

Cherwell District Council

Licensing Committee

16 December 2013

| |
|-------------------------------------|
| Licensing Department Updates |
|-------------------------------------|

Report of Head of Community Services

This report is public

Purpose of report

This report is to advise the Licensing Committee of current and future developments within the Licensing Department

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the report.

2.0 Introduction

- 2.1 The Licensing Department is responsible for regulating, administering and enforcing legislation for the Licensing Act 2003, Gambling Act 2005, Street Trading, Sex Establishment Venues and Hackney carriage and Private Hire Licensing. All of these areas have specific policies and procedures to follow in addition to legislative requirements to update such policies as regular intervals.

3.0 Report Details

3.1 Hackney Carriage and Private Hire Vehicle and Driver Licensing

- 3.2 The current policies in relation to the licensing of Hackney Carriage and Private Hire Licensing have been in place for five years.

- 3.3 The Law Commission is currently reviewing all legislation in relation to Hackney carriage and Private Hire Licensing with a view to possible legislative amendments. It is hoped that their comments will be published in January 2014.

- 3.4 The Licensing Department has also been contacted by the North Oxfordshire Hackney Association who has expressed concerns over some of the current requirements upon licence holders, in particular in relation to the age of vehicles permitted to be licensed.
- 3.5 Taking into account the period of time that the current policies have been in place for, the Law Commissions review and the requests of NOHA, the Licensing Department are proposing to undertake a review of its policies to coincide with the findings of the Law Commission.
- 3.6 The consultation is to start in January 2014 and will last for a period of 12 weeks, in accordance with the Government's Best Practice guidelines. A full copy of the consultation document will be publicly advertised as well as circulated to all members of the Licensing Committee for their consideration.
- 3.7 At the end of the consultation period, all responses will be collated and recommended changes to the policy will be put before the Licensing Committee for their consideration.

3.8 Street Trading Policy

- 3.9 The Licensing Department deals with the administration and enforcement in relation to Street Trading, Tables and Chairs permits, Bicester and Kidlington Markets and Charitable Collections.
- 3.10 There is not a current policy guiding the activities around these areas for either the Licensing Department, local businesses who must adhere to these requirements or the public.
- 3.11 Therefore, the Licensing Department will be collating all these different areas into one Street Trading policy to ensure clear and consistent guidelines and advice are available for all parties to adhere to.
- 3.12 The policy will be formulated in early 2014 with a view to consultation in Spring 2014. A full copy of the consultation document will be publicly advertised as well as circulated to all members of the Licensing Committee for their consideration.
- 3.13 At the end of the consultation period, all responses will be collated and recommended changes to the policy will be put before the Licensing Committee for their consideration.

4.0 Conclusion and Reasons for Recommendations

- 4.1 There are no recommendations.

5.0 Consultation

No consultation required.

6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: No recommendations or options – report is purely for information.

7.0 Implications

Financial and Resource Implications

7.1 None – report for information only. Should any of the actions outlined in the report being taken, full risk assessments will be carried out.

Legal Implications

7.2 None – report for information only. Should any of the actions outlined in the report being taken, full risk assessments will be carried out.

Wards Affected

All

Links to Corporate Plan and Policy Framework

Detailed in current Service Plan

Document Information

| Appendix No | Title |
|----------------------------|--|
| N/A | None |
| Background Papers | |
| None | |
| Report Author | Claire Bold |
| Contact Information | 01295 753741 claire.bold@cherwell-dc.gov.uk |