

LICENSING COMMITTEE: 3 July 2007

Report of the Chief Strategic Planning and Environment Officer

PREMISES LICENSING – SUMMARY OF ACTIVITIES 2006/2007

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 2006 to 31 March 2007.

2. **Licensing 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 the previous year:

	2005/06	2006/07
Premises Licences Total	1067	1153
Club Premises Certificates Total	82	82
Personal Licences	1259	1628
Temporary Event Notices Received	309	623
Counter Notices Given	13	8
No. of matters considered at Licensing Sub-Committee Hearings	302	91
No. Court Appeals	22	2
No. of Reviews	1	4
No. of Complaints Received.	0	83
Pub Amusement With Prize Permits Issued.	25	78

- 2.2 The total of licensing premises and club premises certificates held has increased 7% from 1149 to 1235 during the year. During the year 593 valid applications were received in comparison with the 1415 application received during the transition from 7 February 2005 to 31 March 2006.

Application Type	2005/06	2006/07
Conversion	953	0
Grant	220	87
Variation	38	71
Variation of DPS	168	324
Transfer	35	83
Other	1	28
<b>TOTAL</b>	<b>1415</b>	<b>593</b>

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

	<b>2005/06</b>	<b>2006/07</b>
up to Midnight	702	759
00.01-01.00	165	181
01.01-02.00	106	107
02.01-03.00	52	53
03.01-04.00	51	49
04.01-05.00	54	61
05.00 or later	19	25
<b>TOTAL</b>	<b>1149</b>	<b>1235</b>

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

<b>Premises Type</b>	<b>2005/06</b>	<b>2006/07</b>
Casino	4	4
Cinema	3	3
Convenience Store or Supermarket	218	226
Hotel and Guesthouse	29	31
Off Licence	80	82
Pub, Bar or Nightclub	332	368
Registered Members Club	41	43
Restaurant	193	212
Sports Club	58	58
Takeaway	127	134
Theatre	4	4
Village and Community Hall	40	39
Other	20	31
<b>TOTAL</b>	<b>1149</b>	<b>1235</b>

- 2.5 The performance indicators adopted by the Licensing Service are that applications for Premises Licences, Club Premises Certificates and Personal Licences should be processed and determined within 2 months of receipt. During the year 99.69% of all applications in respect of premises were determined within this timescale and 99.81% of all Personal Licence.
- 2.6 During the year 623 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 eight 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 Ninety one applications had to be presented to a Licensing Committee for determination under the Licensing Act 2003. The 91 cases were considered at 31

hearings. The number has drastically reduced since the 302 cases of the previous year during the transition period but is a good indicator of the likely level of future activity.

- 2.8 One review was initiated by South Wales Police in the previous period. During the 2006/07 year four applications for Review were received. Two applications from Consumer Protection in relation to the underage sale of alcohol from off licensed premises, one was submitted by South Wales Police and one by an local resident. In general Licensing Sub-Committees determining the matters found the case to be proven and took action to suspend the licence or to vary the licensable activity or remove the Designated Premises Supervisor. The court considered one appeal in respect of a review and varied the committee decision to revoke the licence with a three month suspension. An appeal to the court in respect of one premises was subsequently withdrawn.
- 2.9 The Service received and investigated 83 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. In addition the Pollution Control Section received 146 complaints in connection with noise nuisance at licensed premises.
- 2.10 The Licensing Act 2003 also transferred the responsibility from Magistrates to Licensing Authorities for considering the grant and renewal of gaming machine permits to premises licensed to sell alcohol. During the year 78 applications for renewal or grant of a permit were received and processed. This system will cease on 1 September 2007 and be replaced by the provisions of the Gambling Act 2005 which will require those licensed premises wishing to provide up to two machines to notify the authority. Operators wishing to operate more than two will need to convert existing permits into Licensed Premises Gaming Machine Permits.

### **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 May 2007**

**CHIEF STRATEGIC PLANNING AND ENVIRONMENT OFFICER**

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

Background papers: None.