carriage Licensing

Licensing Committee decisions

In the municipal year 1 April 2019 to 31 March 2020 the Committee considered 75 reports regarding the grant of new license applications or the renewal or review of existing licenses.

Date	Granted	Renewed	Suspended	Revoked	Refused	Adjourned/ Deferred	Warned	No Action	Total
10/06/19			2	2		2	1		7
24/06/19	2	1			1		1		5
08/07/19	2			1	1	1			5
22/07/19				1	1	3			5
05/08/19				1		2	3		5
19/08/19		1	1	1	1		1		5
02/09/19				2		2	1		5
30/09/19			1	1		1	2		5
14/10/19				1		2	2		5
28/10/19					1	2	1	1	5
11/11/19	1	1		1	1	1			5
25/11/19			1	1					2
13/01/20					1	2	1		4
27/01/20		1		1	1	1			4
24/02/20			1	1		1			3
09/03/20			1	1	1		1		4
Total	5	4	7	15	9	20	14	1	75

Annual Report of the Licensing Committee 2019/20 and 2020/21

In the municipal year 1 April 2020 to 31 March 2021 the Committee considered 15 reports regarding the grant of new license applications or the renewal or review of existing licenses.

Date	Granted	Renewed	Suspended	Revoked	Refused	Adjourned/Deferred	Warned	No Action	Total
15/06/20				1		1			2
29/06/20	1								1
27/07/20	1						1		2
21/09/20						1			1
02/11/20			1						1
30/11/20				1		1			2
11/01/21							1		1
08/02/21			1				1		2
08/03/21					1				1
22/03/21				2					2
Total	2	0	2	4	1	3	3	0	15

Delegated officer decisions

During the same period the following delegated officer decisions were made by the Taxi Licensing Managers which resulted in fewer reports being taken to Committee for member consideration and decision:

	Municipal year 2019/20	Municipal year 2020/21
Licensed drivers who had their licence revoked or suspended with immediate effect on the grounds of public safety	11	2
Licensed drivers who had their licence suspended with immediate effect as their DBS certificate had expired	164	37
Licensed drivers who were issued with a 21 days suspension notice for failure to sign up to the DBS update service	48	0
Licensed Drivers who had their licence suspended with immediate effect as their Medical certificate had expired	161	51

Annual Report of the Licensing Committee 2019/20 and 2020/21

	Municipal year 2019/20	Municipal year 2020/21
Licensed drivers who had their licence suspended with immediate effect as they were not medically fit	13	5
Driver Applications refused due to the applicant failing to pass the knowledge test within 3 attempts	0	0
Warning letters issued due to failing to declare minor road traffic endorsements on application or within the designated period	6	1
Drivers issued with an exemption certificate from carrying guide and assistance dogs due to a medical condition	0	0
Warning Letters issued at conclusion of complaint Investigation	12	0

Licence numbers

The numbers below are the current registered licences for both municipal year of 2019/20 and 2020/21 broken down by licence type.

Licence type	Total number of current licences 2019/20	Total number of current licences 2020/21
Private Hire Operator	40*	43*
Private Hire Driver	967*	952*
Hackney Carriage Driver	23*	27*
Dual Licence Holder	350*	402*
Private Hire Vehicle	1294*	1018*
Hackney Carriage Vehicle	129*	99*

*the figures quoted are extracted from the system retrospectively. Any licence that was current during the municipal years of 2019/20 or 2020/21 but which has not renewed since that year cannot be reported on retrospectively as once a licence lapses and is not renewed the system archives that licence and it can no longer be reported on.

Policy position

The current policy handbook was last reviewed October 2017 with subsequent amendment in August 2018. The policy handbook is due for review at least every three years and is therefore due for review again in 2021.

During 2019/20 no amendments were made to the policy handbook.

During 2020/21 interim variations were approved for a time limited period to specific elements of the Private Hire and Hackney Carriage Licensing Handbook to ensure licensed drivers and operators were able to continue working.

These interim variations to the policy handbook were in response to the Covid-19 pandemic and the interruption of many services essential to the licensing process including MOTs, Medicals and DBS.

On 21 July 2020 the Department for Transport's Statutory and Private Hire Vehicle Standards were published. Licensing Authorities are required to consider these standards and a 12-week consultation, which closed on 12 March 2021 has been undertaken.

The standards and outcome of the consultation will be considered by the Licensing Committee and may result in recommended changes to the Private Hire and Hackney Carriage Licensing Handbook in the 2021/22 municipal year.

Service Improvement

During the course of the 2019/20 municipal year work had continued on the digital transformation of the licensing activity. The aim of the change is to offer the customer greater flexibility and control about when they engage with the Licensing Department. The change in approach will improve efficiency and accessibility of service. In addition, information will be more readily available for the Committee and the Licensing Team in order to meet both the Legal requirements of Licensing and its contribution to the delivery of the 2030 Vision. Work on digital transformation will continue into the next municipal year.

Some delays to this work were seen during 2020/21 due to the Covid-19 pandemic and the unprecedented pressures placed upon the Council to continue the delivery of essential services in a timely and efficient manner, whilst implementing Covid-19 secure measures in line with Government guidance, to protect both our customers and our team. The service has now embedded several measures into service delivery and is again focused on service improvement, specifically the work around digital transformation of the service.

Enforcement activity

Between 1 April 2019 and 31 March 2020, the Taxi Licensing Enforcement Team conducted 12 multi-agency safety operations (MASO) together with officers from the Driver & Vehicle Standards Agency (DVSA), West Midlands Police, and Her Majesty's Revenue & Customs (HMRC) Fuel testers at locations across the borough.

On average 20 vehicles were checked on each operation. Findings have been that approximately 70% due to VOSA failure for mostly issues such as defective lights which are generally rectified on site or for defective tyres where a fixed penalty is issued followed up by an appearance at the Licensing Sub Committee. Poor compliance has also been found with taxi drivers licenced out of area. Any findings of this nature are reported to the relevant licensing authority within one working day of being identified.

Due to the Covid-19 pandemic only one MASO took place between 1 April 2020 and 31 March 2021 due to the limited resources available both for the partner agencies and from within the Taxi Licensing Team, due to the focussed response to Covid related matters. The one MASO undertaken was with officers from the Driver & Vehicle Standards Agency (DVSA) and West Midlands Police. This was conducted in a Covid secure manner with several control measures in place to protect both officers and the trade. The service has now embedded those control measures into practice and has started conversations with partner agencies including DVSA and West Midlands Police and HMRC to agree future dates to undertake MASO activities.

Focus of Enforcement activity during 2020/21 has been on response to complaints and ensuring the trade have operated both in full compliance with the Private Hire and Hackney Carriage Licensing Handbook and following Covid control measures required of the industry type as outline by Government guidance throughout the Covid-19 pandemic.

5. General Licensing

Licensing Committee decisions

Detailed in the table below is a breakdown of the type of applications considered by the Licensing Sub Committees in the municipal year 1 April 2019 to 31 March 2020 together with further information on the responsible authority requesting the review for the same period:

Reviews

Agency triggering review	Total 2019/20	Total 2020/21
Trading Standards	5	0
Police	4	4
	Total 9	Total 4

Reasons for review	Total 2019/20	Total 2020/21
Serious Crime and Disorder	4	2
Crime, disorder and Public Safety	5	2
	Total 9	Total 4

Other hearings	Total 2019/20	Total 2020/21
Grant application	4	1
Vary premises licence application	2	0
Sex Establishment applications	3	3
Temporary Event notices	1	0
Expedited review	0	1
	Total 10	Total 5

Delegated officer decisions

The table below states the total number of delegated officer decisions on Licensing applications for both the 2019/20 and 2020/21 municipal years which negated the need to seek member consideration and decision via a Committee hearing:

Decision Type	2019/20	2020/21
New Premises licences	30	28
Minor Variations	23	18
Full Variation	1	12
Vary Designated Premise Supervisor	240	150
Transfer Premise Licence Holder	250	84
Licences surrendered	25	1
Licences suspended	20	55
Change of name/address Premises Licence	20	34
Personal licences	195	148
Change of name/address Personal Licence	60	83

Licence numbers

The numbers below are the current registered licences for the municipal years 2019/20 and 2020/21 broken down by licence type.

Licence type	Total number of current licences for 2019/20	Total number of current licences for 2020/21
New Premises licences	915	941
Personal licences	4131	4295
Casino	2	2
Bingo	5	8
Alcohol Licenced Gaming Machine Permit (ALPGM)	31	31
Adult Gaming Centre (AGC)	11	11
Betting (BET)	46	46
Betting Premises (TRACK)	1	1
Unlicensed Family Entertainment Centre (UFECF)	3	3

Licence type	Total number of current licences for 2019/20	Total number of current licences for 2020/21
Family Entertainment Centre (FEC)	0	0
Club Machine Permit (CMP)	40	37
Sexual Entertainment Venues) (SEV)	3	3
Scrap Metal	35	68
Temporary event notice (TEN)	180	16

Policy position

The committee supported the review of the existing Licensing Act 2003 Statement of Licensing Policy and the Gambling Act 2005 Policy including the undertaking of Public consultation processes on both policies during 2019/20. Both policies were carried forward into the municipal year 2020/21 for approval of implementation once feedback was taken into consideration following the completed public consultation.

No further amendments were made to existing policies during 2019/20 nor 2020/21.

Service Improvement

Over the course of the 2019/20 municipal year work has continued on the digital transformation of the licensing activity. The aim of the change is to offer the customer greater flexibility and control about when they engage with the Licensing Department. The change in approach will improve efficiency and accessibility of service. In addition, information will be more readily available for the Committee and the Licensing Team in order to meet both the Legal requirements of Licensing and its contribution to the delivery of the 2030 Vision. Work on digital transformation will continue into the next municipal year.

Delays to this work were seen during 2020/21 due to the Covid-19 pandemic and the unprecedented pressures placed upon the Council to continue the delivery of essential services in a timely and efficient manner. Work on digital transformation runs in unison across both of the Licensing functions. As with the Taxi Licensing Teams position focus has returned to service improvement activities, specifically the work around digital transformation of the service.

Enforcement activity

The Licensing Team are committed to delivering against the Councils 2030 Vision. Their decisions ensure that businesses operate legally and responsibly so that Sandwell residents feel safe and protected in their neighbourhoods and have a good quality of life.

The General Licensing Team has conducted enforcement and compliance visits to 60 Licensed premises during 2019/20 and 47 premises during 2020/21, following up on complaints received as well as undertaking compliance and enforcement visits. The team works closely with various partners and responsible authorities such as West Midlands Police, Trading Standards, Environmental Health, Planning and West Midlands Fire Service to visit 'problem' premises to ensure licence holders are compliant with the operating schedule and conditions of their licence.

Temporary Event Notices

TENs permit licensable activities on unlicensed premises, or outside the hours of an existing licence, for short periods of time and are subject to restrictions on the number that can be given for premises or to an individual during a specified period.

A notice given more than ten working days before the event is a standard notice, when given between nine and five working days before the event it is a late notice.

Only the Police or Environmental Health may object. Objections to a standard notice may result in a hearing, for a late notice a counter notice is given and the event cannot then go ahead.

There is a limit to the number of temporary events that can be held at a premise in any given year of 15 per year with effect from 1 January 2016.

During the course of 2019/20 there were 180 TEN's, 46 of these were late notices, and a total of 3 Counter notices were issued.

In 2020/21 there have been 16 TEN's, 8 of which were late notices. TEN numbers have seen a significant decrease over the course of 2020/21 as a result of the hospitality closures during lockdown periods in response to the Covid-19 pandemic.

6. Conclusion

The Committee carries out its role with a view to ensuring the public are kept safe from harm. In making its decisions, the Committee puts this perspective at the forefront of its decision making. This should provide further assurance to the public that the Council views the safety of its citizens as paramount in carrying out this function.

Members and officers are constantly reviewing Council Policy and delegations to reduce committee time and further improve the level of service offered to license holders. During the course of the municipal year 2019/20 the following activities were started and continued into 2020/21:

- Completion of the review of the Alcohol Licensing Policy
- Completion of the review of the Gambling Policy
- Development and introduction of a new ICT system for use across the both the Taxi Licensing and General Licensing Teams.

The new ICT system and move of operational activity online aims to offer the customer greater flexibility and control and improve accessibility when they engage with the Licensing Department and provide them with a more efficient service. Information will be more readily available for the Committee and the Licensing Team in order to meet both the Legal requirements of Licensing and its contribution to the delivery of the 2030 Vision. Work will continue on the new ICT system into 2021/22.

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