

# Licensing Committee

4 September 2018

Is the final decision on the recommendations in this report to be made at this meeting? **Yes**

## Licensing Partnership update report 2018

<b>Final Decision-Maker</b>	Licensing Committee
<b>Portfolio Holder(s)</b>	Councillor Dr Ronen Basu
<b>Lead Director</b>	Paul Taylor Director of Change and Communities
<b>Head of Service</b>	Gary Stevenson Head of Housing, Health and Environment
<b>Lead Officer/Author</b>	Sharon Bamborough, Head of Licensing Partnership
<b>Classification</b>	Public
<b>Wards affected</b>	All

**This report makes the following recommendation to the final decision-maker:**

**Recommended:**

That the report be noted for information only

**Explain how this report relates to the Corporate Priorities in the Five Year Plan:**

- A prosperous borough
- To Provide Digital choice
- To provide quality services
- To ensure effective partnership working

### Timetable

<b>Meeting</b>	<b>Date</b>
Licensing Committee	4 September 2018
Other committee(s)	n/a

# Licensing Partnership update report 2018

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 To note the performance of the partnership as contained within the report.
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## 2. INTRODUCTION AND BACKGROUND

- 2.1 The Council is a member of the Licensing Partnership with Sevenoaks District Council, Maidstone Borough Council and (more recently) London Borough of Bexley, which provides line management responsibilities to their respective licensing enforcement teams and an administration team at Sevenoaks to carry out the processing of licence applications, notices, permits and representations.
- 2.2 The Licensing Partnership has completed 8 years of working together, with London Borough of Bexley becoming a partner as of 31st October 2016.
- 2.3 This arrangement provides each council with sovereignty over its policies and decision making processes whilst operating within a partnership that gives resilience and capacity to deal with the fluctuating demands on the service through the year.
- 2.4 This report is an annual update on the performance and activity of the Licensing Partnership.
- 2.5 In 2009 it was agreed that both the line management and administration of the Council's licensing processes would be undertaken in partnership with Maidstone Borough Council (MBC) and Tunbridge Wells Borough Council (TWBC). It was agreed that the administrative team processing licensing application would be based at the offices of Sevenoaks District Council (SDC) with Licensing Officers continuing to be based at each council.
- 2.6 Each Council retained responsibility for setting its licensing policies, compliance strategies and decision making at Sub and Full Licensing Committees. Claire Perry, the Licensing Partnership Manager, had line management responsibility for the operation of the administration team and the Licensing Officers of the three councils.
- 2.7 In January 2010 the new Licensing Partnership took effect and the back office functions started to be transferred to the administration team based at SDC. The Licensing Partnership uses a single database to maintain the licensing records for the three authorities. The database structure enables reporting to be carried out on an individual basis and allows for the variances that still exist in the policies and procedures of the three authorities.

- 2.8 The Licensing Partnership is governed by an agreement made between the three councils and the Chief Officer/Heads of Service responsible for licensing at their respective authorities meet four times a year as a Licensing Partnership Board to oversee performance and the direction of the Partnership. John Littlemore, Head of Housing and Community Services at Maidstone Borough Council is currently the Chair of the Licensing Partnership Board.
- 2.9 In May 2017, Claire Perry, the Licensing Partnership Manger tragically and suddenly passed away, causing an unanticipated but understandable huge impact on the management and performance of the partnership. The Admin Hub Team at Sevenoaks concentrated on trying to ensure they continued on with the day to day work, and the new Head of the Licensing partnership has been in post since 30th October 2017. The intervening period had, naturally, upset the usual performance and scrutiny, but performance is back on track.
- 2.10 The new Head of the Licensing Partnership, Sharon Bamborough, comes from a London local authority background.

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### **3. 2017-2018 PERFORMANCE**

- 3.1 The performance of the Licensing Partnership has been generally good despite the huge challenges of the past year, which is a testament to all officers in the partnership as to their drive and determination not to see the service fail. The indicators for each of the four authorities and the combined Licensing Partnership results are attached as Appendix A.
- 3.2 In addition to the sudden loss of the partnership manager, there had also been some long term sickness and performance issues and staff vacancies at Sevenoaks which also had a knock on effect to their ability to meet targets.
- 3.3 The general processing and consultation on applications within timeframe has been maintained. However given such challenges it was inevitable that some areas of work may need to be de-prioritised in favour of application processing. The areas where performance fell were compliance checks and the length of time applications have remained outstanding.
- 3.4 In respect of the number of proactive premises compliance visits, the senior licensing officer needed to step up and undertake some duties of the manager, including Performance monitoring, Partnership ordering/invoicing and giving advice to Hub team whilst being a part time officer and only assisted by a part time licensing officer. This naturally had a knock on effect to their ability to carry out pro-active compliance checks on top of the multitude of reactive visits and investigations (often carried out as a result of complaints from public about taxis or premises). A lot of enforcement work still continued to be done, but not of the type reflected in this particular performance measure.

- 3.5 In respect of the applications outstanding more than a month – this has generally been down to awaiting responses from third parties and not as a result of lack of action by officers. The period in which we were without the manager who may have ordinarily stepped in to advise/assist or re-prioritise work would have had an effect in this regard. However, this has been resolved now and is currently achieving target and has been for some months.
- 3.6 The Hub team and licensing team at Sevenoaks have recently come back to full strength and it is anticipated that target achievement will be back on track across the board for the 2018/19.

### **Key Activities in the last six months and progress regarding service plan objectives**

- 3.7 The Partnership handled a huge amount of work in 2017/18. The performance measures should be read in conjunction with the entire volumes of work delivered. The headlines of the performance are as follows:
- In this time period, over 7908 applications, notices, permits and pieces of work were received and carried out.
  - From this total, **1837** pieces of work were for Tunbridge Wells.
  - Taking into account the different amounts of time needed for different types of applications, and the differing nature of the work carried out for some of the partners, Tunbridge Wells' share accounted for over 24% of the work of the entire partnership in 2017/18.
- 3.8 The following forms are now online:

#### TENS

Personal licence – new

Personal licence – change of details – this one is a pdf and doesn't drop info into Uniform

Personal licence – renewal (now obsolete)

Scrap Metal dealers – site & collector

Premises licence – change of details – this one is a pdf and doesn't drop info into Uniform

Variation of DPS – this one is a pdf and doesn't drop info into Uniform

Taxi driver (HC & PH)

Taxi vehicle (HC & PH)

Taxi operator (PH)

Transfer of premises licence form

New lottery form

Lottery returns form (new lottery form has already been used)

Premises licence (new)

Animal establishment forms - boarding,

Animal establishment forms – breeding,

Animal establishment forms – riding establishments,

Animal establishment forms – pet shops,

Animal establishment forms - dangerous wild animals

Notification of gaming permit

Licensed Premises Gaming Machine permit

Premises variation form

## Minor variation premises form

- 3.9 Electronic notification of taxi renewal reminder letters have again been sent either by email in the first instance and if an email address is not available a text message. This encourages taxi licensees to make their renewal applications online and removes the need for the Licensing Partnership to send out large quantities of paper. Applications can either be made online or the applicant can download the forms from the three websites.
- 3.10 In July 2017, a new online taxi knowledge test was implemented across the partnership, introducing a new form of standardised test for the three partners dealing with taxi licensing and a raising of standards. For the first time for some, private hire drivers were required to pass the test, bringing them up to a standard with hackney carriage drivers. The application process has also been changed to require successful completion of the test before an application may be submitted, thereby reducing the number of applications which could not be progressed due to failed tests.
- 3.11 Having reviewed the test results since implementation, it has become clear that pass rates are not as hoped for (though this does keep up a high standard) and the test is being revised at present to make it clearer and easier to pass without dropping the standards, and it is planned that this can be implemented August or September 2018.
- 3.12 Previous initiatives run by new partner Bexley such as the proactive approach in working with licensees prior to large events such as World Cups, and seasonal events, have worked very well. The new Head has adopted the proactive approach of Bexley initiatives and shared them across the partnership – recently a letter was sent to all alcohol licensed premises throughout the partnership advising on the importance of updating / reviewing risk assessments in lieu of the Royal Wedding celebrations (additional hours for sale of alcohol were granted nationally by Government) and the World Cup football tournament.
- 3.13 The Head is looking to also carry out special enforcement operations where all officers could contribute and take part.
- 3.14 In the coming year, we are keen to work with the Metropolitan Police and Kent Police on the new Met Police initiative WAVE, which seeks to educate and re-train all involved in the licensing industry about being more proactive in spotting vulnerable people who should be assisted when in licensed premises

#### 4. SERVICE OBJECTIVES FOR 2017/18 AND PLANNED SERVICE IMPROVEMENTS

4.1 Objective 1 - To manage the Licensing Partnership to deliver efficiency savings and achieve performance targets.

- This is ongoing and performance is monitored on a weekly and monthly basis.
- 1:1 meetings with staff are carried out monthly and
- The Licensing Partnership Board meets 4 times a year.

4.2 Objective 2 - Investigate further undertaking of licensing functions for other local authorities.

There are current talks going on with a potential fifth partner who are exploring joining the partnership.

4.3 Objective 3 - Seek further efficiency savings in processes and use of online facilities.

- Increase the feedback received from customers regarding the service they receive and improvements that can be achieved – **result:** *An increase in responses to our customer survey was achieved and improvements were made to the service.*
- Implement an improved renewal/reminder notification system utilising email and text for taxi licensees – **result:** *achieved reduction in costs*
- reduce the face to face interaction for Licensing Partnership staff by implementing scripts to enable customer service staff to assist licensees in their requirements – **result:** *appointment only system set up in Maidstone and Tunbridge Wells;*

4.4 Objective 4 - Ensure all online forms are implemented and in use by customers – *most forms now online and more are to be developed (e.g. special treatments for Bexley and Animal Licensing when law changes )*

4.5 Objective 5 - Undertake a programme of training for Members and officers. Ensure all new Members on each Licensing Committee receive appropriate training. – *this has been carried out as and when required.*

4.6 Objective 6 - Officers and Licensing Committees to consider opportunities for greater harmonisation of policies – **result:** *the last review of Taxi Licensing Policies brought greater harmonisation between Maidstone, Tunbridge Wells and Sevenoaks policies. Example: the same computerised knowledge test (with local route testing in each authority) was introduced for all potential drivers for Private Hire and Hackney Carriage vehicles with effect from July 2017, raising the standards across the board.*

**The new service plan for 2018/19 is attached as Appendix B**

## 5. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Legal</b> including Human Rights Act	This is a report to update on the progress and performance of the licensing partnership – no new legal issues arise from its contents	Robin Harris Senior Lawyer – Contentious, Mid-Kent 23.08.2018
<b>Finance</b> and other resources	Financial implications have been dealt with within the body of the report	Sharon Bamborough, Head of Licensing partnership 23.08.2018
<b>Staffing establishment</b>	No impact on Tunbridge Wells Borough Council	Sharon Bamborough, Head of Licensing partnership 23.08.2018
<b>Risk management</b>	A risk assessment is undertaken on an annual basis regarding the service objectives and reviewed regularly Delete text in italics once this section is fully complete:	Sharon Bamborough, Head of Licensing partnership 23.08.2018
<b>Data Protection</b>	No impact. This is a report to update on the progress and performance of the licensing partnership	Sharon Bamborough, Head of Licensing partnership 23.08.2018
<b>Environment and sustainability</b>	No impact. This is a report to update on the progress and performance of the licensing partnership	Sharon Bamborough, Head of Licensing partnership 23.08.2018
<b>Community safety</b>	No impact. This is a report to update on the progress and performance of the licensing partnership	Sharon Bamborough, Head of Licensing partnership 23.08.2018

<b>Health and Safety</b>	No impact. This is a report to update on the progress and performance of the licensing	Sharon Bamborough, Head of Licensing partnership 23.08.2018
<b>Health and wellbeing</b>	No impact. This is a report to update on the progress and performance of the licensing	Sharon Bamborough, Head of Licensing partnership 23.08.2018
<b>Equalities</b>	No impact. This is a report to update on the progress and performance of the licensing	Sharon Bamborough, Head of Licensing partnership 23.08.2018

## 6. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix A: End of year performance statistics
- Appendix B: Licensing Partnership Service Plan for 2018/19

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## 7. BACKGROUND PAPERS – none