

DEPARTMENT OF ENVIRONMENT AND LEISURE

ORIGINATING SECTION: PUBLIC PROTECTION SERVICE

REPORT TO : LICENSING COMMITTEE 23rd January 2019

TITLE : UPDATE ON THE WORK OF PUBLIC PROTECTION AND ENVIRONMENTAL HEALTH SERVICE

1. PURPOSE

The purpose of this report is to provide an update on the work of the Council's Public Protection and Environmental Health Service (PPS) where there is a connection with businesses and persons who require a licence from the Council. It also provides an update for members on national policy changes and proposals affecting licencing work.

This report covers the time period October to December 2018.

2. RECOMMENDATIONS

That members note the report.

3. KEY ISSUES

3.1 Animal Welfare Licensing Changes

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into force on 1 October and are designed to strengthen animal welfare, particularly around puppy sales.

The new regulations will:

- Ensure that breeders show puppies alongside their mother before a sale is made.
- Tighten regulations so that puppy sales are completed in the presence of the new owner – preventing online sales where prospective buyers have not seen the animal first.
- Ban licensed sellers from dealing in puppies and kittens under the age of 8 weeks.
- Regulate adverts, including on the internet, by ensuring licensed sellers of all pets include the seller's licence number, country of origin and country of residence of the pet.
- Introduce a new "star rating" for dog breeders, pet shops, dog and cat boarding providers and others informing potential customers of how well businesses comply with welfare standards. The star rating will dictate how often the businesses are inspected with those with better standards receiving fewer inspections than those with fewer stars

14 applications have been processed for the new licences. 13 have been awarded 5 stars with the licences remaining in place for 3 years.

3.2 Taxi Safety Operation

A taxi safety check was carried out on 30 November in Darwen. Six vehicles were stopped by the Police and looked over by a vehicle examiner from the Council's Motor Vehicle Testing Station.

Licensing staff also looked to make sure the correct licences were in place for the vehicles and their drivers.

All of the vehicles were found to be in a safe condition, with just one taxi given seven days to put minor problems right – a missing heat shield and a replacement number plate for a damaged one.

3.3 Noise from a pub

Noise complaints regarding a pub in Darwen have been investigated. In order to tackle the issues staff have been liaising with the owners of the premises who have carried out work to block up old ventilation openings which were allowing the sound of loud music to escape. The premises agreed to a temporary stop on live entertainment whilst this work was carried out. The problem now appears to have been resolved.

3.4 Joint working – Gambling

The Gambling Commission has worked with licensing authorities and local Police to test compliance with the law in place to protect children from the risks gambling can pose.

A national series of test purchases on a sample of pubs in England found that almost 90% failed to prevent children accessing 18+ gaming machines. Staff from Public Protection at Blackburn with Darwen took part in the project and found that 7 out of the 8 pubs checked allowed children to use the slot machines.

Children are not permitted to play Category C gaming machines in pubs. Staff are expected to stop children playing on the machines and there should be clear signage indicating the age restriction.

The National figure for the current failure rate (89%) compares to an average failure rate of 15% for other age restricted products such as alcohol or tobacco.

3.5 Routine work carried out

The following table provides some of the key figures on work carried out by members of staff working in the Licensing Team from 1 October – 31 December 2018.

Vehicle licences processed	453
Driver licences processed	302
Licensing Act licences processed	24
Visits to new DPSs	27
Inspections of premises/vehicles carried out	105

3.6 National Issues

3.6.1 Gambling

The Gambling Commission has launched a consultation on a new national strategy to reduce gambling harms. The current National Responsible Gambling Strategy comes to an end in March 2019 and they are developing a new national strategy to reduce gambling harms.

For more details <https://www.gamblingcommission.gov.uk/news-action-and-statistics/news/2018/Discussion-on-a-new-national-strategy-to-reduce-gambling-harms.aspx>

3.6.2 Taxis stats

The Department for Transport has published its 2018 taxi & private hire statistics. The [2018 statistical analysis](#) showed that the "...total number of licensed taxi and private hire vehicles and licensed drivers in England reached record levels in 2018." There are now a total of 285,400 licensed taxi and private hire vehicles in England, up 1.7% from last year. The number of licensed PHV operators increased by 3.4% from the previous year. This was still a decline of 9.2% since the peak in PHV operators at 16,500 in 2009.

The figures for Blackburn with Darwen follow these national trends.

3.6.3 Alcohol

The latest alcohol and late-night refreshment statistics for England & Wales have been published.

The [report](#) includes statistics on premises licences, club premises certificates, personal licences, late night refreshment, 24-hour alcohol licences, temporary event notices, early morning alcohol restriction orders, late night levies, and late-night refreshment exemptions. It also includes statistics on cumulative impact areas, reviews, hearings and appeals.

Overview

As at 31 March 2018, compared with the previous year, there were:

- 723,800 personal licences, a 5% increase (35,600)
- 212,800 premises licences, a 1% increase (1,100)
- 14,100 club premises certificates, a 1% decrease (200)
- 8,100 premises with 24-hour alcohol licences, a 6% increase
- £1.7 million raised by late night levies
- 222 cumulative impact areas in place

Reviews

The report concluded that 600 reviews were carried out and this continues the long term decline since 2010 (1,300); however, the figures have slightly increased this year. Where action was taken following a completed review, 212 licenses were revoked or a club premises certificate was withdrawn.

In the year ending 31 March 2018, LAs received 85 applications for an expedited review. Interim steps were taken for 70 expedited reviews:

- the licence was suspended in 48 cases
- other conditions were added or modified in 23 cases
- the operating hours were modified in 6 cases
- the designated premises supervisor was removed in 6 cases

Personal licences

In the year ending 31 March 2018, 26 personal licenses were revoked.

24-hour licences

Including estimates, there were 8,100 premises with 24-hour alcohol licences as at 31 March 2018, a 6% increase on the previous year.

Temporary event notices (TENs)

In the year ending 31 March 2018, including imputed estimates, 147,200 TENs were used which represents a 6% increase of 8,900 compared with the previous year.

4. RATIONALE

To inform members of the Licensing committee about the key work carried out by staff working within the Council's Public Protection and Environmental Health Service where there is a connection with businesses and people needing a licence from the Council. It also provides an update on some national licensing issues.

5. POLICY IMPLICATIONS

None.

6. FINANCIAL IMPLICATIONS

None

7. LEGAL IMPLICATIONS

None.

8. RESOURCE IMPLICATIONS

None

9. CONSULTATIONS

None

10 . CONTACT OFFICER

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