

Report to Council

26 July 2021

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| Subject: | Annual Report of the Licensing Committee and Licensing Sub Committees for the 2019/20 and 2020/21 Municipal Years |
| Director: | Interim Director - Borough Economy Nicholas Austin |
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1 Recommendations

- 1.1 That Council receive the Annual Report of the Licensing Committee and Licensing Sub Committee activity and decisions for the municipal years 2019/20 and 2020/21.

2 Reasons for Recommendations

- 2.1 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 section 6 of this report.
- 2.2 It is required to produce an annual report to Council detailing activities completed throughout the municipal year including the outcomes of the Committee. The Licensing Committee annual report for the 2019/20 and 2020/21 outlines the activity and responses to local issues. A copy of the annual report is provided at Appendix 1.



3 How does this deliver objectives of the Corporate Plan?

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|  | <p>People live well and age well</p> <p>The Licensing Authority exercises its powers with regard to licensing matters under relevant legislation, with the purpose of licensing drivers, vehicles and operators to provide a safe and comfortable transport option to residents and visitors to Sandwell, and licensing premises whilst ensuring public safety is of paramount importance at all times.</p> |
|  | <p>A strong and inclusive economy</p> <p>The Licensing Committee and the Licensing Authority seeks to ensure that taxis and private hire vehicles are a safe and viable transport option for residents and visitors to Sandwell,</p> |

4 Context and Key Issues

- 4.1 The annual report of the Licensing Committee for 2019/20 and 2020/21 has been prepared and is provided in Appendix 1.
- 4.2 The report has been prepared and was agreed on 7 June 2021 by the Licensing Committee for submission to Council.
- 4.3 The Licensing Committee annual report for 2019/20 and 2020/21 is being submitted later than usual due to the demands and priorities faced as a result of the Covid-19 pandemic.

Consultation (Customers and Other Stakeholders)

- 4.5 Consultation is not required on this matter as the Annual Report provides a retrospective overview of the activity and responses undertaken by the Licensing Committee during the 2019/20 and 2020/21 municipal years.
- 4.6 The Licensing Committee have considered the report and agreed for it to be submitted to Council.



- 4.7 In the wider context the Sandwell Private Hire and Hackney Carriage Licensing Handbook was last adopted in 2017 following consultation on the proposed changes.
- 4.8 The Taxi Licensing Team have undertaken consultation on the implementation of the new Statutory Taxi and Private Hire Standards which closed on 12 March 2021. This will inform proposals to be presented to full Cabinet on amendments to the Policy towards the end of 2021.
- 4.9 The Taxi Licensing Team are next due to review the Sandwell Private Hire and Hackney Carriage Licensing Handbook in 2022. A full consultation will be undertaken on any proposed updates and changes to the handbook.
- 4.10 The General Licensing Team undertook consultation on the Gambling Act 2005 Statement of Principles in 2019 with adoption in 2020. The Gambling Act 2005 Statement of Principles is next due to be reviewed in 2022. A full consultation will be undertaken on any proposed updates and changes to the policy.
- 4.11 The General Licensing Team also undertook consultation on the Licensing Act 2003 Statement of Licensing Policy in 2019 with adoption in 2020. The next review of the Licensing Act 2003 Statement of Licensing Policy is due in 2024. A full consultation will be undertaken on any proposed updates and changes to the policy.

Sustainability of Proposals

- 4.7 The annual report provides an overview of the activity and decisions reached by the Licensing Committee during the municipal year. Therefore, there are no matters of sustainability to consider in relation to this report.

5 Alternative Options

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



6 Implications

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| <p>Resources:</p> | <p>There are no strategic resource implications relating to this report.</p> <p>There are no implications in this report for council land or property.</p> |
| <p>Legal and Governance:</p> | <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> <p>A Data Protection Impact Assessment is not required as the proposals in this report do not include the processing of any personal or sensitive data.</p> |
| <p>Risk:</p> | <p>There are no risks identified in relation to crime and disorder from the recommendation of this report.</p> |



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| | <p>The activity undertaken by Licensing Committee seeks to reduce instances of crime and disorder that may impact on residents and visitors to the Sandwell borough.</p> <p>Application of the 'Fit and Proper Person Test' is used as part of the Licensing process to safeguard the public.</p> |
| Equality: | An initial equality screening has been undertaken and no adverse impact on protected groups has been identified. |
| Health and Wellbeing: | The Licensing Committee undertakes its activities and reaches decisions in order to reduce the risk of harm posed to children and vulnerable adults and seeks to maintain high standards of public safety. |
| Social Value | The Licensing Committee undertakes its activities in the interest of public safety. The deliverables in turn result in increased public confidence of Sandwell licenced Taxis and private hire vehicles, licenced drivers and private hire operators. |

7. Appendices

Appendix 1 – Annual report of the Licensing Committee 2019/20 and 2020/21.

8. Background Papers

Annual report of the Licensing Committee 2019/20 and 2020/21.

