

LICENSING COMMITTEE: 30 May 2008

Report of the Chief Strategic Planning and Environment Officer

ALCOHOL AND ENTERTAINMENT PREMISES LICENSING – SUMMARY OF ACTIVITIES 2007/2008

1. Background

This report has been prepared to provide summarised details for the information of the Licensing Committee on the work undertaken in respect of the Licensing Act 2003 by the Licensing Service during the year from 1 April 2007 to 31 March 2008.

2. Licensing Act 2003 Activity

2.1 The following figures represent a cross section of recorded information on the various aspects of the work of the Licensing service in dealing with the Licensing Act 2003 during the period in comparison with previous years:

	2005/06	2006/07	2007/08
Premises Licences Total	1067	1153	1164
Club Premises Certificates Total	82	82	82
Personal Licences	1259	1628	1986
Temporary Event Notices Received	309	623	624
Counter Notices Given	13	8	4
Licensing Sub-Committee Hearing Cases	302	87	85
No. Court Appeals	22	2	4
No. of Reviews	1	4	4
No. of Complaints Received.	0	83	113
TOTAL	3055	3670	4066

2.2 The total of licensing premises and club premises certificates held has remained fairly stable during the year having increased less than 1% from 1235 to 1246. The following table details the type and number of applications received during 2007/08 in comparison with previous years.

Application Type	2005/06	2006/07	2007/08
Conversion	953	N/A	N/A
Grant	220	87	66
Variation	38	71	88
Variation of DPS	168	324	380
Transfer	35	83	126
Review	1	4	4
Other	0	27	81
TOTAL	1415	596	745

- 2.3 The majority of premises continue to operate with a maximum terminal hour before midnight. The following table shows the maximum terminal hour of licensed premises in comparison with the previous periods.

Max Terminal Operating Hours	31/03/06	31/03/07	31/03/08
up to Midnight	702	759	738
00.01-01.00	165	181	200
01.01-02.00	106	107	111
02.01-03.00	52	53	59
03.01-04.00	51	49	47
04.01-05.00	54	61	64
05.00 or later	19	25	27
TOTAL	1149	1235	1246

It should be noted that many licence only permit the maximum terminal hour on certain days of the week, for example licensed activity until a terminal hour of 1.00am may be permitted only on Friday and Saturday.

- 2.4 Of the Premises Licences and Club Premises Certificates issued the following table shows the type of premises involved.

Premises Type	31/03/06	31/03/07	31/03/08
Casino	4	4	3
Cinema	3	3	3
Convenience Store	159	167	181
Hotel and Guesthouse	29	31	38
Off Licence	80	82	70
Pub, Bar or Nightclub	332	368	305
Registered Members Club	41	43	43
Restaurant	193	212	254
Sports Club	58	58	57
Supermarket	59	59	59
Takeaway	127	134	129
Theatre	4	4	7
Village and Community Hall	40	39	36
Other	20	31	61
TOTAL	1149	1235	1246

There is nothing on the application form that enables an applicant to indicate the type of premises they are operating as and the assessment of the nature of the premises has to be made on the information on the name and licensable activities. During the year licensing officers have completed their visits to all licensed premises and the premises type has been more accurately established. The numbers indicated for 31 March 2008 in the table above reflects the more accurate classification of the type of premises.

- 2.5 As at 31 March 2008 of the applications made seven were declared invalid, seven have been refused a licence and nine applications were withdrawn. Fifty nine licensed premises had ceased to operate, nine Premises Licences had lapsed, one was

revoked and 49 had been surrendered. The following table details the types of premises which have ceased operating.

Premises Type	31/03/2008
Casino	1
Cinema	0
Convenience Store	9
Hotel and Guesthouse	2
Off Licence	9
Pub, Bar or Nightclub	11
Registered Members Club	0
Restaurant	15
Sports Club	3
Supermarket	3
Takeaway	0
Theatre	0
Village and Community Hall	3
Other	3
TOTAL	59

- 2.6 During the year 624 Temporary Event Notices were received providing notice that a premises user intended to provide a licensing activity. The authority must acknowledge receipt of the notice within one day and this requirement was met in 100% of cases. The authority issued four Counter Notices to prevent the activity taking place either as a result of objections by South Wales Police or because the applicant had breached the limitations of the notification procedure.
- 2.7 Eighty Nine applications had to be presented to a Licensing Committee for determination under the Licensing Act 2003. The 89 cases were considered at 37 hearings of the Licensing Sub-Committee as detailed in the attached table.

Hearing Type	2007/08
Premises Licence Applications	65
Club Premises Certificate	2
Temporary Event Notices	14
Personal Licence Applications	4
Review	4
TOTAL	89

- 2.8 During the 2007/08 year four applications for Review were received exactly the same number as in the previous year. Three applications from Consumer Protection were made in relation to the underage sale of alcohol from off licensed premises and in each case the Premises Licence was suspended. The other application for Review was submitted by Pollution Control and led to the conditions of licence being amended.
- 2.9 The Service received and investigated 113 complaints about the activities of licensed premises during the year. The complaints varied from having unlicensed activity to

issues through breach of licence conditions to the required legal notices not being properly displayed.

3. Performance Indicators.

- 3.1 The Licensing Service has adopted target performance indicators to enable the performance of the service to be measured.

	Target	No.	Achieved
No. of premises applications received determined within two months.			
No. of applications received		702	
No determined within 2 months	100%	701	99.86%
No. of personal applications received determined within two months.			
No. of applications received		488	
No. of applications determined within 2 months	100%	488	100.00%

The one Premises Licence not determined within the time limit was a result of the deferral of a hearing as the Police Officer who had made representations was unavailable on the date and the applicant wished the officer to be available and in the public interest the matter was therefore deferred, taking its determination beyond the target period.

3. Financial Implications

The alcohol and entertainment licensing service is required to be self financing with the majority of expenditure being met from licence fees and charges which are set nationally. There are no financial implications arising directly from this report.

4. Legal implications

This report is for information purposes only and, as such, there are no legal implications arising directly from it.

5. Recommendation.

That the report be noted.

SEAN HANNABY

28 April 2008

CHIEF STRATEGIC PLANNING AND ENVIRONMENT OFFICER

This report has been prepared in accordance with procedures approved by the Corporate Management Team.

Background papers: None.