|  |  |
| --- | --- |
| **REPORT TO** | **ON** |
| **Licensing Act Committee** | **12 March 2018** |
|  |
| **TITLE** | **REPORT OF** |
| **Licensing Act 2003 Activity – March 2019** | Interim Monitoring Officer / Assistant Director of Legal Services  |

|  |  |
| --- | --- |
| Is this report confidential? | **No** |

1. **PURPOSE OF THE REPORT**

This report provides information to members on Licensing Activity, including applications received, enforcement checks and referrals to partner agencies.

1. **CORPORATE PRIORITIES**

The report relates to the following corporate priorities:

|  |  |
| --- | --- |
| Excellence and Financial Sustainability | x |
| Health and Wellbeing |  |
| Place |  |

Projects relating to People in the Corporate Plan:

|  |  |
| --- | --- |
| People  |  |

1. **RECOMMENDATIONS**

3.1 That Members note the progress made by the Licensing Service for the months of November 2018, December 2018, January 2019 and February 2019

**4. BACKGROUND TO THE REPORT**

**E+W**

4.1 Monthly updates on service delivery have been a regular item on the Licensing Act Committee Agenda and include in table format the activity carried out by the Licensing Service.

4.2 During the months between November – February 2019, it can be reported that there have been a number of cases which have been considered by Licensing Panels.

4.3 A Personal Licence was considered by the panel. This is, a rare power engaged by Licensing Authorities. However, the case before the panel was in respect of a criminal conviction which had not been declared during the licence tenure. A warning was given regarding future conduct.

4.4 Sangham Balti House in Lostock Hall was reviewed by the Licensing Authority on the 27th November 2018. The concern at the premises were historical Fire safety issues and long standing breaches of the Premises Licence.

 A 28 day suspension was issued along with additional conditions, the decision was initially appealed but the Licence holder withdrew the appeal in early January 2019.

4.5 Moss Lane Convenience Store in Leyland reviewed by the Licensing Authority and supported by the Home Office. Issues were the detection of an illegal worker, an underage sale of alcohol and breaches of the licensing conditions.

 A decision was made to revoke the licence. An appeal against the decision was lodged but almost straight after the appeal was lodged, discussions have been taking place with a potential new owner. Full background checks have been undertaken which have revealed that he operates 2 premises of a similar style in Liverpool where the police report no concerns.

 The appeal is listed for June but we anticipate that the Licence will be transferred to the new owner before then, so a more detailed report may be submitted for the original panel to consider offering no evidence for the appeal.

4.6 A multi-agency operation was conducted with the Home Office in November. The visits were focused on Off Licenses and Takeaways, this is the second operation of this type in the last 10 months and on the second operation all premises were found to be compliant.

4.7 An Adult Gaming Centre was issued with a formal caution, the Operator’s Licence was revoked in December by the Gambling Commission which made the premises Licence void. The premises continued to operate so were formally visited in January 2019 by the Gambling Commission and the Council where a formal closure and action was taken.

4.8 Harleys Convenience Store in Bamber Bridge was reviewed by the Licensing Authority and supported by the Police. Issues were 2 underage sales in 6 months along with repeated breaches of licensing conditions. In addition there were numerous suspicious transactions which led the Authority and the police to believe that drug dealing was taking place from the premises.

 The decision was made to suspend the licence for 2 months, remove the Designated Premises Supervisor and prohibit an individual who was the cause for most of the concern from the premises. The Licence Holder has intimated she may appeal but no formal notice has been received to date.

**5. CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION**

N/A

**6. Financial implications**

6.1 There are no direct financial implications arising from this report.

**7. LEGAL IMPLICATIONS**

7.1There are no direct legal implications arising from this report.

**8. COMMENTS OF THE STATUTORY FINANCE OFFICER**

**8.1 This report relates to Licensing activity carried out within existing resources and therefore there are no direct financial implications.**

**9. COMMENTS OF THE MONITORING OFFICER**

There are no legal implications identified.

**10. OTHER IMPLICATIONS:**

|  |  |
| --- | --- |
| * **HR & Organisational Development**
* **ICT / Technology**
* **Property & Asset Management**
* **Risk**
* **Equality & Diversity**
 | NoneNoneNoneWe must continue to improve further the quality of the service. We must do everything possible to protect the general public. A failure to continue to achieve high standards in our Licensing service could result in reputational damage. None |

**11. APPENDICES**

None

|  |  |  |
| --- | --- | --- |
| Report Author: | Telephone: | Date: |
| Mark Marshall – Head of Licensing | 01772 625401 | 26th February 2019 |