

LICENSING COMMITTEE: 2 June 2009

Report of the Chief Strategic Planning and Environment Officer

ALCOHOL AND ENTERTAINMENT PREMISES LICENSING – SUMMARY OF ACTIVITIES 2008/2009

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 2008 to 31 March 2009.

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	2008/09
Premises Licences Total	1067	1153	1164	1154
Club Premises Certificates Total	82	82	82	80
Personal Licences	1259	1628	1986	2313
Temporary Event Notices Received	309	623	624	532
Counter Notices Given	13	8	4	1
Licensing Sub-Committee Hearing Cases	302	87	85	77
No. Court Appeals	22	2	4	4
No. of Reviews	1	4	4	3
No. of Complaints Received.	0	83	113	177
TOTAL	3055	3670	4066	4319

2.2 The total of licensing premises and club premises certificates held has remained fairly stable during the year having decreased less than 1% from 1246 to 1234. The number of Personal Licences held has increased by 16.46% during the year to 2313 from 1986. 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	2008/09
Conversion	953	N/A	N/A	N/A
Grant	220	87	66	70
Variation	38	71	88	64
Variation of DPS	168	324	380	355
Transfer	35	83	126	112
Review	1	4	4	3
Personal Licence Applications	1297	489	478	473
Other	0	27	81	90
TOTAL	2712	1085	1223	1167

- 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	31/03/2009
up to Midnight	702	759	738	715
00.01-01.00	165	181	200	203
01.01-02.00	106	107	111	108
02.01-03.00	52	53	59	60
03.01-04.00	51	49	47	49
04.01-05.00	54	61	64	62
05.00 or later	19	25	27	37
TOTAL	1149	1235	1246	1234

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	31/03/2009
Casino	4	4	3	3
Cinema	3	3	3	3
Convenience Store	159	167	181	183
Hotel and Guesthouse	29	31	38	38
Off Licence	80	82	70	65
Pub, Bar or Nightclub	332	368	305	309
Registered Members Club	41	43	43	42
Restaurant	193	212	254	240
Sports Club	58	58	57	54
Supermarket	59	59	59	62
Takeaway	127	134	129	129
Theatre	4	4	7	6
Village and Community Hall	40	39	36	36
Other	20	31	61	64
TOTAL	1149	1235	1246	1234

- 2.5 As at 31 March 2009 of the applications made eight were refused, 30 premises surrendered their licences 1 was revoked and 16 premises lapsed. The following table details the types of premises which have ceased operating.

Premises Type	31/03/2008	31/03/2009
Casino	1	0
Cinema	0	0
Convenience Store	9	3
Hotel and Guesthouse	2	4

Off Licence	9	6
Pub, Bar or Nightclub	11	3
Registered Members Club	0	2
Restaurant	15	8
Sports Club	3	8
Supermarket	3	2
Takeaway	0	4
Theatre	0	1
Village and Community Hall	3	0
Other	3	6
TOTAL	59	47

- 2.6 During the year 532 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 one Counter Notice to prevent the activity taking place because the applicant had breached the limitations of the notification procedure.
- 2.7 Seventy seven applications had to be presented to a Licensing Committee for determination under the Licensing Act 2003 or the Gambling Act 2005. The 77 cases were considered at 33 hearings of the Licensing Sub-Committee as detailed in the attached table.

Hearing Type	2007/08	2008/09
Premises Licence Applications	65	54
Club Premises Certificate	2	2
Temporary Event Notices	14	3
Personal Licence Applications	4	5
Review	4	3
Amusement With Prize Machines	0	10
Gambling Premises Licences	0	0
TOTAL	89	77

- 2.8 During the 2008/09 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 177 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		691	
No determined within 2 months	100%	688	99.57%
No. of personal applications received determined within two months.			
No. of applications received		455	
No. of applications determined within 2 months	100%	455	100.00%

The one Premises Licence not determined within the time limit was a result of the May elections delaying the hearing meeting 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

24 April 2009

CHIEF STRATEGIC PLANNING AND ENVIRONMENT OFFICER

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

Background papers: None.