

To: General Purposes Licensing Committee
Date: Monday 25 September 2023
Report of: Head of Regulatory Services and Community Safety
Title of Report: Miscellaneous Licensing Update Report

Summary and recommendations	
Purpose of report:	To update Committee on several matters within the Miscellaneous Licensing service group relevant to their delegated responsibilities
Corporate Priority	Enable an inclusive economy and Support Thriving Communities
Policy Framework	Street Trading Policy, Pavement Licensing regime, Council Constitution.
Recommendation(s): That the General Purposes Licensing Committee resolves to:	
1. Note the current position and planned officer actions regarding the matters within this report	

1. This report is intended to inform the General Purposes Licensing Committee about progress with and plans regarding some key topics within the remit of the Council's "Miscellaneous Licensing" functions.

Street Trading

2. The revised Street Trading Policy 2023 ("The Policy") came into force on 1st April 2023 following review of the 2020 Policy and a consultation process. A new feature of the Policy concerns the use of single use plastic (including polystyrene).
3. As reported to Council in July, steps have been taken to ensure that street traders are no longer using single use plastic, in line with the updated Policy. Inspection visits to 90% of street traders found that 25% of these were still using single use plastic. All respective Consent Holders were advised that they were breaching a condition of the Policy and it is intended that follow-up visits will be carried out in October this year.
4. In the current financial year two Consent holders have ceased trading, one has changed site and two have commenced trading, following Sub

Committee approval. The St Aldate's fixed site (previously Gore's Van) currently is vacant and will be advertised shortly.

Extended Temporary Pavement Licensing provisions

5. On the 10th August 2023 the government replaced the existing Pavement Licensing scheme with near-identical regulations, the Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2023/900 which commenced on 10th August 2023 (published 15th). All existing licences expire on 30th September 2023, with those now made under the new regulations being valid until 30th September 2024. The fee for a licence has also remained the same.
6. This late government legislation change has left just over one month for around 100 existing licence holders to re-apply and gain a new licence. As there are statutory processing requirements, the latest application date to obtain a valid renewed licence before the expiry of an existing licence is 15th September.
7. Businesses were advised to submit a renewal application once the legislation was amended and approximately one third of licence holders have re-applied as of the date of this report. Due to the late change, it is anticipated that many businesses will no longer be in possession of a valid pavement licence on 1st October. Those that have not made a renewal application by this date will be advised to remove their pavement furniture until they have applied for a new licence.
8. A new e-form based application process for Pavement Licence customers was introduced this year which has been used by approximately a third of applicants to date. Its use brings an improvement in customer service and an efficiency in licence processing in line with the Council's Citizen's Experience Strategy.

Animal Licensing

9. There are currently 8 Oxford businesses licensable as Animal Establishments (selling, boarding, day care, exhibiting) and all licenses required re-inspection in 2022-23.
10. Due to a change in statutory competency requirements the Council outsourced 2023 inspections to South and Vale District Council. Inspections were conducted in May and June, with updated licenses now having been issued. All businesses were found to be compliant with legal requirements. Training is planned to ensure officer competency for this role in future.

Finance Issues

11. In previous years a New Burden Section 30 Grant of £5,063 was used to help offset increased workload pressures created by the Pavement Licensing regime. No Grant has been provided for the current year and as the fee has remained the same the work has had to be carried out within existing staff resources.

Legal Issues

12. The enforcement of legal requirements made under national legislation is subject to the Council’s Corporate Enforcement Policy. Licensing officers have regard to this Policy for example in using education, encouragement, and enforcement to uphold statutory requirements and encourage good practice.

Equality impact

13. There are no adverse impacts anticipated on anyone with protected characteristics.

Environmental implications

14. There are few environmental considerations arising directly from this report and a positive impact is anticipated on the environment particularly from the reduction in the use of single use plastic (including polystyrene).

Report author	David Stevens
	Principal Lead Officer Business Regulation Team Regulatory Services and Community Safety 01865 252556 dstevens@oxford.gov.uk

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