

BROMSGROVE DISTRICT COUNCIL
PERFORMANCE MANAGEMENT BOARD

22ND APRIL 2008

LICENSING SECTION VALUE FOR MONEY REVIEW

Responsible Portfolio Holder	Cllr. P. Whittaker
Responsible Head of Service	David Hammond, Head of Planning and Environment Services

1. SUMMARY

- 1.1 At the meeting of the Performance Management Board held on 15th December 2007, it was agreed that a report be presented to the Board on the work undertaken by the Council's Licensing Section, in particular, its value for money compared to Redditch Borough Council's function.

2. RECOMMENDATION

It is recommended that the Board considers the report and makes any recommendations to Executive Cabinet if appropriate.

3. BACKGROUND

- 3.1 The Licensing Section was created in June 2003, as a result of the Licensing Act 2003, which involved the transfer to the Council, from the Magistrates' Courts, of responsibility for the licensing of all premises selling alcohol (including shops as well as pubs and clubs), the provision of regulated entertainment, the provision of hot food/drink after 11.00 p.m. (including takeaways), the licensing of ad-hoc events, as well as the licensing of all people who sell alcohol.
- 3.2 This was a huge task for local authorities, as it involved the setting up of complete new systems, including computer software to process the conversion applications (approx. 300 premises and approx 300-500 personal licences) during the transition period from the old system to the new system; training Councillors on all aspects of the new Act; drafting the Council's Statement of Licensing Policy; guidance information for applicants; sending out application packs; creating licensing web-pages for the Council's web-site; publicising the new legislation through awareness days; the setting up of new Licensing Sub-Committee and the Local Licensing Forum.
- 3.3 Although the bulk of the work was completed by December 2005, there still continues to be a steady flow of miscellaneous applications being made

such as changing the 'DPS' (Licensee), transferring licences over to another party, varying an existing licence, new personal licence applications, temporary event notices and of course dealing with complaints regarding licensed premises.

- 3.4 Any contested applications or requests for a licence to be reviewed are determined by the Licensing Sub-Committee. Each hearing on average can take 3 hours.
- 3.5 In respect of the Statement of Licensing Policy this has to be formally reviewed every three years. Extensive consultation has to be carried out with all interested parties. The first review of the policy document was concluded in November 2007.
- 3.6 In addition to this work the Licensing Section also deals with the following:
 - Making Orders relating to Alcohol Free Zones;
 - All aspects of taxi licensing, including processing applications for a combined Hackney Carriage and Private Hire Driver's Licence, Private Hire Vehicle Licence, Hackney Carriage Vehicle Licence and Private Hire Operators Licence;
 - Appointment of Hackney Carriage Stands;
 - Licensing all animal boarding establishments;
 - Licensing riding establishments;
 - Licensing zoos;
 - Licensing dog breeding;
 - Licensing pet shops;
 - Licensing dangerous wild animals
 - Registering Small Society Lotteries
 - Licensing charitable collections, namely street collections and house to house collections;
 - Issuing street trading permits to those people who wish to trade in the High Street; and
 - Servicing the Council's Licensing Committee and on occasion it is necessary to present reports to Executive Cabinet.
- 3.7 The workload of the Section recently increased further with the introduction of the Gambling Act 2005, which again transferred responsibility from Magistrates' Courts to local authorities. This involved the licensing of all betting shops, adult gaming centres, prize gaming machines in pubs and clubs, family entertainment centres and any ad-hoc gambling. Similar mechanisms had to be put in place to implement the new Gambling Act, as those for the Licensing Act, including a Statement of Policy, which must also be reviewed every three years.
- 3.8 There is also the requirement that periodic statutory returns are made to the Gambling Commission on the numbers of licences and registrations that the Council grants/refuses.

- 3.9 Attached at Appendix 'A' is a profile of the main licence types for 2007/08 together with the numbers of licences issued by neighbouring local authorities against those issued by this Council. Members may wish to note that the figures set out in Appendix 'A' do not take into account any miscellaneous applications, as described in paragraph 3.3.
- 3.10 Most Licences are renewed at various times during the year. The vast majority expire on the 12 month anniversary of the licence.
- 3.11 The Licensing Section is made up of three Officers; the Principal Licensing Officer, a Licensing Officer and an Assistant Licensing Officer. Each post is a full time post.
- 3.12 The main role of the Principal Licensing Officer is to manage the Licensing Section in line with the Council's 'Modern Manager Framework', however it is necessary for this role to be operational as well as strategic, due to volume of applications received by the Section and the complexity of some of the applications. It is also necessary to provide cover for each others' work during absences from the Section so that a comprehensive service is maintained. It is also expected that this role would look to ways to improve and refine current practices to provide a better service and move it forward.
- 3.13 The role of the Licensing Officer is principally responsible for the day-to-day administration of all aspects of taxi licensing, namely sending out reminder letters to all licence holders in respect of vehicle insurance, vehicle tests; processing of applications for Combined Hackney Carriage and Private Hire Driver Licences, Private Hire Vehicle Licences, Hackney Carriage Vehicle Licences and Private Hire Operators Licences, following up and investigating complaints, together with assisting the Principal Licensing Officer with the processing applications received in connection with the Gambling Act.
- 3.14 The role of the Assistant Licensing Officer is to assist both the Licensing Officer and the Principal Licensing Officer with all aspects of licensing, in particular applications received in accordance with the Licensing Act 2003.
- 3.15 It is expected that all three Officers must be able to cover for each other at times of absence from the Office and to make sure that the Section is run in an efficient manner, by learning about each others' work area.
- 3.16 The Principal Licensing Officer regularly attends meetings of the Neighbouring Authority Working Group, the County Licensing Officers' Group and is a member of the Institute of Licensing.
- 3.17 The Licensing Officer also attends a regional working group which specialises in taxi licensing.

3.18 Attendance at such meetings is vital in benchmarking the service against other local authorities, which in turn provides consistency across neighbouring authorities and provides networking and training opportunities.

3.19 The Section will be responsible for implementing a number of key deliverables for next year, these include:

- Review of Street Trading Consents
- Review of the Taxi Handbook including licence conditions in conjunction with the other districts in the County.
- Introduction of Taxi training for all drivers
- Implementation of the Charities Act
- Implementation of the Animal Welfare Act

3.20 The profile for staffing levels for each local authority in the County is as follows:

	Full time equivalents	Part time equivalents
Redditch	4	1
Worcester	5	
Wyre Forest	3	1
Wychavon	3	1
Malvern	3	
Bromsgrove	3	

3.21 In respect of the staffing levels for Redditch and Bromsgrove, there are currently no vacant posts however the Licensing Section at Redditch is due to go through a restructure following the retirement of their Licensing Manager. The majority of taxi licensing is undertaken by two full time Officers at Redditch, whilst only one Officer principally deals with taxi licensing at Bromsgrove.

3.22 Members may wish to note that for each authority one of the full time equivalents is a Senior/Principal Licensing Officer. However the reporting structure is much 'flatter' at Bromsgrove than it is for other local authorities in the County. From the information I have received from the other authorities, it appears that generally there is another tier of management, such as a Commercial Services Manager or Environmental Health and Licensing Manager, between the Senior Officer and the Head of Service/Department.

4. FINANCIAL IMPLICATIONS

4.1 The budgeted expenditure for 2007/08 for the Licensing Section is £134,137. The budget income for 2007/08 for the Licensing Section is £102,580.

5. LEGAL IMPLICATIONS

5.1 The majority of functions carried out by the Licensing Section are a statutory requirement with statutory deadlines for most processes.

6. COUNCIL OBJECTIVES

6.1 This item links with the Council Objective CO2 and CO4.

7. RISK MANAGEMENT

7.1 The main risks associated with the details included in this report are:

- *Loss of income*
- *Poor customer service*
- *Not meeting statutory deadlines*

7.2 These risks are being managed as follows:

- Poor customer service:

Risk Register: Planning and Environment Services

Key Objective Ref No: 7.4

Key Objective: *Develop a 'business culture'. Improve public perception.*

Risk Register: Planning and Environment Services

Key Objective Ref No: 8.2

Key Objective: *Continue to work in close partnership with other Licensing Officers in the County.*

7.3 Currently the risks identified in the (*first and third*) bullet points in 7.1 are not addressed by any risk register and will be added to the Planning and Environment Services risk register as follows:

- Loss of income – It is essential that all licence fees are collected on time.
- *Not meeting statutory deadlines - All legislative statutory deadlines must be adhered to, to prevent a judicial review.*

8. CUSTOMER IMPLICATIONS

8.1 The Licensing Section is very much a front line service and it is essential that all applications and enquires are dealt with as efficiently and effectively as possible.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 None.

10. VALUE FOR MONEY IMPLICATIONS

10.1 None.

11. OTHER IMPLICATIONS

Procurement Issues None
Personnel Implications
Governance/Performance Management None
Community Safety including Section 17 of Crime and Disorder Act 1998 None
Policy None
Environmental None

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	No
Executive Director (Partnerships and Projects)	No
Executive Director (Services)	No
Assistant Chief Executive	Yes
Head of Service	Yes
Head of Legal, Equalities & Democratic Services	No

13. WARDS AFFECTED

13.1 All.

14. APPENDICES

Appendix A Profile of main licence types

15. BACKGROUND PAPERS

None.

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