

	<p>Licensing Committee</p> <p>17th July 2014</p>
<p style="text-align: right;">Title</p>	<p>Licensing Authority – volumes of applications 2013-14</p>
<p style="text-align: right;">Report of</p>	<p>Strategic Director Growth & Environment</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix 1 – Report on the work flow</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Emma Phasey Trading Standards and Licensing Manager Emma.phasey@barnet.gov.uk</p>

Summary

This is a report on the volumes of applications that have been received into the Licensing Department in 2013-2014

Recommendations

- 1. That the Licensing committee consider and note the following report on the volumes of work into the licensing department in relation to applications for 2013-2014.**

1. WHY THIS REPORT IS NEEDED

The Licensing Act 2003 makes the Council the Licensing Authority for licensing the sale of alcohol, the provision of regulated entertainment and late night refreshment in pubs, off-licences, clubs and restaurants in the Borough. There are approximately 1,000 licensed premises within the London Borough of Barnet.

The Gambling Act 2005 makes the Council the licensing authority for gambling premises in the Borough. The Council has a number of important regulatory functions in relation to gambling. These include licensing premises, regulating gaming and gaming machines in clubs, granting permits to what the Guidance refers to as 'family entertainment centres' for the use of certain lower stake gaming machines, regulating gaming and gaming machines on alcohol licensed premises, granting permits for prize gaming, and registering small society lotteries.

There are currently 72 gambling premise licences in the borough. There are approximately 34 permits and 55 Small Society Lottery registrations

2. REASONS FOR RECOMMENDATIONS

Attached at Appendix 1 is information on the volumes of work undertaken in relation to applications by the Licensing Authority in 2013-2014.

A comparison of the work flow for the past three years shows that the volume of work again remains fairly static. In some applications there has been a decrease in applications and others an increase.

There has been a slight increase in the number of minor variations which may be that more businesses are recognising this as a useful application process in relation to small changes to their premises.

For the first time in a number of years there has been a decrease in the number of Temporary Event Notices (TENs) applied for. The Licensing Department are unsure of why this has decreased this year. It may be that many of the premises who were applying for TENs have now applied for or varied the premises licence. However we plan to look into this further to ensure that the right information is out there for businesses in relation to when they need a TEN.

The data indicates that there has been a large increase in the number of sub committees meetings. Part of this is due to an increase in the number of postponed or withdrawn applications that are then heard on another day. Sub Committee meetings can only be postponed in the public interest. A number of meetings have been adjourned in the public interest, this year the main reason is applicant availability issues. It has been deemed that postponement in these cases is in the public interest. A number of hearings were withdrawn as agreement was reached between the applicant and the representee prior to the hearing

The other reason for an increase in hearings is the increase in the number of reviews held. These reviews were all brought by the metropolitan police and included a number of summary and expedited reviews which means a short turn around time between application and first summary hearing (48 hours).

In 2013-2014 no sub-committee decisions were appealed, which indicates that there is good decision making undertaken by the committee

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

N/A

4. POST DECISION IMPLEMENTATION

N/A

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

Timely legal and fair decisions support objectives contained within the Corporate Plan. In particular in relation to a “successful London suburb” by ensuring that only legal, well regulated licensable activity occurs within the borough

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

Administration and enforcement of the relevant Acts are carried out by the Licensing team, together with support from Legal Services and from Governance Services, when arranging and co-ordinating arrangements for hearings where there are objections. The costs associated with this work are met within existing budgets.

5.3 Legal and Constitutional References

The Licensing Act 2003 placed the responsibility for making local licensing policies and considering applications for licenses on local authorities acting as licensing authorities. The Gambling Act 2005 performed a similar role in respect of gambling premises.

5.4 Risk Management

It is prudent to monitor performance to ensure that the Licensing function is delivered efficiently and effectively.

In particular it is important for the Licensing Authority to monitor the number of appeals made against decisions and the outcomes of these appeals. Low levels of appeals and instances of the Courts upholding the Licensing Authorities decisions are good indicators that the Licensing Authority is making made legal and fair decisions within statutory timescales

5.5 Equalities and Diversity

The Council has a legal obligation to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups.

When considering applications and representations, only issues provided for in the relevant legislation and associated Guidance, in addition to the licensing authority's policy will be taken into account. This will ensure a consistent approach is adopted. Under the terms of the policy, every application will be considered on its own merits, regardless of the race, colour, nationality, ethnic origin, sex, marital status, disability or age of the individuals involved.

The community in Barnet has a richness of diversity with a broad range of cultural activities and entertainments. Applications will be dealt with in accordance with the Act. Guidance will only be issued and conditions will only be imposed that are reasonable, proportionate and strictly necessary for the promotion of the four licensing objectives.

5.6 Consultation and Engagement

N/A

6. BACKGROUND PAPERS

- 2.1 Council decision of the 20th January 2011 to adopt the current Licensing Policy and the associated scheme of delegation.

Decision on 22 January 2013 by Council on recommendation of Licensing Committee, to adopt the current Gambling Policy and associated scheme of delegation

Appendix 1

Report on the work flows of the Licensing Authority.

1. Applications

The licensing team received the following applications in the past 2 years:

Premises licences (Licensing Act):

	Apr – Mar 2012	Apr –Mar 2013	Apr – Mar 2014
NEW PREMISES LICENCES	54	50	54
VARIATIONS TO PREMISES LICENCE	14	21	15
TRANSFER OF PREMISES LICENCE	59	55	55
DPS VARIATION	154	120	155
MINOR VARIATION	16	15	25
DUPLICATE/CHANGE OF DETAILS	50	35	32
NOTIFICATION OF INTEREST	6	8	7
REVIEW	3	4	6

Temporary Events:

	Apr –Mar 2012	Apr – Mar 2013	Apr – Mar 2014
TENS	500	542	478

Personal Licences (Licensing Act)

	Apr –Mar 2012	Apr –Mar 2013	Apr – Mar 2014
NEW PERSONAL LICENCES	263	235	270
CHANGE ADDRESS/DETAILS PERSONAL LICENCE	51	61	94
DUPLICATE	20	29	14

Premises Licences (Gambling Act):

	Apr –Mar 2012	Apr –Mar 2013	Apr – Mar 2014
NEW PREMISES LICENCE	4	3	4
VARIATION	4	3	3
TRANSFER	3	1	0
DUPLICATION	0	0	3
REINSTATEMENT	0	0	0
PROVISIONAL STATEMENTS	0	0	0
CHANGE ADDRESS/DETAILS	0	0	6

Permits (Gambling Act):

	Apr –Mar 2012	Apr –Mar 2013	Apr – Mar 2014
NOTIFICATION OF TWO MACHINES(LICENSED PREMISES)	0	1	0
PERMIT NEW	4	3	2
PERMIT VARIATION	0	0	0
PERMIT – CHANGE OF DETAILS	0	0	1
PERMIT TRANSFER	0	0	1
LOTTERIES NEW	16	31	21
LOTTERIES RENEWAL	13	26	16

Street Trading

	Apr –Mar 2012	Apr –Mar 2013	Apr –Mar 2014
GRANTED TEMPORARY STREET TRADING	173	132	185
INVALID/PENDING STREET TRADING LICENCES	20	4	0
TEMPORARY MARKETS	7	3	3
PERMANANT PITCH LICENCES	5	5	5

2. Hearings

Since April the following Licensing hearings have taken place.

2013-2014

	APR	MAY	JUN	JUL	AUG	SEPT
LICENSING ACT HEARINGS	1 (VARY - CANCELLED)	1 (VARY - CANCELLED)	1 (VARY DPS)	3 (3 TEN)	2 (1 NEW 1 PERSONAL)	
LICENSING ACT REVIEW HEARINGS	2 (1 - EXPEDIATED)	4 (2 EXPEDIATED)	3 (EXPEDIATED)			
GAMBLING ACT HEARINGS	1 (NEW - CANCELLED)					3 (2 VARY 1 NEW)
GAMBLING ACT REVIEW HEARINGS						
FILM CLASSIFICATION						

	OCT	NOV	DEC	JAN	FEB	MAR
LICENSING ACT HEARINGS	1 NEW-CANCELLED	4 (1 VARY 3 NEW - 1 WITHDRAWN)	2 (1 PERSONAL 1 NEW PREMISES)	5 (2 TRANSFER - 1 CANCELLED & 1 POSTPONED, 1 VARY - POSTPONED, 1 PERSONAL, 1 VARY DPS CANCELLED)	4 (1 NEW, 1 TEN, 2 VARY - 1 WITHDRAWN)	1 (NEW)
LICENSING ACT REVIEW HEARINGS		1				
GAMBLING ACT HEARINGS						
GAMBLING ACT REVIEW HEARINGS						
FILM CLASSIFICATION	1 CANCELLED	1				

There were a total of 41 applications referred to sub committee:

25 Licensing Act

3 Gambling Act

9 Review

2 film classification

11 withdrawn/cancelled

2012-2013

	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR
LICENSING ACT HEARINGS	1 (new)	4 (2 new 1 transfer 1 vary)	1 (personal)	1 (TEN)	1 (new – deferred to sept)	5 (3 new(1 withdrawn 2 vary)	2 new	0	0	0	2 (vary- application adjourned from first date to second	2 (1 new 1 vary)
LICENSING ACT REVIEW HEARINGS	0	1	0	2 (interim)	0	0	0	1 new	0	0	0	0
GAMBLING ACT HEARINGS	0	0	0	0	0	0	0	0	1 new	0	0	0
GAMBLING ACT REVIEW HEARINGS	0	0	0	0	0	0	0	0	0	0	0	0

Total 24

19 licensing act applications

4 review

1 gambling act application

2011-2012

	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR
LICENSING ACT HEARINGS	3	0	0	0	0	0	2	0	1	2	3	0
LICENSING ACT REVIEW HEARINGS	1	0	0	1	0	0	1	0	0	0	0	0
GAMBLING ACT HEARINGS	0	0	0	0	0	0	0	0	0	0	0	0
GAMBLING ACT REVIEW HEARINGS	0	0	0	0	0	0	0	0	0	0	0	0

Total 14

11 Licensing application

3 reviews

0 gambling Act application

4. Webpages

Both the Licensing teams Twitterfeed and webpages show continuing good levels of useage.

Here are the results for the past 12 months

Page Title	Sessions	Pageviews
Street trading licence - London Borough of Barnet	1,106	1,844
Premises licences - London Borough of Barnet	896	2,543
Licensing register - London Borough of Barnet	464	1,058
Temporary event notices - London Borough of Barnet	440	1,323
Personal licences - London Borough of Barnet	398	1,893
Licensing Act 2003 licences - London Borough of Barnet	359	1,920
Scrap metal registration - London Borough of Barnet	312	872
Sex shop licence - London Borough of Barnet	175	245