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Wednesday, 22 June 2022

To All Councillors:

As a Member or Substitute of the **Licensing & Appeals Committee**, please treat this as your summons to attend a meeting on **Thursday, 30 June 2022 at 6.00 pm** in the **Council Chamber, Town Hall, Matlock, DE4 3NN**

Yours sincerely,

James McLaughlin
Director of Corporate and Customer Services

This information is available free of charge in electronic, audio, Braille and large print versions, on request.

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AGENDA

1. APOLOGIES FOR ABSENCE

Please advise the Democratic Services Team on 01629 751133 or email committee@derbyshiredales.gov.uk of any apologies of absence.

2. PUBLIC PARTICIPATION

To enable members of the public to ask questions, express views or present petitions, **IF NOTICE HAS BEEN GIVEN**, (by telephone, in writing or by email) **BY NO LATER THAN 12 NOON OF THE WORKING DAY PRECEDING THE MEETING**. As per Procedural Rule 14.4 at any one meeting no person may submit more than 3 questions and no more than 1 such question may be asked on behalf of one organisation.

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

13 January 2022

4. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member, her/his partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at the time.

5. TAXI AND PRIVATE HIRE LICENSING PROPOSED INCREASE TO THE TABLE OF MAXIMUM FARES FOR TAXIS (Pages 3 - 8)

To provide the Committee with an update on the review of the District Council's current table of maximum Taxi Fares, requested by the Hackney Carriage (Taxi) Trade; and to consider a proposed table of revised fares agreed with the Trade, for approval following advertisement to the public.

6. TAXI AND PRIVATE HIRE LICENSING ANNUAL UPDATE REPORT (Pages 9 - 12)

To provide the Committee with a summary of the work relating specifically to taxi and private hire licensing, undertaken by the Licensing Team during the last financial year.

7. LICENSING ACT 2003 AND GAMBLING ACT 2005 ANNUAL UPDATE (Pages 13 - 18)

To provide a summary of the work relating specifically to the Licensing Act 2003 and the Gambling Act 2005, undertaken by the Licensing Team during the last financial year, and the previous two financial-year periods, to allow comparisons to be made.

Members of the Committee - Councillors Jacqueline Allison, Neil Buttle, Paul Cruise, Tom Donnelly, Graham Elliott, Dawn Greatorex, Stuart Lees, Dermot Murphy, Janet Rose, Andrew Statham (Chair), Colin Swindell, Steve Wain and Mark Wakeman (Vice-Chair)

NOTE

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LICENSING AND APPEALS COMMITTEE
30 JUNE 2022

Report of the Director of Regulatory Services

TAXI AND PRIVATE HIRE LICENSING PROPOSED INCREASE TO THE TABLE OF MAXIMUM FARES FOR TAXIS

PURPOSE OF REPORT

To provide the Committee with an update on a review of the District Council's current table of maximum Taxi Fares, requested by the Hackney Carriage (Taxi) Trade; and to consider a proposed table of revised fares agreed with the Trade, for advertisement to the public, as the procedure requires.

RECOMMENDATION:

1. That the action taken in agreeing a revised table of maximum fares for publication and advertisement is confirmed.
2. That the proposed table of maximum taxi fares be approved and a date for implementation of the new tariff, be agreed.
3. That the table of maximum taxi fares is reviewed every 3 years, starting in 2024/2025.

WARDS AFFECTED

All

STRATEGIC LINK

An effective licensing regime contributes towards the District Council's Place objective, in terms of keeping the Derbyshire Dales clean, green and safe.

1 Background

1.1 **The Law**

Under section 65 of the Local Government (Miscellaneous Provisions) Act 1976 part II, a Local Authority has powers to review and set fares for hackney carriages (taxis that can be hailed in the street or hired at a taxi rank).

- 1.2 Fares charged by drivers of private hire vehicles or private hire operators are not regulated by the District Council. The fare is agreed by the Private Hire Operator and the passenger at the time the booking is made. A Private Hire Vehicle must be pre-booked before the journey commences.

1.3 Request from the Taxi Trade for Increase to Fares

A request from several members of the Council's licensed Taxi Trade, (Hackney Carriage Vehicle Drivers/Operators) has been received, for a review to increase the table of the maximum taxi fares they can charge their passengers.

- 1.4 The Table of Maximum Fares was last reviewed in July 2011 with the current table being approved and implemented in September 2011.
- 1.5 The original request was made before the start of the COVID Pandemic, and since then several drivers have also requested that the fares are increased. At a previous meeting of this Committee it was resolved that discussions should take place with the trade to agree a tariff of maximum fares that could then be advertised for comment.
- 1.6 Discussions with the trade in person and via email have taken place, with approximately 25% of the hackney carriage trade actively engaging in those discussions. Different proposals were considered by Officers and these were circulated to all of the licensed drivers to find a preferred option.
- 1.7 The District Council currently licences circa 100 combined (taxi) hackney carriage/private hire vehicle driver licences. Around 50% of these work mainly in the Derbyshire Dales providing a local service to residents and tourists.

1.8 Current Tariff of Fares

The current tariff of fares is detailed in Appendix 1, for information.

- 1.9 A 'league table' of taxi fares charged in the 355 Council Districts/Boroughs across the country, is published monthly in the Private Hire and Taxi Monthly Magazine.
<https://www.phtm.co.uk/taxi-fares-league-tables>

The data published refers specifically to the cost of a 2-mile taxi fare (hackney carriage) on Tariff 1. Derbyshire Dales is currently ranked 342nd in the table (13th lowest), with the Tariff 1 fare over 2 miles, being £4:80.

- 1.10 Other fares and positions in the league table for other Derbyshire Authorities are currently as follows:

Derbyshire Authority	Current rate for Tariff 1 over 2 miles	Place in 'league table' PHTM journal
Amber Valley BC	£5.20	318
Bolsover BC	£4.60	344
Chesterfield BC	£5.75	264
Derby City	£6.20	170
Derbyshire Dales DC	£4.80	342
Erewash BC	£5.50	290
High Peak BC	£6.60	104
North East Derbyshire DC	£5.75	266
South Derbyshire DC	No hackneys	n/a

1.11 Proposed Increase to Tariff of Maximum Taxi Fares for Derbyshire Dales

There is a proposal currently being considered to increase the Taxi Fares as follows:

Tariff 1	Tariff 2	Tariff 3
<p>T1 Flag £4.00 for 1 mile then £2.40 per mile £18.00 hour waiting time</p> <p>Fare over 2 miles = £6.40</p> <p>Increase to current fare would be an extra £1.60 at 2 miles then extra 60p per mile.</p>	<p>T2 Flag £5.00 for 1 mile then £3.00 per mile £25.00 hour waiting time</p> <p>Fare over 2 miles = £8.00</p> <p>Increase would be an extra 80p at 2 miles then extra 30p per mile.</p>	<p>T3 Flag £6.75 for 1 mile then £4.00 per mile £35.00 hour waiting time</p> <p>Fare over 2 miles = £10.75</p>

Things the Committee may wish to consider:

- A number of other local authorities across the country have recently reviewed and revised their maximum table of taxi fares, taking account of rising costs of fuel, utilities, insurance, second hand car market, licence fees and other business cost increases that the Taxi Trade have been experiencing.
- The fares have remained the same in Derbyshire Dales for nearly 11 years. In considering the different proposals received, Officers have taken into account that if a request for an increase had been received from the Trade every 3 years since 2011, there would have been 4 increases during the last 11 year period. This current proposal could therefore be seen as being equivalent to an increase of 25p to tariff 1 in each 3-year period since the last increase.
- The rural nature of this district means that many journeys made contain a large proportion of 'dead' mileage. For example: if someone in Wirksworth books a taxi which has to travel from Matlock or further to pick them up, that mileage needs to be recoverable. This is not an issue for licensed drivers operating mainly in a town or city centre where the journeys are mostly short ones.
- There will be some Taxi Drivers that do not want the fares to be increased as customers are also experiencing rising costs. However, this is a table of maximum fares – drivers can charge less than the meter fare; but they cannot charge more, under any circumstances.

1.12 Advertisement of the Proposed Table of Fares

Once a table of fares has been agreed with the trade it has to be advertised for a period of 14 days, to allow any objections/comments. If no objections are received then the increase can take effect on the expiry date of the 14 day period.

As the Committee, at a former meeting gave approval for Officers to enter into discussions with the taxi trade and agree a suitable table of fares, the preferred option by the trade has been advertised in the Derbyshire Times, prior to the meeting to minimise any delay in moving this forwards. Any comments received as a result of the advertisement will be reported at the meeting.

The last date for comments is 7th July and as that is after the date of this meeting, the committee may wish to consider delegating the Director of Regulatory Services to consider and respond to any further comments/objections, if received, based on the outcomes of the debate at the meeting.

2 RISK ASSESSMENT

2.1 Legal

Subject to full compliance with the appropriate regulations referred to earlier in the report, the legal risk associated with the recommendations is assessed as low.

2.2 Financial

There are no significant financial implications arising from this report. The costs of the consultation and advertisements can be contained within existing budgets, hence the financial risk is assessed as low.

3 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, environmental, health, climate change, human rights, personnel, and property.

4 CONTACT INFORMATION

Eileen Tierney, Licensing Manager
Tel: 01629 761374
Email: eileen.tierney@derbyshiredales.gov.uk

5 BACKGROUND PAPERS

Data from other Authorities – Private Hire Monthly
<https://www.phtm.co.uk/taxi-fares-league-tables>

Emails from Trade - March/April 2022

6 ATTACHMENTS

Appendix 1 – Table of Current Taxi Fares



TABLE OF MAXIMUM FARES

TARIFF 1 - applies when carrying 4 passengers or less for journeys starting between 7am & 11pm Mondays to Saturdays

MILEAGE	<u>Per Unit</u>
Up to 1 mile (1760 yds)	£3.00
Each additional (146.66yds) or part (approx £1.80 per additional mile)	£0.15

WAITING TIME

Every 37.5 seconds; (£14.40 per hour) £0.15

TARIFF 2 - applies when carrying 4 passengers or less for journeys starting between 11pm & 7am on Mondays to Saturdays, all day Sunday & Bank Holidays. . Christmas Eve & New Year's Eve are not Bank Holidays

MILEAGE	
Up to 1 mile (1760 yds)	£4.50
Each additional (162.96yds) or part (approx £2.75 per additional mile)	£0.25

WAITING TIME

Every 41.66 seconds (£21.60 per hour) £0.25

RECEIPTS AVAILABLE FROM DRIVER



TABLE OF MAXIMUM FARES

TARIFF 2 - ALSO APPLIES when carrying 5 or more passengers for journeys starting between 7am & 11pm Mondays to Saturdays

MILEAGE	<u>Per Unit</u>
Up to 1 mile (1760 yds)	£4.50
Each additional (162.96yds) or part (approx £2.75 per additional mile)	£0.25

WAITING TIME

Every 41.66 seconds; (£21.60 per hour) £0.25

TARIFF 3 - applies when carrying 5 or more passengers for journeys starting between 11pm & 7am Mondays to Saturdays, all day Sunday & Bank Holidays. Christmas Eve & New Year's Eve are not Bank Holidays

MILEAGE	
Up to 1 mile (1760 yds)	£6.75
Each additional (180.51yds) or part (approx £4.00 per additional mile)	£0.40

WAITING TIME

Every 44.44 seconds (£32.40 per hour) £0.40

RECEIPTS AVAILABLE FROM DRIVER

Appendix 1

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LICENSING AND APPEALS COMMITTEE
30 JUNE 2022

Report of the Director of Regulatory Services

TAXI AND PRIVATE HIRE LICENSING ANNUAL UPDATE REPORT

PURPOSE OF REPORT

This report provides the Committee with a brief summary of the work relating specifically to taxi and private hire licensing, undertaken by the Licensing Team during the last financial year.

Particular attention is drawn to actions taken following the implementation of the Council's revised Taxi and Private Hire Licensing Policy, which came into effect on 1st May 2018, when mandatory requirements relating to safeguarding awareness training and annual subscriptions to the Disclosure and Barring Service criminal record check update service were introduced.

RECOMMENDATION:

- 1) That the update report on taxi licensing related matters is noted; and future reports are submitted annually to the first meeting of this committee in the civic year.
- 2) That a progress report is submitted to the next meeting, on the implementation of the requirements of the Department for Transport's (DfT's) National Taxi and Private Hire Vehicle Licensing Standards.

WARDS AFFECTED

All

STRATEGIC LINK

An effective licensing regime contributes towards the District Council's Place objective, in terms of keeping the Derbyshire Dales clean, green and safe.

1 TAXI AND PRIVATE HIRE LICENSING POLICY

1.1 Update Report

Members will recall that the Council's current Taxi and Private Hire Vehicle Policy was approved by the Council and came into effect on 1st May 2018.

- 1.2 The Policy revisions aimed to raise existing standards and introduce greater consistency in dealing with applications. All applications are still considered individually on their own merits; but this is done in accordance with the Policy. The Licensing Policy is designed to guide the decision makers, who may depart from it where appropriate, as long as when they do so, full reasons are given.

- 1.3 The revised Policy introduced mandatory requirements for Licensed Drivers, which included:

Mandatory Safeguarding Awareness Training – Training to be attended by all drivers licensed at the time, and any new drivers no later than 6 months after being granted a licence. Refresher training is required every 3 years.

Mandatory Subscription to the DBS (Disclosure and Barring Service) – On Line Update Service for checking criminal records – all drivers must subscribe to the on-line update service when it is time for their criminal record check to be carried out.

Introduction of a Penalty Points Scheme for Licensed Drivers – The two objectives of the penalty point scheme are to improve the standards, safety and protection of the travelling public and to ensure that drivers are treated fairly and proportionately when they breach licence conditions.

Driver Knowledge Test – Applicants will be allowed 3 attempts at the Council’s Knowledge Test. Failure to pass after 3 tests will result in the applicant not being allowed to sit another test for at least 6 months after the date of the last failed test.

- 1.4 These policy requirements have been in place for the last 4 years, and have worked well, despite the 18-month disruption to the taxi and private hire licensing service, brought about by the pandemic.

- 1.5 Safeguarding Awareness Training Sessions were held earlier this year for 60+ private hire drivers (school SEN Contracts) licensed during the last 2 years. A number of Passenger Assistants also attended the training. Refresher training for those licensed drivers who attended training in 2018/19 and 2019/2020 is currently being arranged to take place during the next 2 months.

1.6 Local Licensing Activity

Application Type	Number of Applications Processed	
	2020/2021	2021/2022
Hackney Carriage Vehicle Licence	30	71
Private Hire Vehicle Licence	5	13
Combined Hackney/PHV Driver Licence	16	36
PHV Driver only (SEN Contract)	17	35
Private Hire Operator Licence	2	3
Licensed Drivers attending Safeguarding Awareness Training Sessions	None.	65

1.7 Licensing and Appeals Sub-Committee – Taxi Hearings

During 2021-2022 only 1 application for a driver’s licence was referred to a meeting of the Licensing and Appeals Sub-Committee, to determine whether he/she was a fit and proper person to hold a Driver’s Licence (Badge), following disclosure of more than 5 points on their DVLA Licence. The driver retained their taxi driver licence but did so with a warning regarding future motoring offences.

1.8 Regulatory Services Service Plan

In 2021-22 one of the targets in the Regulatory Services Service Plan for the licensing service was to undertake 2 taxi enforcement operations. Usually these operations would be carried out with the District Council's vehicle testing officers, and colleagues from the police authority's traffic team.

During the last 18 months it has not been possible to undertake compliance or enforcement operations with the same level of resource as in previous year. Those conducted during 2021-2022, were carried out by the Licensing Team and took place mainly in the Dale Road area of Matlock, the focus of the Town's late night economy. A similar service plan target has been agreed for 2022/2023, when it is hoped that Officers can revert to a more joint-working approach, as was the case pre-pandemic.

1.9 The Department for Transport's (DfT's) National Taxi and Private Hire Vehicle Licensing Standards

Members will recall that at the January meeting, a progress report on the implementation of the requirements of the Department for Transport's (DfT's) National Taxi and Private Hire Vehicle Licensing Standards was considered.

Whilst work on this has been undertaken, it has not been possible to prepare an update report for this meeting. A detailed report will be submitted to the September meeting for Members' consideration.

3 RISK ASSESSMENT

3.1 Legal

As this report is submitted for information, there are no legal implications associated with the report and the legal risk is therefore assessed as low.

3.2 Financial

The District Council Taxi Licensing service is not permitted to make a profit. The review of Licensing undertaken in 2016 recommended a series of 5% increases in taxi licensing fees over a period of 3 years, intended to enable the service to be cost neutral, with 2019/20 being the last year of these increases.

The costs and income of administering taxi and private hire licences during the last 3 financial years, are shown in the following table:

Taxi Licences	2019/20 Actual £	2020/21 Actual £	2021/22 Actual £	2022/23 Budget £
Direct Costs	41,906	39,368	50,551	31,210
Support Services	14,248	13,385	17,187	10,611
Income	-48,280	-43,001	-65,229	-48,077
Net Expenditure / (Income)	7,874	9,752	2,509	-6,256

NB: Support services are no longer allocated directly to services. Support service costs have been applied as a proportion of direct costs using a multiplier of 34% (based on 2016/17 actuals when more detailed records were maintained).

The financial risk arising directly from this report is assessed as low.

4 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, environmental, climate change, health, human rights, personnel and property.

5 CONTACT INFORMATION

Eileen Tierney, Licensing Manager, Tel: 01629 761374
email: eileen.tierney@derbyshiredales.gov.uk

6 BACKGROUND PAPERS

Description	Date / File
Records of applications stored in Licensing Software Systems – LalPac (archived) & M3 (NB: some licence types are currently paper format only)	RS/LN/M3/LalPac 2005 - on going

7 BACKGROUND PAPERS

None,

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LICENSING AND APPEALS COMMITTEE
30 JUNE 2022

Report of the Director of Regulatory Services

LICENSING ACT 2003 AND GAMBLING ACT 2005 - ANNUAL UPDATE

PURPOSE OF REPORT

This report provides a summary of the work relating specifically to the Licensing Act 2003 and the Gambling Act 2005, undertaken by the Licensing Team during the last financial year, and the previous two financial-year periods, to allow comparisons to be made.

The Committee is provided with details of compliance and enforcement work carried out in partnership with other statutory authorities, which contributes to the Licensing Service Plan Actions.

RECOMMENDATION:

- 1) That the Licensing Team continues to work with other Responsible Authorities, where possible, when carrying out the following number of planned compliance/enforcement visits in the District by 31 March 2023:
 - 20 licensing awareness visits to premises licensed for alcohol sales, gambling or scrap metal;
- 2) That the Licensing Team continues to contribute to the work of the Community Safety Partnership's VAL (Violence Alcohol and Licensing) Group, and supports initiatives promoted by the Institute of Licensing and the Gambling Commission.

WARDS AFFECTED

All

STRATEGIC LINK

An effective licensing regime contributes towards the District Council's Place objective, in terms of keeping the Derbyshire Dales clean, green and safe.

1 THE LICENSING ACT 2003

1.1 The Licensing Act 2003 ("the Act")

The Licensing Act 2003 established a single integrated scheme for licensing premises which are used for the sale or supply of alcohol, and/or to provide regulated entertainment and/or to provide late night refreshment.

- 1.2 Each year the District Council, (in its role as the Licensing Authority), maintains in the region of 550 premises licences and club premises certificates; 1,300 personal licences; and on average (each calendar year) acknowledges 500 to 600 temporary event notices (TENs).

All of these authorisations permit one or more of the licensable activities under the provisions of the Licensing Act 2003¹³

- 1.3 Each year a number of new premises licences are granted and a small number are surrendered, as businesses close down or move premises. New licences are granted and existing licences varied for a number of reasons, which include the start-up of new businesses, a rise in the number of one-off events. eg: small music festivals, micro-breweries, themed/luxury bed and breakfast establishments, community shops in separate areas of existing licensed premises etc.
- 1.4 2020-21 and 2021-2022 saw a reduction in the number of new licences being granted and an increase in the number of licences surrendered; due mainly to the Covid Pandemic.
- 1.5 Annual Progress Reports

The first annual progress report was presented to this Committee in 2007, providing information about the numbers of alcohol, entertainment and late night refreshment licence applications determined with effect from November 2005. Since 2007 an annual progress report has been submitted for the Committee's information and consideration. The report is usually considered at the first meeting each new civic year.

- 1.6 Some of the activities which needed to be licensed at the start of the new licensing regime are no longer licensable at during certain times of the day and in particular circumstances; the Live Music Act 2012 exempted the Licensing Act 2003 requirement for a licence for the provision of facilities for music, dancing, entertainment or anything similar, and amended the need for a licence for live and recorded music, dancing, the performance of plays and the exhibition of films; but only during specific times, namely between the hours of 8am and 11pm; and at particular types of premises; usually in community premises or at those that are already licensed for the sale of alcohol.
- 1.7 Licence applications made under the Licensing Act 2003

Application Type	Number of Applications Processed			
	2018/19	2019/20	2020/21 Pandemic	2021/22
New Premises Licences/Club Premises Certificates (CPCs)	16	15	15	21
Transfers of Premises Licences/Club Premises Certificates	22	39	16	17
Variations (full)	7	8	2	5
Minor Variations	6	9	5	3
Variation of (DPS)	74	89	38	57
Removal of DPS Condition	1 + 1 withdrawn	0	0	0
New Personal Licences	42	61	39	35
Temporary Event Notices (TENs)	454	468	64	336
LATE Temporary Event Notices	125	169	27	113
Surrendered Premises Licences	9	8	3	2

1.8 Licensing and Appeals Sub-Committee Hearings

During 2020- 2021, three applications for premises licences and one for a Temporary Event Notice (TEN) were referred to the Licensing and Appeals Sub-Committee, following receipt of objections. All 3 applications/notifications were related to Music Festivals in the district; Femmefest at Pikehall and Darley Moor Dance Festival.

The application for one of the premises licences and the TEN were withdrawn, and the other 2 premises licence applications were both refused by the Licensing & Appeals Sub-Committee.

1.9 Working with Partners

The Licensing Team continues to work closely with the other agencies with responsibility for dealing with applications for licensing eg through the Safer Derbyshire (Community Safety) Partnership VAL Group (**V**iolence, **A**lcohol and **L**icensing).

1.10 As a general rule, throughout the year, visits to licensed premises are carried out jointly, where appropriate, with officers from the Police, Environmental Health, Fire Service and Trading Standards Authorities. Where problems exist or there is the potential for problems, measures to deal with these are agreed by officers and negotiated with the licence holder.

1.11 In 2020-21 and 2021/22 the number of visits to licensed premises has been affected by COVID and the Licensing team and partners are busy catching up with these in 2022-23.

2 **THE GAMBLING ACT 2005**

2.1 The Gambling Act 2005 ("the Act")

Local licensing authorities have regulatory obligations under the Gambling Act 2005 for licensing gambling premises and issuing permits and permissions.

2.2 The Gambling Commission works closely with licensing authorities and other regulatory partners on joint initiatives and provides support through training, advice and publications. The Commission has developed toolkits, application forms, returns forms, codes of practice, guidance, and a monthly Bulletin, to help Licensing Authorities carry out their regulatory responsibilities around gambling.

2.3 Local Activity

The following numbers of premises in Derbyshire Dales are currently licensed under the 2005 Act:

- 1 Adult Gaming Centre (Matlock Bath)
- 4 Bookmakers (Betting Shops)
- 4 Family Entertainment Centres (Matlock Bath)
- 1 Occasional Use Notice (Pikehall Harness Racing)
- 170 (approx) Small Society Lotteries.

2.4 3-Yearly Review of Statement of Principles – Gambling Policy

Under section 349 of the Gambling Act 2005 (the Act) each licensing authority must prepare and publish a statement of principles which sets out how gambling is to be managed across the local authority area taking account of local issues, priorities and risks that underpin its approach to regulation.

2.5 The Policy provides the opportunity for licensing authorities to agree and set out how gambling is to be managed in different parts of its area, and to provide clarity of expectation for licence holders and prospective licence holders about how their businesses are likely to be treated depending on where they are located.

- 2.6 A clear statement of policy will provide greater scope for licensing authorities to work in partnership with local businesses, communities and responsible authorities to identify and mitigate local risks to the licensing objectives.
- 2.7 The Policy which must be reviewed and approved by the full Council at least once every 3 years, was approved by the full Council for re-publishing for a further 3-year period from 31 January 2022- 30 January 2025.

3 LICENSING STATISTICS

3.1 Regulatory Services Service Plan

A target of 20 visits to licensed premises during 2022-23 has been agreed and published in the Regulatory Services Service Plan. It is proposed that some of these will be made as joint visits to scrap metal premises as well as alcohol-licensed and gambling premises, as the 3-year licences for most scrap yards/collectors will be due for renewal in the Autumn.

3.2 Licensing Authority Statistics Published by Gambling Commission

Licensing authorities (LAs) have a statutory duty to provide the Gambling Commission with specific information about gambling regulation in their area. The Commission collates and analyses the information to help Licensing Authorities, and the Government, understand the local and national landscape of gambling regulation.

Every September, the Commission publishes the licensing authority statistics for all authorities in England and Wales. The statistics for 2021-2022 are awaited.

3.3 Alcohol and late Night Refreshment Licensing Statistics Published by the Home Office

At the beginning of April, the Home Office asked all licensing authorities in England and Wales to complete a statistical return for 2021/22 to enable them to produce the Alcohol and Late Night Refreshment Licensing 2021/22 statistical release.

The data for 2018/19, 2019/20 and 2020/21 was not required, as it was not scheduled for 2018/19, and then cancelled due to the pandemic for years 2019/20 and 2020/21. The data will now be collected every other year and the length of the questionnaire has been reduced. This should reduce the burden on licensing authorities while continuing to ensure the headline data series is available for comparison between authorities/areas.

The statistical release for 2021/2022 data should be available later in the year and the information contained in it will be reported to a future meeting of this committee.

4 RISK ASSESSMENT

4.1 Legal

It is the duty of the Council to licence and monitor gambling and licensable activities in the District.

This report provides the Committee with information on how the Council is continuing to implement the Licensing Act 2003 and the Gambling Act 2005 in practical terms.

This report shows that practical steps are taken to make sure premises are complying with the relevant legislation and the risk to the council of a legal challenge due to its licensing functions is relatively low.

4.2 Financial

The direct costs and income of administering the Licensing Act 2003 and the Gambling Act 2005 during the last 3 financial years, are shown in the following table:

Licensed Premises	2019/20 Actual £	2020/21 Actual £	2021/22 Actual £	2022/23 Budget £
Direct Costs	107,134	101,635	88,296	89,117
Support Services	36,426	34,560	30,021	30,300
Total Income	-129,187	-100,617	-131,752	-122,281
Net Cost / (Income)	14,373	35,578	-13,425	-2,864

NB: Support services are no longer allocated directly to services. Support service costs have been applied as a proportion of direct costs using a multiplier of 34% (based on 2016/17 actuals when more detailed records were maintained).

The costs of implementing the recommendations made in this report can be met from the existing budget and therefore the financial risk is assessed as low.

5 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, environmental, climate change, health, human rights, personnel and property.

6 CONTACT INFORMATION

Eileen Tierney, Licensing Manager, Tel: 01629 761374
email: eileen.tierney@derbyshiredales.gov.uk

7 BACKGROUND PAPERS

Licensing Software M3/ASSURE records. RS/LN/ET/LA2003&GA2005/2005 onwards

8 ATTACHMENTS

None.

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