

LICENSING COMMITTEE MEETING

Date: Thursday 19 July 2018
Time: 6.30 pm
Venue: Town Hall, High Street, Maidstone

Membership: Councillors Garten, Mrs Grigg, Harvey, Hinder, Mrs Hinder (Vice-Chairman), Joy (Chairman), McKay, McLoughlin, Purle, Mrs Robertson, J Sams and Springett

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

AGENDA

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| 5. Disclosures by Members and Officers | |
| 6. Disclosures of Lobbying | |
| 7. To consider whether any items should be taken in private because of the possible disclosure of exempt information. | |
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PUBLIC SPEAKING AND ALTERNATIVE FORMATS

If you require this information in an alternative format please contact us, call **01622 602899** or email committee@maidstone.gov.uk.

Issued on Wednesday 11 July 2018

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

In order to speak at this meeting, please contact Democratic Services using the contact details above, by 5 p.m. one clear working day before the meeting, i.e. 17 July 2018. If asking a question, you will need to provide the full text in writing. If making a statement, you will need to tell us which agenda item you wish to speak on. Please note that slots will be allocated on a first come, first served basis.

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MAIDSTONE BOROUGH COUNCIL

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY 29 MARCH 2018

Present: Councillor Mrs Joy (Chairman), and
Councillors Mrs Grigg, McLoughlin, Naghi,
Mrs Robertson, J Sams and Mrs Wilson

15. **APOLOGIES FOR ABSENCE**

It was noted that apologies had been received from Councillors Cuming, Garten, Harvey, Mrs Hinder, Newton and Mrs Springett.

16. **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Mrs Wilson was substituting for Councillor Harvey.

17. **URGENT ITEMS**

There were no urgent items.

18. **NOTIFICATION OF VISITING MEMBERS**

There were no Visiting Members.

19. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members and Officers.

20. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

21. **EXEMPT ITEMS**

RESOLVED: That all items on the agenda be taken in public as proposed.

22. **MINUTES OF THE MEETING HELD ON 4 DECEMBER 2017**

RESOLVED: That the minutes of the meeting held on 4 December 2017 be approved as a correct record and signed.

23. **PRESENTATION OF PETITIONS**

There were no petitions.

24. **QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC**

There were no questions from members of the public.

25. EMISSION STANDARDS FOR MAIDSTONE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

The Committee considered the report of Mr John Littlemore, the Head of Housing and Community Services. The report informed Members of an intention to provide an achievable action plan for taxi and private hire vehicle emissions in Maidstone for the next 6 years and beyond, and was linked to the Council's Low Emissions Strategy.

Mr Littlemore explained that a consultation document would be produced and the Hackney and Private Hire Trade would also be consulted and a report, together with responses, would be brought back to the Committee in July or September for consideration to be given to a policy to be recommended to Communities, Housing and Environment Committee for adoption.

In response to questions from the Committee, Officers advised that:-

- A proposal would be included on how to deal with the practice of taxis still running their engines whilst in the taxi bays.
- The provision of electric charging points was sporadic at present and rural areas would be an issue. However, it was a national issue and it was hoped that this would be something that central government would be addressing in time.
- That a shared taxis service options would be explored further.
- That it was proposed that the consultation includes that all private hire and taxi vehicles were required to meet the Euro 4 Petrol (Jan 2006) and Euro 6 Diesel (Sept 2015) or higher standard by 1st January 2021.
- That the Department for Transport (DFT) guidance stated that it would be better to define a vehicle on its emission specification, rather than its age. The age of a vehicle was more relevant to taxis.
- Currently, provided that a vehicle had a compliance test twice a year, a hackney carriage vehicle can be licensed until they are 15 years old.
- That more clarity would be provided within the consultation document on what Officers believe may be exceptional circumstances that may give rise to discretion being operated to waive the policy.

- That the options for the flexible services as detailed on Pages 5 and 6 of the report would be included in the consultation document.

It was noted that once this Committee had agreed the policy, it would need to be recommended to the Communities, Housing and Environment Committee for adoption.

RESOLVED:

- 1) That delegated authority be given to the Head of Housing and Community Services to draft a consultation document for the Hackney and Private Hire Trade in accordance with paragraph 3.2 of the report and to report back to the Committee in the new municipal year with the results of the consultation, together with recommendations for the next steps.
- 2) That the flexible services as detailed in Pages 5 and 6 of the report be included in the consultation document, together with reference to the age of vehicle and a definition of exceptional circumstances where the policy may be waived.

Voting: Unanimous

26. GAMBLING ACT 2005: LICENCE FEES 2018/2019

The the report of Mr John Littlemore, the Head of Housing and Community Services was considered by the Committee which set out the proposed fees for the administration of the Gambling Act 2005.

In response to a question by a Member, Mr Littlemore advised that if the proposed fees did not meet the Council's costs despite reaching the prescribed maximum, the General Fund would have to be used.

It was noted that representations had been made by Local Authorities to central government sometime ago following a consultation, in relation to shortfalls in Licensing Act 2003 fees which are prescribed, but nothing had come of it. In view of this it was proposed that this issue should be raised for the next agenda of the Kent Leaders meeting to ascertain whether other Councils were experiencing shortfalls, with a view to collectively lobbying central government via the Local Government Association should this be an issue.

RESOLVED:

- 1) That the Gambling Act 2005 fee levels as set out in Appendix A to the report be approved and implemented with effect from 1st April 2018.
- 2) That this issue also be raised for inclusion on the Kent Leaders' agenda to ascertain what experiences other authorities have with a view to collectively lobbying central government via the Local Government Association in regard to the prescribed fees for

licensing matters if they do not meet costs.

Voting: Unanimous

27. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING LICENCE FEES AND CHARGES 2018-19

The Committee considered the report of Mr John Littlemore, the Head of Housing and Community Services which related to the fees and charges for Hackney Carriage and Private Hire Licensing: Licence Fees and Charges Fees 2018/19.

RESOLVED: That the fees and charges as agreed at Licensing Committee on 23 November 2017 be continued as the fees for 2018-19.

Voting: Unanimous

28. MBC ANIMAL ESTABLISHMENT FEES 2018 - 19

The Committee considered the report of Mr John Littlemore, the Head of Housing and Community Services which related to the fee levels for Animal Establishments as set out in paragraph 2.6 of the report.

In response to a question from a Member, Mr Littlemore advised that the inspections were governed by DEFRA and the more animals there were, the more inspections it would necessitate and therefore the fees would increase.

RESOLVED: That the fee levels for Animal Establishments as set out in paragraph 2.6 of the report be approved and implemented with effect from 1st April 2018.

Voting: Unanimous

29. MBC SEV FEES 2018 - 19

The Committee considered the report of Mr John Littlemore, the Head of Housing and Community Services which related to the Licence Fees for Sexual Entertainment Venues 2018/19.

In response to a question from a Member, Mr Littlemore advised that there was no more work involved in transferring an application than creating a new application, so the fee should reflect this.

RESOLVED: That the fee levels for Sexual Entertainment Venues as set out in paragraph 2.4 of the report be approved and implemented with effect from 1st April 2018.

Voting: Unanimous

30. DURATION OF MEETING

6.30 p.m. to 7.20 p.m.

Agenda Item 9

MAIDSTONE BOROUGH COUNCIL

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 22 MAY 2018

Present: Councillor Joy (Chairman), and Councillors Garten, Mrs Grigg, Harvey, Hinder, Mrs Hinder, McKay, McLoughlin, Purle, Mrs Robertson, J Sams and Springett

1. **APOLOGIES FOR ABSENCE**

There were no apologies.

2. **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no Substitute Members.

3. **ELECTION OF CHAIRMAN**

RESOLVED:

- 1) That Councillor Joy be elected as Chairman of the Committee until 1 December 2018.
- 2) That Councillor Mrs Hinder be elected as Chairman of the Committee from 2 December 2018 until the end of this municipal year.

4. **APPOINTMENT OF VICE-CHAIRMAN**

RESOLVED:

- 1) That Councillor Mrs Hinder be appointed as Vice Chairman of the Committee until 1 December 2018.
- 2) That Councillor Joy be elected as Vice Chairman of the Committee from 2 December 2018 until the end of this municipal year.

5. **DURATION OF MEETING**

6.55 p.m. to 7.05 p.m.

Licensing Committee Work Programme 2018/19

Report	Date
Licensing Partnership Update Report	19 July 2018
Hackney Carriage Licence – Survey on Deregulation	19 July 2018
Statement of Licensing Principles for Gambling Act 2005: 2019-2022	19 July 2018
Oral Update – Member Training	19 July 2018
Emission Standards for Maidstone Hackney Carriage and Private Hire Vehicles	20 September 2018
Licensing Training	20 September 2018
Hackney Carriage and Private Hire Licensing: Licence Fees and Charges Fees 2019/20	28 March 2019
MBC Sexual Entertainment Venues – Fees and Charges 2019/20	28 March 2019
MBC Animal Establishment Fees and Charges 2019/20	28 March 2019
Gambling Act 2005: Licence Fees 2018/19	28 March 2019

Agenda Item 11

Licensing Committee

19th July 2018

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

Yes

HACKNEY CARRIAGE LICENCE – SURVEY ON DEREGULATION

Final Decision-Maker	Licensing Committee
Lead Director or Head of Service	John Littlemore
Lead Officer and Report Author	Lorraine Neale
Classification	Non-exempt
Wards affected	All

This report makes the following recommendations to the final decision-maker:

That the Hackney Carriage Licence Survey on Deregulation is noted.

This report relates to the following corporate priorities:

- Keeping Maidstone Borough an attractive place for all

Timetable –

<i>Meeting</i>	<i>Date</i>
Policy and Resources Committee	N/A
Council	N/A
Other Committee	N/A

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 That Members are advised of the results of the Survey carried out by Clare Harvey, Digital Intelligence Officer and consider the options open to the Council with regard to maintaining, partially maintaining or removing a limit on the number of hackney carriage licences that are issued.

2. INTRODUCTION AND BACKGROUND

- 2.1 Maidstone Borough Council is the licensing authority for the Borough in respect of hackney carriages, and for many years it has restricted the numbers of hackney carriage vehicles
- 2.2 The limit currently stands at 48 and there is a discretion for that to continue at this figure provided the Council is satisfied there is no significant demand for hackney services in the Borough which is unmet, the power being contained in section 16 of the Transport Act 1985.
- 2.3 In order that such a position can be evidenced an independent review of demand for the service is needed, and such a survey must reflect the current position and needs updated around every 3 years. The last survey carried out in Maidstone was in July 2016 and that report went to Licensing Committee on 1st December 2016, it recommended that no new licences be issued as there was no significant unmet demand.
- 2.4 At the Licensing Committee on 1st December 2016 the Head of Housing and Community Services was asked to undertake a 12 week consultation with stakeholders on the following three options for Hackney Carriage vehicle licences with a view to a report back to the Licensing Committee at the earliest opportunity to enable a recommendation to be made to the Communities, Housing and Environment Committee. The questions to be asked being whether to:-
1. Maintain the current limit on Hackney Carriage numbers; or
 2. Issue any number of additional vehicle licences as appropriate; or
 3. Remove the limit on Hackney Carriage numbers.
- 2.5 The survey run from the 5th March 2018 until 27th May 2018 and was carried out online and by email, with a direct email to approximately 8,000 customer who had consented to being contacted and was promoted on the Council's website, social media and in the local press. A direct email was sent to licensed taxi operators using customer details provided by the licensing team. Paper copies of the survey and alternative formats were available on request.

- 2.6 Those affiliated with the taxi industry were asked their views on rank locations, the number of hackney licenses issued and if the limit should remain. They were also able to submit additional comments. Residents were asked the same questions as outlined above for those in the taxi industry but were also asked questions about their experience of engaging a taxi in Maidstone.
- 2.7 A total of 474 people (including 120 taxi drivers or representatives of taxi businesses) responded to the questionnaire.
- 2.8 In response to the question at page 13 of the report "There are currently 48 Hackney Carriage vehicles licensed by Maidstone Borough. Is this number..." . 59% of respondents indicated that this number was about right.
- 2.9 In response to the question at page 14 of the report "Do you think the Council should limit the number of Hackney Carriage vehicle licenses it will issue". 50% of respondents agreed that the Council should continue to limit the number.
- 2.10 Included in the additional comments at page 15 reference is made to increasing numbers of plates.

"Twenty people said that the current limit should be increased, some of these suggested new limits these ranged from an additional two plates up to having a total of 75 however none of these commenter said that the limit should be scrapped altogether."

However comments are also made not to increase

"Twenty one people made comments to the effect that they are against removing the limit or that they do not want/see the need for the current limit on taxis to be increased and five made comments that there are too many taxis in Maidstone"

3. AVAILABLE OPTIONS

- 1 Maintain the current limit on Hackney Carriage numbers; or
- 2 Issue any number of additional vehicle licences as appropriate; or
- 3 Remove the limit on Hackney Carriage numbers.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Maintain the current limit on Hackney Carriage numbers as the report does not justify an increase to plate numbers. An Unmet Demand Survey is due to be undertaken in July 2019 that will highlight demand should there be any.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 Consultation results can be seen at Appendix 1

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 Committee to consider the responses and agree to maintain the number of plates at 48 and to recommend that option to the Communities, Housing & Environment Committee supported by evidence in the report.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Risk Management	None	[Head of Service or Manager]
Financial	None	[Section 151 Officer & Finance Team]
Staffing	None	[Head of Service]
Legal	Included in the body of the report	[Legal Team]
Equality Impact Needs Assessment	None	[Policy & Information Manager]
Environmental/Sustainable Development	None	[Head of Service or Manager]
Community Safety	None	[Head of Service or Manager]
Human Rights Act	None	[Head of Service or Manager]
Procurement	None	[Head of Service &

		Section 151 Officer]
Asset Management	None	[Head of Service & Manager]

8. REPORT APPENDICES

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

- Appendix A - Report by Clare Harvey, Digital Intelligence Officer.
-

9. BACKGROUND PAPERS

None

Taxi & Hackney Carriages in Maidstone Survey

June 2018

Version Number	Purpose/ Amendments	Author	Date
0.1	Draft report creation	Clare Harvey, Digital Intelligence Officer	06/06/2018
0.2	Draft Report Completion – ready for review	Clare Harvey, Digital Intelligence Officer	19/06/2018
1.0	Final version – amendments from review	Clare Harvey, Digital Intelligence Officer	25/06/2018

Taxi & Hackney carriages in Maidstone Consultation

Methodology

Maidstone Borough Council undertook a consultation between 5th March 2018 and 27th May 2018.

The survey was carried out online and by email, with a direct email to approximately 8,000 customer who had consented to being contacted by email and was promoted on the Council's website, social media and in the local press. A direct email was sent to licensed taxi operators using customer details provided by the licensing team. Paper copies of the survey and alternative formats were available on request.

The survey was open to all Maidstone Borough residents aged 18 years and over. The data has not been weighted, however the top two and bottom two age brackets were combined to give the groups 65 years and over and 18 to 34 years.

Those affiliated with the taxi industry were asked their views on rank locations, the number of hackney licenses issued and if the limit should remain. They were also able to submit additional comments. Residents were asked the same questions as outlined above for those in the taxi industry but were also asked questions about their experience of engaging a taxi in Maidstone.

A total of 474 people (including 120 taxi drivers or representatives of taxi businesses) responded to the questionnaire, this report discusses unweighted results. Please note not every respondent answered every question; therefore the total number of respondents refers to the number of respondents for that question not to the survey overall.

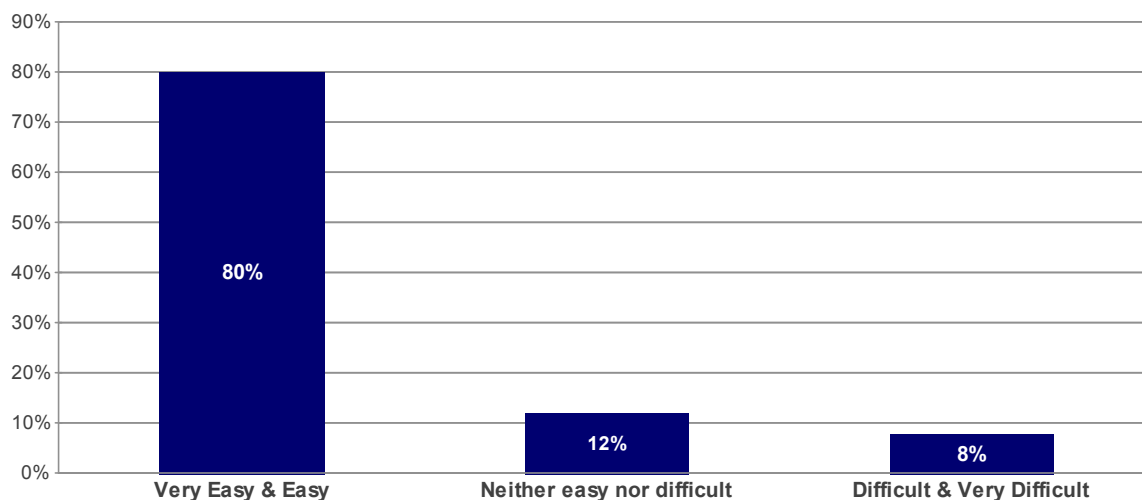
With a total of 474 responses to the survey, the overall results in this report are accurate to $\pm 4.5\%$ at the 95% confidence level. This means that we can be 95% certain that the results are between $\pm 4.5\%$ of the calculated response, so the 'true' response could be 4.5% above or below the figures reported (i.e. a 50% satisfaction level could, in reality, lie within the range of 45.5% to 54.5%).

NOTE: Unless stated otherwise, satisfied refers to the proportion responding 'very or fairly satisfied' and dissatisfied refers to the proportion responding 'fairly or very dissatisfied'.

For the purposes of analysing the survey results Uber services are categorised as private hire vehicles. Uber was set up as a peer to peer ride sharing, taxi and food delivery service. In the UK Uber drivers are required to have a private hire license and booking are made through a mobile phone application.

Customer Feedback on Taxi Experience

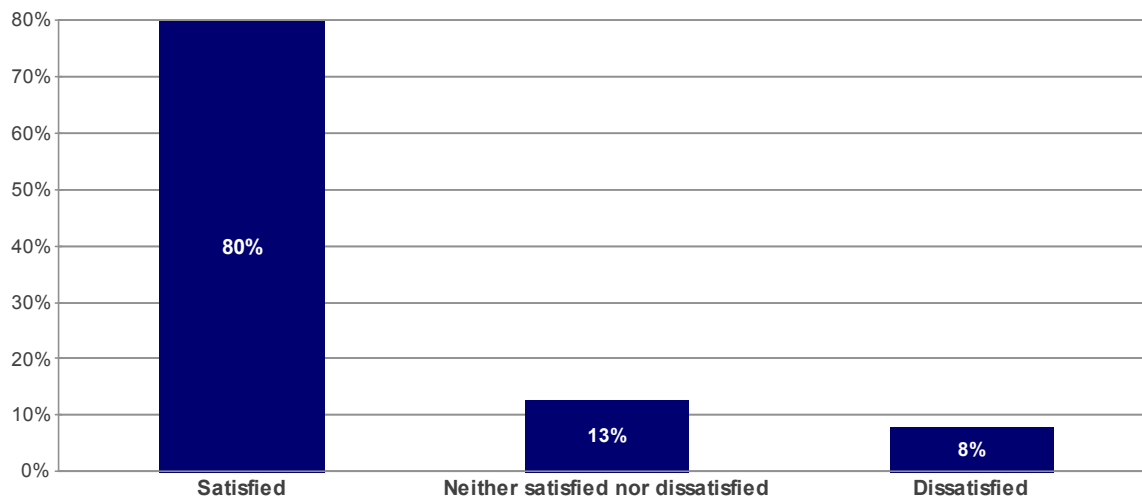
How easy do you find it to get a taxi?



- There are a greater proportion of men responding difficult or very difficult when compared to the response levels for women, with 11.6% of men responding this way compared to 2.4% of women.
- The data suggests that as age increases it is easier to get a taxi with the 18 to 34 years group having the lowest levels responding very easy or easy at 73.6% and the over 65 years group has the greatest proportion responding this way at 87.1%.
- It is indicated that respondents from white groups may find it easier to get a taxi. As white groups were more likely to respond very easy or compared to BME groups, who were slightly more likely to respond neither easy nor difficult and difficult or very difficult compared to respondents from white groups. However the difference is not significant.
- Overall, 80.5% of respondents who have used a taxi or hackney carriage in the last month said it was easy or very easy.

Group	% Easy & Very Easy
Male	75.6%
Female	85.5%
18 to 34 years	73.6%
35 to 44 years	73.4%
45 to 54 years	80.5%
55 to 64 years	83.8%
65 years and over	87.1%
Disability or long term illness	76.6%
No Disability	81.6%
White groups	81.6%
BME groups	73.7%
Carers	78.9%
Non Carers	81.2%
Used taxi in last month	80.5%
Last used taxi over a month ago	79.8%

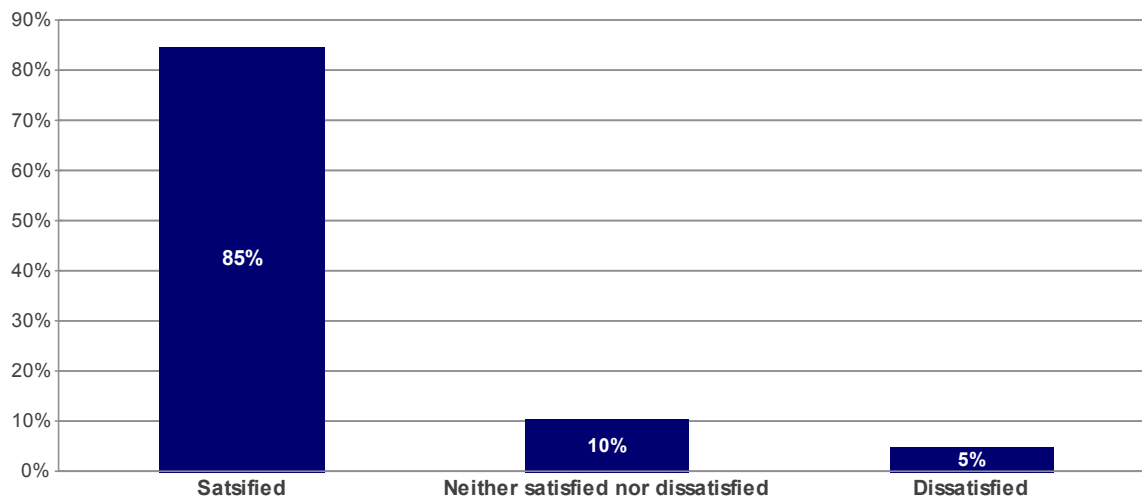
Satisfaction: The standard of driving



- Overall there is a strong satisfaction with the standard of driving at 80%
- Female respondents are slightly more likely than male respondent to be satisfied with the standard of driving with 86.2% of women responding satisfied or very satisfied compared to 74% of men.
- Across the age groups the responses suggest that the older the respondent the less satisfied they are likely to be with the standard of driving. The 45 to 54 years age group had the greatest proportion responding neither satisfied nor dissatisfied at 22% and the lowest satisfaction at 70.7%. The 55 to 64 years group had the greatest proportion responding dissatisfied at 10.1%. The 35 to 44 years group had the greatest proportion satisfied with the standard of driving at 88.7%.
- While there are a lower proportion of people with a disability that are satisfied with the standard of driving compare to respondents without a disability at 75% (compared to 80.6%) there are no significant differences between the proportions responding dissatisfied between these two groups.
- There is a difference of 12% between those responding very or fairly satisfied between respondents who act as carers and those that do not, with those who are not carers more likely to be satisfied with the standard of driving. Respondents who act as carers also have higher proportions responding neither satisfied not dissatisfied and fairly or very dissatisfied, though when compared to the levels for respondents that do not act as carers.
- There is a difference of 15.5% in the proportion of responding as very satisfied or satisfied between respondents from white groups and those from BME groups – this variance is significant. It shows that respondents from BME groups are more likely to be satisfied with the standard of driving than respondents from white groups.

Group	% Satisfied & Very Satisfied
Male	74.0%
Female	86.2%
18 to 34 years	83.0%
35 to 44 years	88.7%
45 to 54 years	70.7%
55 to 64 years	79.7%
65 years and over	77.8%
Disability or long term illness	75.0%
No Disability	80.6%
White groups	79.2%
BME groups	94.7%
Carers	70.8%
Non Carers	82.8%
Used taxi in last month	80.3%
Last used taxi over a month ago	78.8%

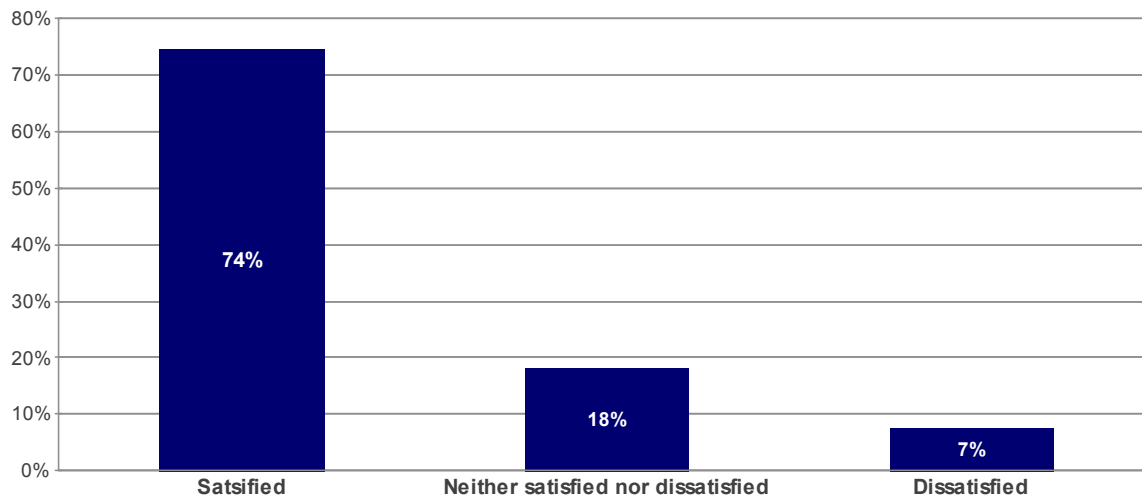
Satisfaction: The Cleanliness of the vehicles



- There is a difference of 11.7% in the proportion that are satisfied between respondents who act as carers and those who do not. Respondents that are carers were more likely to respond dissatisfied with 10.1% of this group responding this way compared 3.5% of respondents that do not act as carers whilst these variances are not significant there does appear to be a trend with those who act as carers more likely to be dissatisfied with the surveyed elements of hackney carriage and private hire taxi services (Question 7).
- Whilst there is no significant difference in the proportion responding they are satisfied between respondents with a disability or long term illness and those without, the data does show that those with a disability are more likely to be dissatisfied and those without a disability or long term illness are more likely to have no strong opinion either way.
- It is likely that the lower satisfaction from respondents with a disability and those who act as carers is linked, as these groups often need to travel together.
- Across the age groupings the 18 to 34 years group had the greatest proportion that were satisfied with vehicle cleanliness at 90.2%, the 45 to 54 years groups had the lowest proportion satisfied at 78.5% and the 55 to 64 years group had the greatest proportion that were dissatisfied at 10.4%.
- There were no respondents from BME groups that said they were dissatisfied with the cleanliness of vehicles, and the levels of respondents that were satisfied in this group are comparable to the levels from white groups.
- Looking at those who said they had used a taxi or hackney carriage in the last month the response levels from this groups are comparable with the overall result with 82.5% satisfied and 6.6% dissatisfied.

Group	% Satisfied & Very Satisfied
Male	80.4%
Female	89.4%
18 to 34 years	90.2%
35 to 44 years	88.2%
45 to 54 years	78.5%
55 to 64 years	82.1%
65 years and over	85.5%
Disability or long term illness	86.7%
No Disability	84.4%
White groups	84.7%
BME groups	88.2%
Carers	75.4%
Non Carers	87.1%
Used taxi in last month	82.5%
Last used taxi over a month ago	88.9%

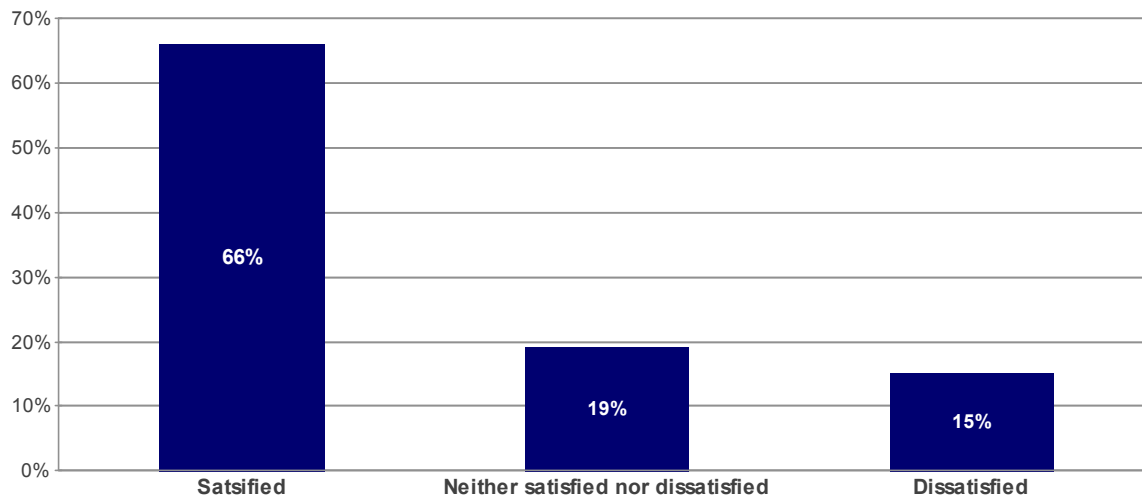
Satisfaction: Your interaction with the driver



- Female respondents were slightly more satisfied with driver interaction than men. Male respondents were more likely than women to have no strong feelings either way. However, the proportion responding dissatisfied was comparable with 7.8% of men and 7.4% of women responding this way.
- Across the age groups there is a difference of 9.4% between the age groups with the greatest level of dissatisfaction (45 to 54 years at 11.1%) and that with the lowest level of dissatisfaction (65 years and over at 1.7%). The 18 to 34 years groups are the most satisfied with driver interactions at 82.4%.
- There is an 18.9% difference in the satisfaction levels between Carers and Non-carers, with Carers having the lowest level; one in five of this group (22.4%) said they were dissatisfied. There was no difference in the proportion responding they have no strong opinion either way between Carers and Non-carers.
- There were no significant differences in the response levels of responders with a disability or long term illness and those without or between the overall result and those who have used a taxi or hackney carriage in the last month.

Group	% Satisfied & Very Satisfied
Male	70.7%
Female	78.4%
18 to 34 years	82.4%
35 to 44 years	70.6%
45 to 54 years	71.6%
55 to 64 years	74.6%
65 years and over	76.7%
Disability or long term illness	76.1%
No Disability	75.3%
White groups	73.9%
BME groups	94.4%
Carers	59.7%
Non Carers	78.6%
Used taxi in last month	75.6%
Last used taxi over a month ago	71.8%

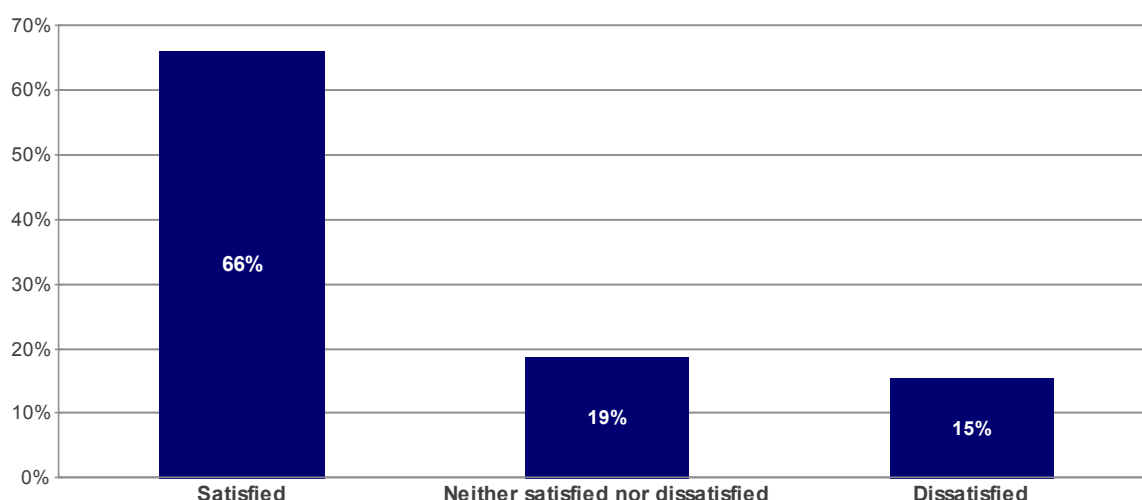
Satisfaction: The waiting time at the taxi ranks



- There is a 14.1% difference in the satisfaction levels between respondents Carers and Non-carers, with Non-carers more likely to be satisfied with the wait time at taxi ranks. One in four non-Carers had no strong opinion either way while one in five were dissatisfied.
- Whilst there is no significant difference in dissatisfaction between respondents with a disability and respondents without a disability, those without a disability are marginally more likely to be satisfied than respondents with a disability. One in four respondents with a disability had no strong opinion either way.
- Just over one in five male responders were dissatisfied with the waiting time at taxi ranks, significantly higher than the level for women (8.3%).
- Across the age groupings the 55 to 64 years group has the greatest proportion that are satisfied with the waiting time at taxi ranks. The 45 to 54 years groups have the lowest level of satisfaction at 53.4% and greatest proportion saying they have no strong opinion either way at 29.3%. The 18 to 34 years group has the greatest proportion responding dissatisfied at 18.8%.
- There is an 11.5% difference in the proportion that responded satisfied between respondents from white groups and those from BME groups; respondents from BME groups are more likely to be satisfied. Overall, 15.7% of white groups said they were dissatisfied compared to 5.9% of respondents from BME groups.
- The response levels for respondents who had used a taxi in the last month are in line with the overall result.

Group	% Satisfied & Very Satisfied
Male	57.9%
Female	74.4%
18 to 34 years	66.7%
35 to 44 years	70.9%
45 to 54 years	53.4%
55 to 64 years	74.4%
65 years and over	65.8%
Disability or long term illness	60.0%
No Disability	66.8%
White groups	65.0%
BME groups	76.5%
Carers	54.7%
Non Carers	68.8%
Used taxi in last month	66.5%
Last used taxi over a month ago	64.8%

Satisfaction: The waiting time for private hire bookings



- There is a difference 16.1% in the satisfaction levels between carers and non-carers, with carers having the lowest satisfaction. . For carers just over one in five respondents were dissatisfied and a quarter of respondents had no strong opinion either way.
- Respondents with a disability have a greater proportion responding dissatisfied than respondents without a disability at 25% compared to 13.6%.
- There is a difference of 17.9% in the satisfaction level between respondents from white groups and those from BME groups, with respondents from BME groups more likely to be satisfied. Almost one in five respondents from white groups responded they have no strong opinion either way with 19.0% selecting this answer compared to 5.6% of respondents from BME groups.
- Men are slightly more likely than women to have no strong opinion either way at 23.10% compared to 15.3%.
- Across the age groupings the 65 years and over group are the most satisfied with the wait time for private hire vehicles at 77.1%, the 35 to 44 years group has the greatest proportion dissatisfied at 21.3% and the 45 to 54 years group has the greatest proportion that had no strong opinion either way with just over a quarter (26.0%) of this groups responding this way.
- The response levels for respondents who had used a taxi in the last month are in line with the overall result.

Group	% Satisfied & Very Satisfied
Male	61.2%
Female	70.1%
18 to 34 years	69.6%
35 to 44 years	59.0%
45 to 54 years	57.1%
55 to 64 years	71.9%
65 years and over	77.1%
Disability or long term illness	60.0%
No Disability	66.7%
White groups	65.4%
BME groups	83.3%
Carers	77.1%
Non Carers	52.7%
Used taxi in last month	64.0%
Last used taxi over a month ago	69.5%

Comments on getting a taxi in Maidstone

A total of 158 people provided comments about getting a taxi or hackney carriage in Maidstone, of which 104 related to the question. These comments have been categorised with some covering more than one category. While positive and negative comments have been identified it was not always clear if the respondent was referring to hackney or private hire services. Some commenters expressed negative opinions about one service and were positive about the other.

There were 22 respondents that commented that the current level of taxis is right or that they have had no problems trying to engage a taxi. Of these 22, six specifically mentioned the good availability of hackney carriages or getting a taxi from a rank. Four of the 22 specifically mentioned good availability around engaging a private hire taxi (with one respondent mentioning good availability of Uber).

"Getting a taxi in Maidstone is very easy. I have never had any problem finding one as always I can see at least 5 taxis waiting for customers."

There were 43 respondents that made comments about there not being enough taxis available. Of these nine mention difficulty engaging taxis about school start and closing times. Thirteen mentioned difficulties at peak times such as evening and Friday and Saturday nights. Eight mentioned issues engaging a taxi service at train stations. Four commenters mentioned issues due to location with Headcorn and Walderslade specifically mentioned. Two person mentioned issues when there have been events in the town and specifically during Ramadan. The remaining commenters expressed general difficulties in engaging taxi services.

"It would be helpful to have more Hackney Carriages; Maidstone is growing in population making it more difficult to get one. I would like it to be easier to hail one."

It is sometimes difficult to get a Taxi off peak and if in busy periods a waiting time of 20mins is not unusual.

There were 14 respondents that made comments about driver related issues such as driving standards and professionalism. Of these, five specifically mentioned poor experiences of using private vehicles and four mentioned poor experience using a hackney carriage. The issues raised in section were driver attitude, taking longer routes, being left stranded after booking and knowing the destination. Two respondents comments about drivers not speaking English two mentioned the cleanliness of vehicles.

"Getting a taxi is easy. Unfortunately the standard of driver i.e. their respect of adhering to the Highway Code is not guaranteed. Too many drivers don't respect simple issues such as speed limits and no entry signs. Some drivers' belief they don't have to adhere to the Highway Code as taxi drivers are exempt from this"

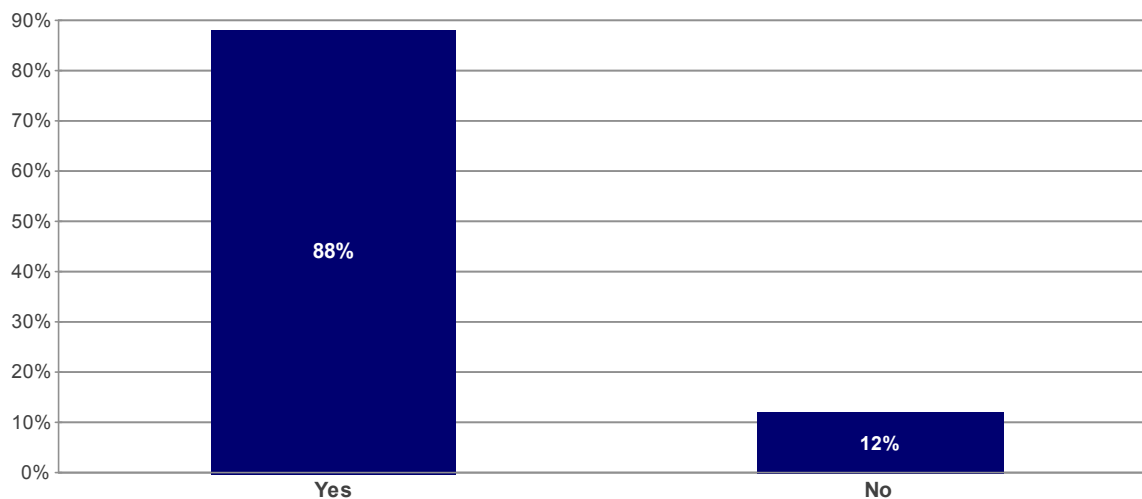
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Sixteen respondents made comments around cost, of which four mentioned hackney carriages are more expensive. A further three people mentioned the impact of congestion on the cost of the journey. One person stated that the costs seem to vary a lot – specifically mentioning charges after midnight and another commented that compared to London prices Maidstone's prices seem high.

There were fourteen 'other' comments about the ease of getting a taxi in Maidstone. Of these three commented on reliability stating they have had to chase booked taxis or had been left stranded. There were three comments in this section from disabled respondents, one stated they can only use taxis with ramps, and commented they rely on taxi services and were positive about hackney services and the final commenter said that service was variable. One person said they do not like being dropped at the end of the high street as private hire vehicle are not allowed to use it, another mentioned the need for card payment facilities and one expressed the need for a rank in Marden. One respondent was pragmatic about the pros and cons of the difference services.

"Private hire arrive generally on time but need booking in advance and you are never quite sure about the driver. Hackney should be available within minutes and are generally accepted as more reputable, Hackney may come at a slightly higher price but this should be for availability and trust."

Do you think these ranks are in the right location?



- The majority of responders across all grouping said that the ranks were in the right place.
- The greatest difference between groups was between respondents with a disability and those without at 11.8%. Respondents with a disability had the greatest proportion responding no, with one in five responding this way compared to just under one in ten for respondents without a disability.
- There was no difference in the proportions agreeing and disagreeing between respondents that are taxi drivers or affiliated with a business of this nature and residents.

Group	% Responding Yes (ex N/A)
Male	87.1%
Female	90.0%
18 to 34 years	86.7%
35 to 44 years	90.5%
45 to 54 years	89.4%
55 to 64 years	84.5%
65 years and over	89.4%
Disability or long term illness	78.3%
No Disability	90.1%
White groups	88.7%
BME groups	88.4%
Carers	82.1%
Non Carers	90.0%
Used taxi in last month	88.4%
Last used taxi over a month ago	85.5%
Resident Only	87.5%
Taxi Affiliated	88.7%
Hackney Drivers	83.9%
Private Hire Drivers & Businesses	95.1%

Comments about Rank Locations

Respondents left a total of 147 comments about the locations of taxi ranks, some of these comments made multiple suggestions or covered several themes (note this does not include respondents who answered N/A and Don't know).

*"There doesn't need to be another one.
Also no obvious place to put one."*

14 people made comments to the effect that the current rank locations are fine or that no further ranks are needed.

44 commenters mentioned the High Street, of these 41 were specific mentioning bottom or lower High Street, or landmarks that are located towards the river end of the High Street. 21

"MBC map only shows 5 ranks on the map, but it would be good if there was a rank on the lower High St"

commenters said there should be a rank on Earl Street with a couple of people mentioning the Hazlitt and restaurant culture on this road.

Seven people said there should be a rank at Lockmeadow or by the cinema complex, 19 people mentioned train stations of which 14 mentioned Maidstone West other stations that were mentioned include Barming, Bearsted, Headcorn and Marden.

*"By the bus station.
There are very few
buses these days"*

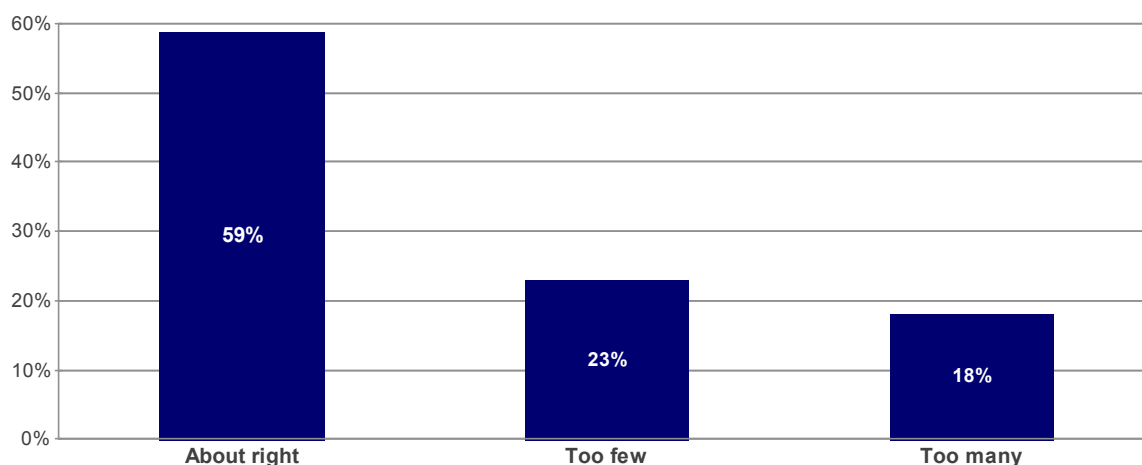
Eight people mentioned King Street or the Bus Station, five said St Faith's Street or by the Museum and a further five said the bottom of Gabriel's Hill or Gala Bingo. Four commenters said there should be a rank at Maidstone Hospital.

There were 11 other suggestion for where a rank should be placed, three people mentioned supermarkets with one specifying Sainsbury in Aylesford and Waitrose in Allington. Two people mentioned St Peter's Street, one mentioned Pudding Lane, one mentioned the football grounds and Library and two mentioned the Union Street area (Mumu's). One person said there should be ranks near park and Ride locations and another said there should be ranks in the outer suburbs (Chatham and Walderslade were also mentioned but fall outside of Maidstone).

There were 17 other comments which did not make location suggestions; a couple of these make suggestions including making the current rank on the High Street larger or utilising the bus stops after midnight at the weekends. Four people said there was no room for additional ranks and one said they should be mobilised rather than ranked, two said the locations for the ranks should be central of which one also said they should be well lit too. One person suggested a larger rank but all stated the narrowness of the High Street was an issue and that taxis are in competition with buses.

*"They need to be mobilised
rather than ranked"*

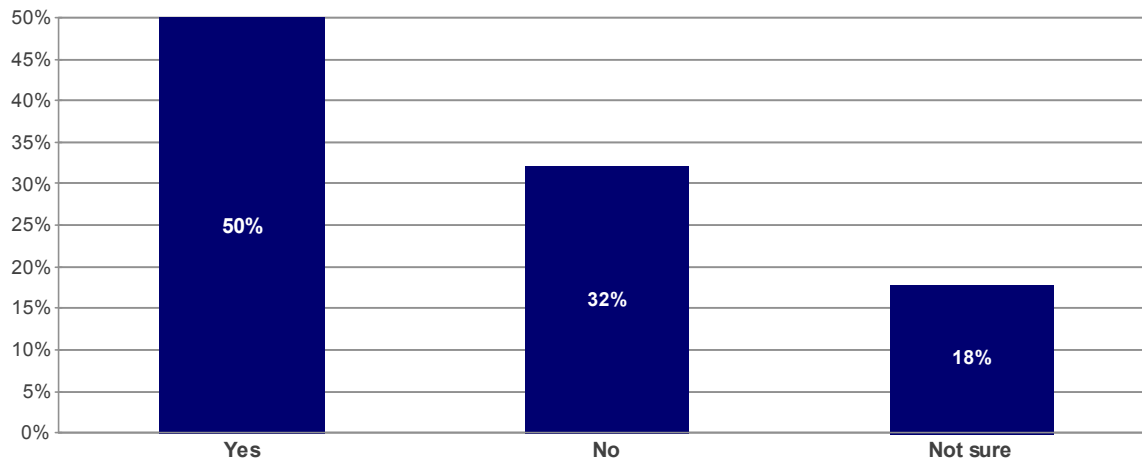
There are currently 48 Hackney Carriage vehicles licensed by Maidstone Borough Council. Is this number...



- Female respondents were more likely than male respondents to say that 48 hackney carriages is enough for the town. There was a 13.9% difference between the response levels for these groups. One in five female respondents said there are too few hackney carriages compared to almost one in four men.
- In terms of the age groups; the proportion of responders answering 'About right' increases with age, however, the 18 to 34 years group have the greatest proportion responding too many at 27.5% while the 35 to 44 years group have the greatest proportion responding too few at 30.5%.
- There is a significant difference in the response levels between carers and non-carers, with carers more likely than non-carers to respond that there are too many hackney carriages at 28.8% compared to 15.5% a difference of 13.3%.
- There are slight differences between the response levels of respondents with a disability and those without a disability, with those with a disability marginally less likely to say the current number of hackney carriage is about right, however these variances are not significant.
- There are significant differences in the response levels between respondents from white groups and respondents from BME groups. The lowest proportion of people responding 'About right' are from BME group with just 40.8% of this groups selecting this answer and a difference of 21% compared to the response from white groups. Respondents from BME groups were more likely to say that there are too many hackney carriages with 32.7% answering this way compared to 16.3% from white groups.
- There is also a significant difference in the response levels between residents and those affiliated with the taxi industry, with those in the industry more likely than residents to say there are too many at 35% compared to 12.2%.

Group	% Responding About Right
Male	54.0%
Female	67.9%
18 to 34 years	47.8%
35 to 44 years	55.3%
45 to 54 years	51.7%
55 to 64 years	68.0%
65 years and over	73.1%
Disability or long term illness	53.4%
No Disability	59.4%
White groups	61.8%
BME groups	40.8%
Carers	52.9%
Non Carers	60.9%
Used taxi in last month	59.9%
Last used taxi over a month ago	72.2%
Resident Only	64.0%
Taxi Affiliated	44.2%
Hackney Drivers	48.2%
Private Hire Drivers & Businesses	40.6%

Do you think the Council should limit the number of Hackney Carriage vehicle licenses it will issue?



- Male respondents were more likely than female respondents to say that the council should have a limit on the number of hackney carriage licenses it will issue with 69.2% answering this way compared to 35.5% of female respondents.
- Across the age groups the 55 to 64 years group have the greatest proportion responding that hackney carriage licenses should be limited at 54.1% and the 18 to 35 years group have the lowest at 44.9%. The 65 years and over group had the greatest proportion responding not sure with one in four responders in this group answering this way.
- Respondents who act as carers and respondents with a disability of long term illness have higher levels of people responding that hackney carriage licenses should be limited that their Non-carer and no disability counterparts.
- Respondents from BME groups are more likely than white groups to say that hackney carriage licences should be limited with 57.1% responding this way compared to 49.5% of respondents from white groups – a difference of 7.6%.
- There is a difference of 32.4% in the proportion of people saying they think the number of hackney carriage licenses should be limited between respondents from the taxi industry and residents, those from the taxi industry were more likely to respond yes.

Group	% Responding yes
Male	29.6%
Female	35.5%
18 to 34 years	39.1%
35 to 44 years	34.0%
45 to 54 years	35.6%
55 to 64 years	27.6%
65 years and over	22.4%
Disability or long term illness	25.0%
No Disability	33.0%
White groups	32.3%
BME groups	30.6%
Carers	28.6%
Non Carers	32.4%
Used taxi in last month	37.0%
Last used taxi over a month ago	33.9%
Resident Only	41.5%
Taxi Affiliated (Combined)	73.9%
Hackney Drivers	91.1%
Private Hire Drivers & Businesses	58.7%

Additional Comments

A total of 156 additional comments (excludes no comment responses and comments which could not be understood) were submitted, these have been assigned to broad categories, some comments related to more than one category.

Seven said there should be no limit or did not see the need for there to be a limit on the number of taxis able to operate in the town and nine people made comments to the effect that the current system is fine as it is.

Twenty people said that the current limit should be increased, some of these suggested new limits these ranged from and additional two plates up to having a total of 75 however none of these commenter said that the limit should be scrapped altogether. Six respondents made negative comments about waiting times.

Twenty one people made comments to the effect that they are against removing the limit or that they do not want/see the need for the current limit on taxis to be increased and five made comments that there are too many taxis in Maidstone

Seventeen responders made comments about driver and vehicle standards and or attitude, these included comments around a dress code, mobile phone usage by drivers, unhelpful drivers and driving standards.

There were ten comments about there being enough work for drivers to make a living.

Seven mention drivers that are not registered in Maidstone (i.e with MBC Licensing team) being able to operate in the Maidstone area.

Five commenters said that both hackney carriage and private hire vehicles should be able to pick people up from anywhere. While four commenters said that hackney carriage were unnecessary or outdated. Nine people specifically mentioned the Uber in their comments, one of these was negative about the company, one suggested having a similar rating style as Uber for drivers and one mentioned a balance of private hire and hackneys or an Uber service.

Eleven people made comments about the cost of taxis with the general view being that hackney carriages are more expensive than private hires.

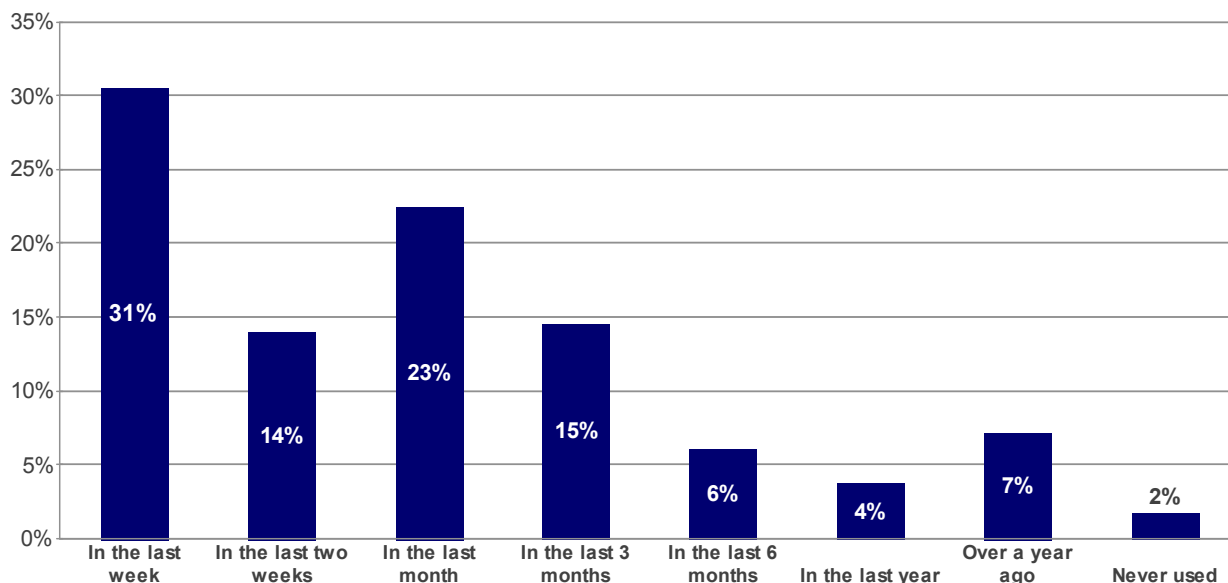
Eleven made suggestions for rank locations. None of these suggestions were new but included, Lockmeadow, bottom of the high Street, train stations and other areas outside of the town centre such as Allington, Barming, Grove Green and Parkwood.

Ten people made safety related comments, with a couple stating they feel safest in a hackney carriage and a couple stating they feel safest in a private hire. Three people mentioned the importance of checks on drivers and regular enforcement. There was a suggestion that license plate cameras could reduce the number of illegal vehicles accessing the High Street.

Eight respondents had comments that related to the environment and pollution. One stated all hackneys should be electric or hybrid and four specifically mention idling vehicles.

Resident Taxi Usage

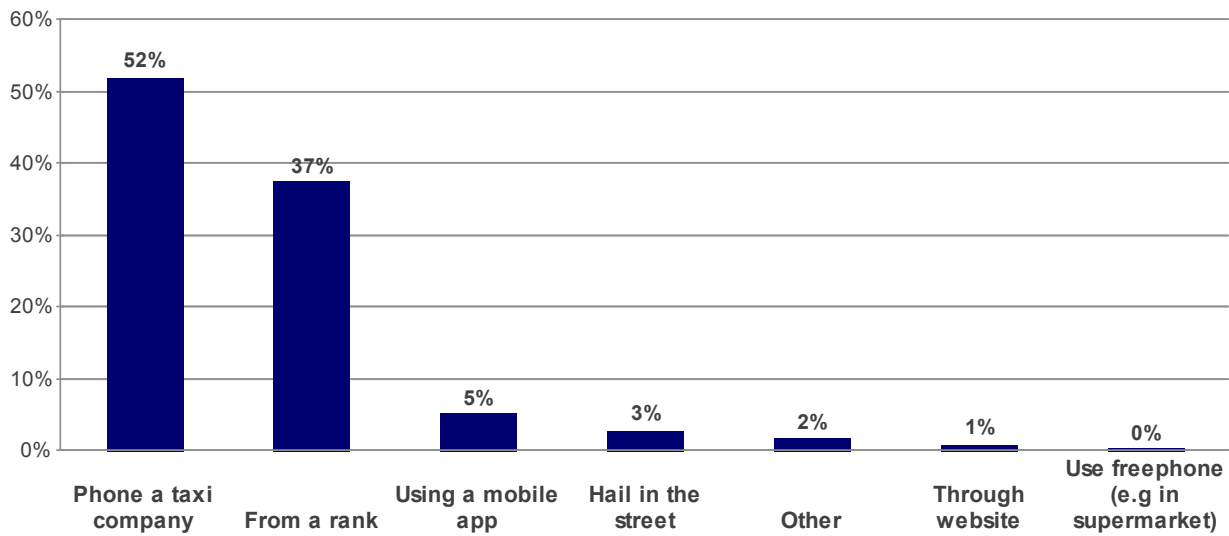
When did you last use a taxi or hackney carriage in Maidstone?



- It seems that women respondents are slightly more likely than men to have used a taxi in the month prior to completing the survey.
- There is a difference of 24.1% between the age groups that has the greatest proportion (18 to 34 years) using a taxi service in the last month and that which the lowest proportion using a service in the last month (65 years and over).
- Respondents with a disability are slightly more likely to have used a taxi service in the last month than respondent without a disability at 72.3% compared to 66.6%.

Group	% Used in last month
Male	65.1%
Female	70.0%
18 to 34 years	78.8%
35 to 44 years	68.5%
45 to 54 years	75.9%
55 to 64 years	58.0%
65 years and over	54.7%
Disability or long term illness	72.3%
No Disability	66.6%
White groups	67.4%
BME groups	63.2%
Carers	70.8%
Non Carers	66.4%

How do you generally get a taxi or hackney carriage?

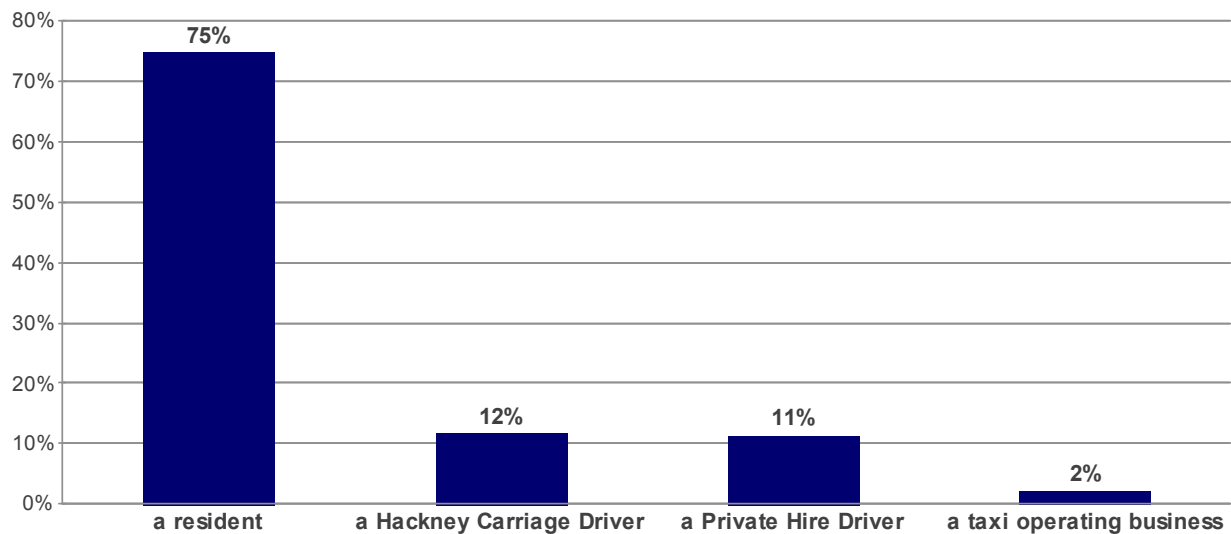


- Just over half of all responders said they generally get a taxi by calling a taxi company directly.
- Respondents aged 55 to 64 years were most likely to phone a taxi company at 62.3%, and least likely to get a taxi from the rank at 30.1%
- The 18 to 34 years group was the least likely to phone with 30.2% responding this way and the most likely to use a rank at 57.4%.
- Respondents who said they last used a taxi service over a month ago had slightly higher rates of people phoning for a taxi than those who have engaged a taxi in the last month at 57.4% compared to 49.1%.
- There are no other significant differences between groups.

Group	Rank	Phone
Male	36.4%	54.3%
Female	38.8%	48.2%
18 to 34 years	54.7%	30.2%
35 to 44 years	42.5%	39.7%
45 to 54 years	30.1%	57.8%
55 to 64 years	33.3%	62.3%
65 years and over	31.7%	61.9%
Disability or long term illness	43.8%	47.9%
No Disability	36.6%	51.9%
White groups	37.2%	51.6%
BME groups	42.1%	47.4%
Carers	45.8%	44.4%
Non Carers	35.5%	53.2%
Used taxi in last month	39.7%	49.1%
Last used taxi over a month ago	33.0%	57.4%

Demographics

Respondant



Respondents		
	Base	474
		100.0%
a resident	354	74.7%
a Hackney Carriage Driver	56	11.8%
a Private Hire Driver	54	11.4%
a taxi operating business	10	2.1%

Gender			
	Total	Resident	Taxi Affiliated
Total	461	345	116
Male	287	173	114
	62.3%	50.1%	98.3%
Female	173	171	2
	37.5%	49.6%	1.7%
Other	1	1	-
	0.2%	0.3%	-

Health problem or Disability			
	Total	Resident	Taxi Affiliated
Total	448	336	112
Yes	58	48	10
	12.9%	14.3%	8.9%
No	390	288	102
	87.1%	85.7%	91.1%

Age			
	Total	Resident	Taxi Affiliated
Total	459	342	117
18 to 34 years	69	53	16
	15.0%	15.5%	13.7%
Carers			
	Total	Resident	Taxi Affiliated
45 to 54 years	26.1%	24.3%	31.6%
Yes, 1 to 19 hours a week	68	45	23
	15.0%	13.2%	19.6%
Yes, 20 to 49 hours a week	23	14	9
	5.1%	4.1%	7.6%
Yes, 50 hours or more a week	14	13	1
	3.1%	3.8%	0.9%

Ethnicity			
	Total	Resident	Taxi Affiliated
Total	454	340	114
White	405	321	84
Groups	89.2%	94.4%	73.7%
BME	49	19	30
Groups	10.8%	5.6%	26.3%

	3.1%	3.8%	0.9%
No	347	266	81
	76.8%	78.7%	71.1%

Are you affiliated with a taxi or other vehicle hire company?	
Total	111
	75
Yes	67.6%
	36
No	32.4%

Agenda Item 12

Licensing Committee

19 July 2018

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

No

Statement of Principles for Gambling Act 2005 Policy

Final Decision-Maker	Full Council
Head of Service	John Littlemore
Lead Officer/Report Author	Lorraine Neale
Classification	Non-exempt
Wards affected	All

This report makes the following recommendations to the final decision-maker:

1. That the draft Gambling Act 2005 Statement of Principles 2019-2022 for is approved for public consultation.
2. That Officers are instructed to carry out the consultation over a 12 week period.

This report relates to the following Five Year Plan Key Objectives:

- Keeping Maidstone Borough an attractive place for all

Timetable (* please delete those not applicable)

Meeting	Date
Licensing Committee	22 November 2018
Full Council	12 December 2018

Statement of Licensing Principles for Gambling Act 2005

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Section 349 of the Gambling Act 2005 requires all Licensing Authorities to prepare and publish a statement of licensing principles that they propose to apply in exercising their functions under the Act during the three year period to which the policy applies. Section 155 states that this function may not be delegated from Council and so this Committee is recommending a proposed document to Council following consultation.
 - 1.2 The Authority's current Statement of Licensing Policy was approved by Council on 1st March 2017 to come into force 2nd March 2017.
 - 1.3 A revised Statement of Principles has been prepared and is included in Appendix A.
 - 1.4 The Council has a duty to consult on the proposed policy and officers are seeking approval to conduct the consultation.
 - 1.5 Following consultation, a further report will be presented to the Licensing Committee on 22 November 2018 with the results of the consultation and seeking approval to the draft Statement of Principles for adoption at Council on 12 December 2018.
-

2. INTRODUCTION AND BACKGROUND

- 2.1 Maidstone Borough Council is the Licensing Authority under the provisions of the Gambling Act 2005 (the Act).
- 2.2 In accordance with the above Act, the Licensing Authority has a duty to publish a Policy which sets out the principles that it will apply when dealing with gambling premises, gaming permits, lottery registrations, and other gambling notices associated with gaming.
- 2.3 The Act was designed to be a light touch piece of legislation covering a wide range of licensable activities such as adult gaming centres and betting premises.
- 2.4 The Act specifies that Local Authorities should "aim to permit" gambling, provided it is in accordance with the Code of Practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with the Statement of Principles. The effect of this duty is that Licensing Authorities must approach their functions in a way that seeks to regulate gambling by using their powers to promote the licensing objectives rather than by starting out to prevent it altogether.

2.5 The gambling objectives are:

- i) preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime
- ii) ensuring that gambling is conducted in a fair and open way and
- iii) protecting children and other vulnerable persons from being harmed or exploited by gambling.

2.6 This revised Policy (Appendix A) provides additional clarity in some areas of the Policy taken from the Guidance published by the Gambling Commission (5th Edition, September 2015). The amendments to the previous statement are highlighted using track changes in Appendix A. There are no changes to the intent or direction of the Policy, which sets out how the Council seeks to regulate gambling activities under its control and provide a framework for consistent decision making

2.7 From April 2016, all industry operators have had to undertake local area risk assessments to explore what risks gambling venues pose to the licensing objectives, including the protection of young and vulnerable people. The Local Area Profile, acts as a guide which gambling operators can use when undertaking and preparing their local premises risk assessments.

2.8 The Statement has amended the section on the Council's expectations around operators local risk assessments. This will enable the Council to regulate local gambling more effectively by being able to hold operators to account if their assessments fall short of the Council's expectations.

2.9 It is therefore proposed that the 12 week consultation will commence on 23 July 2018 and will incorporate all the consultees named in the current policy and be made generally available on the Council's consultation portal.

3 AVAILABLE OPTIONS

3.1 The Act requires the Council to review its Statement of Gambling Principles every 3 years and requires that we consult on the proposed statement of principles. A review of the Statement has been completed.

3.2 Following consultation, a further report will be presented to the Licensing Committee requesting a recommendation to adopt the Statement of Principles at Full Council.

4 PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 A comprehensive updated policy will improve the consistency in delivering the service and will better inform applicants of the licensing process in an open and transparent way, enabling the Authority to continue to have a 'fit for purpose' policy in place.

5 CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 N/A

6 NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 12 week consultation

7 CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	No issues identified	[Head of Service or Manager]
Risk Management	No issues identified	[Head of Service or Manager]
Financial	No issues identified	[Section 151 Officer & Finance Team]
Staffing	No issues identified	[Head of Service]
Legal	The Licensing Authority must formally review its adopted Statement of Principles for the Gambling Act 2005 Policy. Section 349 of the Act requires the authority to review this every three years and keep it under review from time to time. Without an up-to-date Policy in place, this could leave the authority open to legal challenge over the legitimacy of any decisions made.	[Legal Team]
Equality Impact Needs Assessment	None identified at this stage.	[Policy & Information Manager]
Environmental/Sustainable Development	The Licensing Authority must formally review its adopted Statement of Principles for the Gambling Act 2005 Policy. Section 349 of the Act requires the authority to review this every three years and keep it under review from time to time. Without an up-to-date Policy in place, this could leave the authority open to legal challenge over the	[Head of Service or Manager]

	legitimacy of any decisions made.	
Community Safety	No issues identified	[Head of Service or Manager]
Human Rights Act	No issues identified	[Head of Service or Manager]
Procurement	No issues identified	[Head of Service & Section 151 Officer]
Asset Management	No issues identified	[Head of Service & Manager]

8 REPORT APPENDICES –

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

- Appendix A: Revised Draft Policy with track changes

9 BACKGROUND PAPERS

- Gambling Commission Guidance to licensing authorities 5th edition, September 2015
<http://www.gamblingcommission.gov.uk/PDF/GLA5-updated-September-2016.pdf>
- Existing Statement of Principles
http://www.maidstone.gov.uk/_data/assets/pdf_file/0004/164686/Gambling-Licensing-Policy-April-2017.pdf
- Licence Conditions and Codes of Practice for Operators
<http://www.gamblingcommission.gov.uk/PDF/LCCP/Licence-conditions-and-codes-of-practice-April-2018.pdf>

Maidstone Borough Council

'Gambling Act 2005 Statement of Licensing Principles' ~~2016~~ 2019 - ~~2019~~ 2022

~~September 2016~~ July 2018

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1. The Licensing Objectives

The Gambling Act 2005 ('The Act') requires that in exercising most of its functions under the Act, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Gambling Act 2005. The licensing objectives are:

- **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;**
- **Ensuring that gambling is conducted in a fair and open way;**
- **Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

It should be noted that the Gambling Commission (the Commission) has stated "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

Maidstone Borough Council as "The Licensing Authority" for the Maidstone Borough will aim to permit the use of premises for gambling as set out in section 153 of the Gambling Act 2005.

Principles to be applied - Section 153

In exercising its functions under this part, the Licensing Authority shall aim to permit the use of premises for gambling in so far as the authority think it meets one or all of the following: –

- a) the Gambling Commission's code of practice;
- b) the Guidance to local authorities;
- c) the Licensing Authority's own statement of principles;
- d) the three licensing objectives.

In determining whether to grant a Premises Licence a Licensing Authority must not have regard to the expected demand for gambling premises that are the subject of the application.

Any objection to an application for a Premises Licence or request for a review of an existing licence should be based on the Licensing Objectives of the Gambling Act 2005. It should be noted that, unlike the Licensing Act 2003, the Gambling Act 2005 does not include as a specific Licensing Objective for the prevention of public nuisance. The licensing authority take the view that certain issues, incidents or events that might typically be classed as nuisance, public nuisance or antisocial behaviour might also be considered to be issues, incidents or events of disorder. The licensing authority will apply the ordinary meaning of disorder and consider each case on its own merits. The licensing authority will in all cases consider whether other relevant legislation would be more appropriate in the circumstances of any given application.

2. Introduction

The Maidstone Borough Council Area

MAIDSTONE BOROUGH COUNCIL – PARISHES



Maidstone Borough Council is a member of the Licensing Partnership, which includes Tunbridge Wells Borough Council ~~and~~, Sevenoaks District Council and the London Borough of Bexley. However this policy relates to Maidstone.

Field

Licensing authorities are required by the Gambling Act 2005 to publish a Gambling Policy Statement, setting out the principles that they propose to apply when exercising these functions. This Statement may be reviewed from time to time but must be republished at least every three years. This policy was approved by Full Council on ~~1st March 2017~~xx to come into force ~~2nd March 2017~~xx.

In determining its policy the Licensing Authority shall have regard to Commission's Guidance and give appropriate weight to the views of those who respond to its consultation.

This draft policy has been prepared in accordance with the Gambling Commission's 5th Edition Guidance to Licensing Authorities (September, 2015). and contains the minimum of amendments and no changes to the intent or direction of the previous policy, which is that the Council seeks to ensure that premises for Gambling uphold the licensing objectives.

The Commission has introduced the following amendments to the Guidance which:

- reflect regulatory and legislative changes since the 2012 version;
- reflect recent changes to the social responsibility provisions within the Commission's Licence Conditions and Codes of Practice;
- promote local partnership working between licensing authorities, the Commission and the industry to work in partnership to address local issues and concerns; and
- provide greater clarity about the wide range of powers afforded to licensing authorities to manage local gambling regulation through measures such as their statement of licensing policy.

The Licensing Authority will consult widely on the Gambling Policy statement before it is finalised and published.

The Act requires that the following parties be consulted by Licensing Authorities:

- the Chief Officer of Police for the Authority's area;
- one or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area;
- one or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.

A list of those persons consulted is attached at appendix 5.

The consultation for the policy will take place between ~~6 October 2016??~~ and ~~23 December 2016,??~~ a period of ~~12-6~~ weeks. The Licensing Authority has followed, as far is reasonably practicable given the time constraints, the Revised Code of Practice (April 2004) and the Cabinet Office Guidance on consultations by the public sector__.

The full list of comments made and the consideration by the Licensing Authority of those will be available upon request to: The Licensing Administration Team via email licensing@sevenoaks.gov.uk or by telephoning 01732 227 004.

The draft policy is published on Maidstone Borough Council's website <http://www.maidstone.gov.uk/>. ~~Copies will be placed in the public libraries within the area and is available in the Council's principal offices.~~

This policy statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Act.

3. Declaration

In producing the final licensing policy statement, this Licensing Authority declares that it will have had regard to the licensing objectives of the Gambling Act 2005, the Guidance issued by the Gambling Commission, as amended, and any responses from those consulted on the policy statement.

Appendices have been attached to this statement providing further information and guidance that is intended only to assist readers, and should not be interpreted as legal advice or as part of the Council's policy. Readers are strongly advised to seek their own legal advice if they are unsure of the requirements of the Gambling Act 2005, the Guidance, or regulations issued under the Act.

4. Licensing Authority Functions

Function	Who deals with it
Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences	Licensing Authority
Issue Provisional Statements	Licensing Authority
Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits	Licensing Authority
Issue Club Machine Permits to Commercial Clubs	Licensing Authority
Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres	Licensing Authority
Receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines	Licensing Authority
Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines	Licensing Authority
Register small society lotteries below prescribed thresholds	Licensing Authority
Issue Prize Gaming Permits	Licensing Authority
Receive and endorse Temporary Use Notices	Licensing Authority
Receive Occasional Use Notices	Licensing Authority
Provide information to the Gambling Commission regarding details of licences issued (see section 8 on 'information exchange')	Licensing Authority
Maintain registers of the permits and licences that are issued under these functions	Licensing Authority

Gambling Commission Functions

Function	Who deals with it
Issue and renewal of Operating Licences	Gambling Commission
Review Operating Licences	Gambling Commission
Issue Personal Licences	Gambling Commission
Issue Codes of Practice	Gambling Commission

Issue Guidance to Licensing Authorities	Gambling Commission
Licence remote gambling through Operating Licences	Gambling Commission
Issue licences in relation to the manufacture, supply, installation, adaptation, maintenance or repair of gaming machines	Gambling Commission
Deal with appeals against Commission decisions	Gambling Appeals Tribunal

The Licensing Authority is not involved in licensing remote gambling. This will fall to the Gambling Commission via operating licences.

Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.

5. Operators

Gambling businesses are required to have an operator licence issued by the Gambling Commission before they can operate in Great Britain. Operator licences can be issued for up to ten different types of gambling activity and a separate licence is needed for both remote and non-remote gambling of the same types.

An operator licence gives a general authorisation for a business to provide gambling facilities, but a business wishing to provide non-remote gambling facilities in a Licensing Authority area is required to apply for a premises licence that is specific to the particular premises.

Operators are required to comply with conditions attached to both their operator and individual premises licences. They are also required to adhere to the mandatory provisions in the Gambling Commission's Social Responsibility Code of Practice and take account of the provisions in the Ordinary Code of Practice (although these are not mandatory).

The Licence Conditions and Codes of Practice (LCCP) were updated in April 2015, and have introduced significant new responsibilities for operators in relation to their local premises. With effect from April 2016, all non-remote licensees that run gambling premises will be required to assess the local risks to the licensing objectives arising from each of their premises and have policies, procedures and control measures to mitigate them.

Licensees are required to take into account the Licensing Authority's statement of principles in developing their risk assessments.

6. Risk Assessments

Gambling operators are required to undertake a risk assessment for all their existing premises as from 6th April 2016. In undertaking their risk assessments, they must take into account relevant matters identified in the Licensing Authority's Statement of Policy.

~~Following that date, operators must also undertake a review of these assessments when certain triggers are met. These 'triggers', along with the Council's views on what would~~

instigate either a new assessment or the review of an existing one are detailed at appendix B attached to this document.

Operators are advised to share their risk assessments when submitting such applications, or otherwise at the request of the Licensing Authority, such as when they are inspecting a premises.

Such risk assessments can make reference to the Licensing Authority's Local Area Profile, which may be compiled with respect to reported gambling-related problems in an area.

The Licensing Authority expects applicants to have a good understanding of the area in which they either operate, or intend to operate. The applicant will have to provide evidence that they meet the criteria set out in this Statement of Principles and demonstrate that in operating the premises they will promote the licensing objectives.

The Gambling Commission introduced a Social Responsibility Code of Practice requiring operators of premises used for gambling to conduct local area risk assessments and an Ordinary Code stating this should be shared with the Licensing Authority in certain circumstances in May 2016.

The Licensing Authority expects applicants for Premises Licences in its area to submit a risk assessment with their application when applying for a new premises licence, when applying for a variation to a premises licence or when changes in the local environment or the premises warrant a risk assessment to be conducted again.

The risk assessment should demonstrate the applicant has considered, as a minimum:

- local crime statistics;
- any problems in the area relating to gambling establishments such as anti-social behaviour or criminal damage;
- the location of any nearby sensitive premises, such as hostels and other facilities used by vulnerable persons e.g. drug and alcohol addictions;
- whether there is a prevalence of street drinking in the area, which may increase the risk of vulnerable persons using the premises;
- the type of gambling product or facility offered;
- the layout of the premises;
- the external presentation of the premises;
- the location of nearby transport links and whether these are likely to be used by children or vulnerable persons;
- the customer profile of the premises;
- staffing levels;
- staff training, knowledge and experience;
- whether there is any indication of problems with young persons attempting to access adult gambling facilities in that type of gambling premises in the area.

It is recommended that operators liaise with other gambling operators in the area to identify risks and consult with any relevant responsible authorities as necessary.

This Statement of Principles does not preclude any application being made and every application will be decided on its individual merits, with the opportunity given for the applicant to show how potential concerns can be overcome.

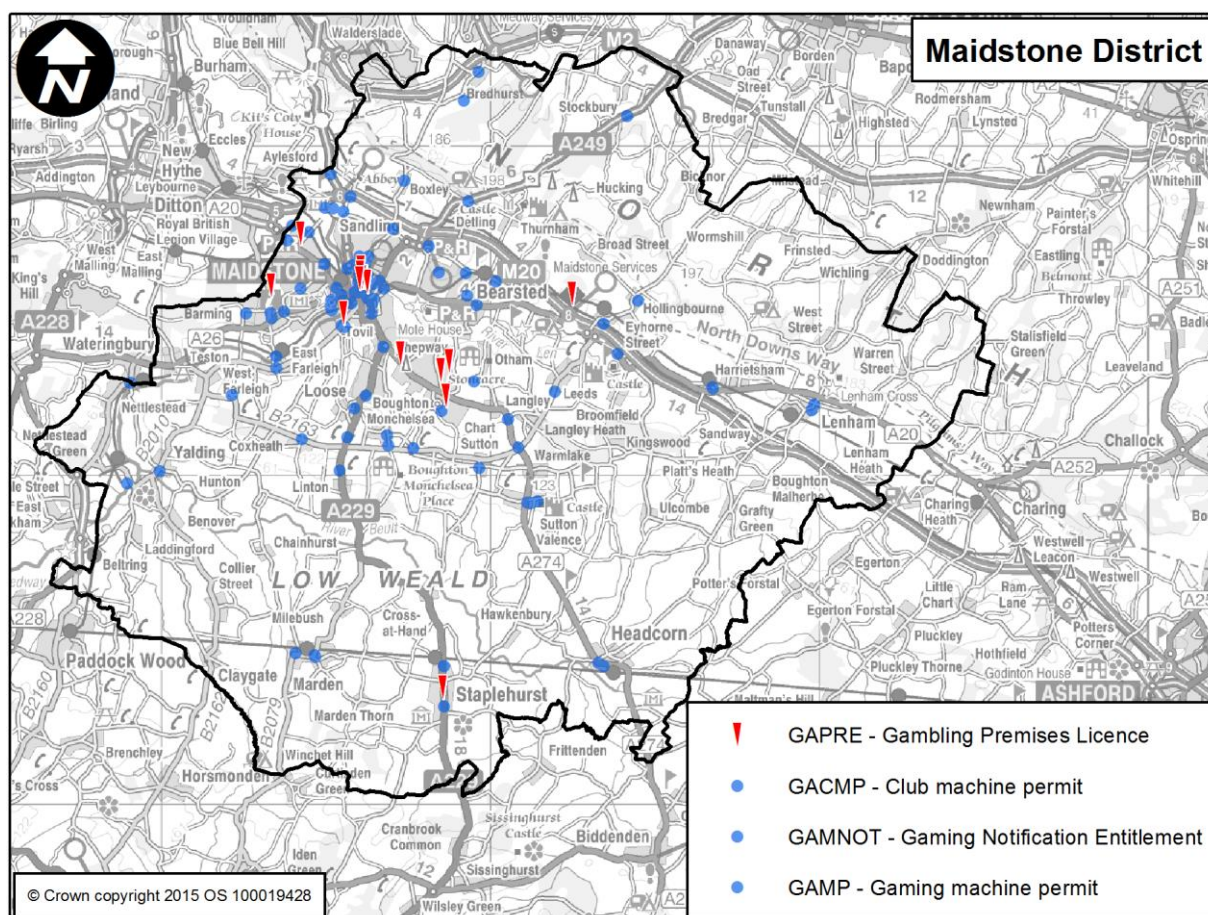
The Licensing Authority expects applicants to keep a copy of the local area risk assessment on the licensed premises and to ensure that all staff have seen the risk

assessment, have received training in respect of its content, and are able to produce the risk assessment on request by an authorised officer of the Council, the Police or the Gambling Commission.

7. Local Area Profile (LAP)

The Guidance indicates licensing authorities complete and map their own assessment of local risks and concerns by developing Local Area Profiles to help shape their statements (although there is no requirement to do this). In simple terms, the objective of the profile is to set out what the area is like, what risks this might pose to the licensing objectives, and what the implications of this are for the Licensing Authority and operators. Importantly, risk in this context includes potential and actual risks, thereby taking into account possible future emerging risks, rather than reflecting current risks only.

Gambling Premises are mapped out within the Borough (red markers) and those premises that have gaming machine permits (Licensed Premises and Club) and gaming permits (Clubs) to indicate the location of the premises. There are 17 betting gambling premises across the Borough and there are no areas of high density of gambling premises. Gambling premises and gambling activities are concentrated in and around Maidstone, which the map demonstrates.



In assessing local area profiles, Licensing Authorities can also take into account the location of

- schools, sixth form colleges, youth centres etc., with reference to the potential risk of under-age gambling
- hostels or support services for vulnerable people, such as those with addiction issues or who are homeless, given the greater risk of problem gambling among these groups
- religious buildings
- any known information about issues with problem gambling
- the surrounding night time economy, and possible interaction with gambling premises
- patterns of crime or anti-social behaviour in the area, and specifically linked to gambling premises
- the socio-economic makeup of the area
- the density of different types of gambling premises in certain locations
- specific types of gambling premises in the local area (E.g., seaside resorts may typically have more arcades or FECs).

In drafting this document relevant bodies and organisations were contacted for evidence of existing problems. However, information at the time of drafting this Statement of Principles was unavailable. This Licensing Authority does not have evidence that there are specific issues at the moment to support the assertion that any part of the Borough had or is experiencing problems from gambling activities.

Complaints are only one means to consider addressing risk as they are related to an event that has happened, rather than the probability of an event happening and the likely impact of that. This position will be kept under review, and in the event that it changes, further research will be carried out to discover the extent of the problems and to prepare a Local Area Profile (LAP). If there is a need or evidence to develop the LAP further this will be done outside the scope of this document and updated as information changes.

8. Responsible Authorities

In exercising the Licensing Authority's powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm, the following principles have been applied:

- the need for the body to be responsible for an area covering the whole of the Licensing Authority's area and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the Commission's Guidance for Local Authorities the Licensing Authority designates the following for this purpose:

Children's and Families - KCC Social Service

The contact details of all the Responsible Bodies under the Gambling Act 2005 are listed at Appendix 3 of the policy.

9. Interested parties

The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Act to determine whether a person is an interested party.

Section 158 of the Gambling Act 2005 defines interested parties as persons who, in the opinion of the Licensing Authority;

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) has business interests that might be affected by the authorised activities;
- c) represents persons who satisfy paragraph (a) or (b).

An interested party can make representations about licence applications or apply for a review of an existing licence.

Each application will be decided upon its merits. This Authority will not apply rigid rules to its decision-making. However, it will consider the Commission's Guidance issued to local authorities.

The Gambling Commission has emphasised that 'demand' cannot be a factor in determining applications.

The Guidance states that moral objections to gambling are not a valid reason to reject applications for premises licences, as such objections do not relate to the licensing objectives. All objections must be based on the licensing objectives.

The Commission has recommended that the Licensing Authority state within its Gambling Policy Statement that interested parties may include trade associations, trade unions, and residents and tenants' associations. However, this Authority will not generally view these bodies as interested parties unless they have a person who in the opinion of the Licensing Authority:-

- a) live sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) have business interests that might be affected by the authorised activities; or
- c) represents persons who satisfy paragraph a) or b).

Interested parties can be persons who are democratically elected, such as Councillors and MP's. No evidence of being asked to represent an interested person will be required provided the Councillor/MP represents the relevant ward. Likewise, parish councils may be considered to be interested parties.

Apart from these exceptions this Authority will require written confirmation that a person/body/advocate/relative is authorised to represent an interested party. Where they can demonstrate that they represent person in (a) or (b) above, a letter of authorisation from one of these persons, requesting the representative to speak on their behalf will be sufficient.

Councillors who are not within the definition of an "interested party" may attend meetings of the Licensing Committee's Sub-Committees, but have no right to address the hearing unless appointed by an 'interested party' to assist or represent that party.

In determining whether a person lives or has business interests sufficiently close to the premises, that they are likely to be affected by the authorised activities, the Licensing Authority will consider the following factors:-

- the size of the premises;
- the nature of the premises;
- the distance of the premises from the location of the person making the representation;
- the potential impact of the premises (e.g. number of customers, routes likely to be taken by those visiting the establishment);
- the circumstances of the complaint. This does not mean the personal characteristics of the complainant but the interest of the complainant, which may be relevant to the distance from the premises;
- the catchment area of the premises (i.e. how far people travel to visit); and
- whether the person making the representation has business interests in that catchment area that might be affected.

If there are any doubts then please contact the Licensing Team via email at licensing@maidstone.gov.uk or by telephone 01622 ~~602028~~602528.

Field

10. Exchange of Information

Licensing Authorities are required to include in their Gambling Policy Statement the principles to be applied by the Authority, in exercising the functions, under sections 29 and 30 of the Act, with respect to the exchange of information between it and the Gambling Commission, the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that this Licensing Authority will apply is that it will have regard to the provisions of the Gambling Act 2005 in its exchange of information, and the provision that the Data Protection Act 1998 will not be contravened. The Licensing Authority will have regard to any revised Guidance issued by the Gambling Commission on this matter as well as any regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Any protocols established as regards information exchange with other bodies will be made available.

11. Public Register

The Licensing Authority is required to keep a public register and share information contained in it with the Gambling Commission and others. Regulations will prescribe what information should be kept in the register. Copies of the register may be obtained on payment of a fee.

12. Compliance and Enforcement

The Licensing Authority will act in accordance with the relevant legislation and Guidance as amended from the Gambling Commission and adopt the principles of better regulation set out in the Regulators Compliance Code.

The purpose of the Licensing Authority's enforcement protocol is to facilitate co-operation and co-ordination between enforcement agencies in pursuance of both the Gambling Act 2005 and the Licensing Act 2003.

A copy can be requested via email at licensing@sevenoaks.gov.uk or by telephoning the Licensing Administration Team 01732 227004.

In accordance with the Gambling Commission's Guidance for local authorities this Licensing Authority will endeavour to avoid duplication with other regulatory regimes.

The Licensing Authority, as recommended by the Gambling Commission's Guidance, has adopted a risk-based inspection programme.

Licensing authorities are required by regulation under the Gambling Act 2005, to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

The Licensing Authority's principles are that:

It will adopt the Guidance for local authorities and it will endeavour to be:

- Proportionate
Intervention will only be when necessary. Remedies should be appropriate to the risk posed and costs identified and minimised.
- Accountable
Authorities must be able to justify decisions and be subject to public scrutiny.
- Consistent
Rules and standards must be joined up and implemented fairly.
- Transparent
Enforcement should be open and regulations kept simple and user friendly.
- Targeted
Enforcement should be focused on the problems and minimise side effects.

The Licensing Authority will adopt a risk based inspection programme.

New premises, premises under new management, premises where complaints have been received or intelligence received relevant to the licensing objectives and premises or operators where compliance failings have been identified previously will attract a higher risk rating. Premises located in areas where there have been incidents of crime affecting or relating to gambling premises, or where the premises themselves have been the victims or involved in such crime, shall also attract a higher risk rating. The Council will conduct baselining assessments to assess initial risk ratings for gambling premises in its district. The Licensing Authority operates a partnership approach to dealing with enforcement matters concerning licensed premises. This may include working with the Police or any of the other responsible authorities under the Act, or working with colleagues from other Council departments or outside agencies.

The Licensing Authority needs to be satisfied premises are being run in accordance with the provisions of the Act, the licensing objectives, the Licence Conditions and Codes of Practice issued by the Gambling Commission and any conditions attached to the Premises Licence. To achieve this, the Licensing Authority will inspect premises, look at gambling facilities, gaming machines and policies and procedures, meet with licence holders and carry out general monitoring of areas as necessary.

Inspection and enforcement under the Act will be based on the principles of risk assessment, a graduated response and the targeting of problem premises. The frequency of inspections will be determined on risk-based criteria with high risk operations receiving more attention than premises carrying lower risk.

Premises found to be fully compliant will attract a lower risk rating. Those where breaches are detected will attract a higher risk rating.

The Licensing Authority will take appropriate enforcement action against those responsible for unlicensed premises/activity. Action will be carried out in accordance with the Enforcement Policy.

The main enforcement and compliance role for the Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for Operating and Personal Licences.

13. Gambling Prevalence and Problem Gambling

Statistics from the findings from the Health survey England 2016 and published on the Gambling Commission website show that:-

56% of people in England gambled in 2016

42% of people in England (excluding those who had only played National Lottery draws) gambled in 2016

0.7% of people in England identified as problem gamblers

1.2% of gamblers in England identified as problem gamblers

3.6% of people in England were at low or moderate risk of developing problems with their gambling

6.6% of gamblers in England are at low or moderate risk of developing problems with their gambling

Problem gambling can have a detrimental effect on personal finances as the attempt to chase losses becomes unmanageable. As well as spending wages, savings and spare cash, debts can also be a feature of problem gambling as a result of borrowings and loans to cover gambling losses. However, the effects of problem gambling can cost more than money.

Problem gamblers often say they feel isolated as a result of their solitary pursuits of chasing loses. There is a tendency to stay away from school, college or work in order to gamble. In addition, there is often a preoccupation with gambling, a lack of interest in maintaining relationships and a lack of motivation to engage in social activities.

There is often reluctance amongst gamblers to spend money on items of clothing or household goods as this expenditure is often seen as funds for gambling. There can also be an unwillingness to pay utility bills as money would rather be used for gambling purposes.

Problem gambling can be progressive in nature and problem gamblers can end up engaging in criminal activity to fund their gambling. This can lead to lifelong consequences with criminal convictions.

Appendix 1

Factors to be taken into account when considering applications for premises licences, permits and other permissions including matters that will be considered when determining whether to review a licence.

1. Permits

- i. **Unlicensed Family Entertainment Centre (FEC) gaming machine permits**
(Statement of Principles on Permits - Schedule 10 para7)

Where a premises does not hold a Premises Licence but wishes to provide gaming machines it may apply to the Licensing Authority for this permit. The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

As unlicensed family entertainment centres will particularly appeal to children and young persons, weight shall be given to child protection issues. The Licensing Authority has considered and will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling, but includes wider child protection considerations. The policies and procedures are expected to include:

- What staff should do if they suspect that truant children are on the premises;
- How staff should deal with unsupervised young children on the premises;
- How staff should deal with children causing perceived problems on or around the premises;
- Safeguarding awareness training
- A basic criminal record check for staff or equivalent criminal records check for the applicant and also the person who has the day to day control of the premises;

The Licensing Authority will also expect applicants to demonstrate

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed family entertainment centres;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have full understanding of the maximum stakes and prizes.

It should be noted that a Licensing Authority cannot attach conditions to this type of permit and that the “statement of principles” only applies to initial applications and not to renewals (paragraph 8(2)). For initial applications, the Licensing Authority need not (but may) have regard to the licensing objectives and shall have regard to any Gambling Commission Guidance.

The Gambling Commission's Guidance for local authorities states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits....., licensing authorities may want to give weight to child protection issues."

The Gambling Commission's Guidance also states: "An application for a permit may be granted only if the Licensing Authority is satisfied that the premises will be used as an unlicensed FEC, and if the Chief Officer of Police has been consulted on the application."

Statement of Principles: This Licensing Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

The efficiency of such policies and procedures will each be considered on their merits. However, they may include:-

- appropriate measures/training for staff as regards suspected truant school children on the premises;
- measures/training covering how staff would deal with unsupervised very young children being on the premises;
- children causing perceived problems on/around the premises; and
- Safeguarding awareness training

With regard to renewals of these permits, the Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

(ii) (Alcohol) Licensed Premises (Licensing Act 2003) Gaming Machine Permits – (Schedule 13 Para 4(1))

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have two gaming machines of categories C and/or D. The premises licence holders merely need to notify the Licensing Authority. The Licensing Authority may make an order disapplying the automatic entitlement in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act 2005;
- the premises are mainly used for gaming; or
- an offence under the Gambling Act 2005 has been committed on the premises.

If a premises wishes to have more than two machines, then it needs to apply for a permit and the Licensing Authority will consider that application based upon the licensing objectives, any Guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*”

This Licensing Authority considers that “such matters” will be decided on a case by case basis, but generally there will be regard to the need to protect children and vulnerable persons from being harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating.

Measures which will satisfy the Licensing Authority that there will be no access may include the adult machines being in sight of the bar or in the sight of staff that will monitor that the machines are not being used by those under 18 years old. Notices and signage may also help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice, as amended, issued by the Gambling Commission about the location and operation of the machine.

(iii) Prize Gaming Permits – (Statement of Principles on Permits - Schedule 14 Para 8 (3))

Given that the premises will particularly appeal to children and young persons, in considering what to take into account in the application process and what information to request from the applicant, the Licensing Authority will want to give weight to child protection issues and will ask the applicant to set out the types of gaming that he or she is intending to offer. The applicant will be expected to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

- What staff should do if they suspect that truant children are on the premises;
- How staff should deal with unsupervised young children on the premises;
- How staff should deal with children causing perceived problems on or around the premises;
- Safeguarding awareness training; and
- A basic criminal record check for staff or equivalent criminal records check for the applicant and also the person who has the day to day control of the premises;

The Licensing Authority will also expect applicants to demonstrate

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed family entertainment centres;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act);
- that staff are trained to have full understanding of the maximum stakes and prizes; and
- that the gaming offered is within the law

In making its decision on an application for this permit the Licensing Authority need not (but may) have regard to the licensing objectives and shall have regard to any Gambling Commission Guidance.

The Gambling Act 2005, attaches mandatory conditions to all prize gaming permits. The Licensing Authority cannot attach conditions. The mandatory conditions are as follows:

The limits on participation fees, as set out in regulations, must be complied with;

- the all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize) or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.
- Prize gaming permits are issued for 10 years and there is no annual fee.

(iv) Club Gaming and Club Machines Permits (Schedule 12 Para 1) insert page 44 - 45, need more club info.

Members' Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machine Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D), equal chance gaming and games of chance as set out in regulations. A Club Machine Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D). A

If a club does not wish to have the full range of facilities permitted by a club gaming permit or if they are a commercial club not permitted to provide non-machine gaming (other than exempt gaming under section 269 of the Act), they may apply for a club machine permit which will enable the premises to provide gaming machines (three machines of categories B4, C or D).

The Guidance for local authorities states: "Members' Clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, it must be permanent in nature, not established to make a commercial profit and must be controlled by its members equally. unless the gaming is restricted to bridge and whist but there is no need for a club to have an alcohol licence.

The Licensing Authority is aware that it may refuse an application on one or more of the following grounds:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons, or by both;
- (c) an offence under the Act or a breach of a condition of a permit has been committed by the applicant while providing gaming activities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Gambling Commission or the police.

Fast Track Procedure (Schedule 12(10))

There is also a procedure available under the Act for premises that hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12, para 10). As the Gambling Commission's Guidance for local authorities' states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced" and "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

There are statutory conditions on club gaming permits that no child uses a category B3A, B4 or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

The Licensing Authority will need to satisfy itself that the club meets the requirements of the Gambling Act 2005 to hold a club gaming permit. In order to do this, it may require proof of additional information from the operator such as:

- is the primary activity of the club something other than gaming?
- are the club's profits retained solely for the benefit of the club's members?
- are there 25 or more members?
- are the addresses of members of the club genuine domestic addresses and do most members live reasonably locally to the club?
- do members participate in the activities of the club via the internet?
- do guest arrangements link each guest to a member?
- is the 48 hour rule being applying for membership and being granted admission being adhered to?
- are there annual club accounts available for more than one year?
- how is the club advertised and listed in directories and on the internet?
- are children permitted in the club?
- does the club have a constitution and can it provide evidence that the constitution was approved by members of the club?
- is there a list of Committee members and evidence of their election by the club members?

When examining the club's constitution, the Licensing Authority would expect to see evidence of the following:

- Who makes commercial decisions on behalf of the club?
- Are the aims of the club set out in the constitution?
- Are there shareholders or members? Shareholders indicate a business venture rather than a non-profit making club.
- Is the club permanently established? (Clubs cannot be temporary).

- Can people join with a temporary membership? What is the usual duration of membership?
- Are there long term club membership benefits?

Aside from bridge and whist clubs, clubs may not be established wholly or mainly for the purposes of gaming. The Licensing Authority may consider such factors as:

- How many nights a week gaming is provided;
- How much revenue is derived from gambling activity versus other activity;
- How the gaming is advertised;
- What stakes and prizes are offered;
- Whether there is evidence of leagues with weekly, monthly or annual winners;
- Whether there is evidence of members who do not participate in gaming;
- Whether there are teaching sessions to promote gaming such as poker;
- Where there is a tie-in with other clubs offering gaming through tournaments and leagues;
- Whether there is sponsorship by gaming organisations;
- Whether participation fees are within limits

Appendix 2

2. Gambling Premises Licences

(i) Decision making - general:

Premises Licences will be subject to the requirements set-out in the Gambling Act 2005 and Regulations, as well as specific mandatory and default conditions detailed in regulations issued by the Secretary of State. The Licensing Authority is able to exclude default conditions and also attach others, where it is believed to be appropriate.

The Licensing Authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant Guidance issued by the Gambling Commission;
- reasonably consistent with the Licensing Objectives; and
- in accordance with the Authority's Statement of Licensing Policy.

Any conditions attached to licences by the Licensing Authority will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- are reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. The Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

An applicant for a licence will need to specify what supervision is proposed for the area where machines are sited and to clarify how supervisors will be trained to recognise vulnerable adults.

The Licensing Authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in a non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance [and licence conditions and codes of practice.](#)

The Licensing Authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons less than 18 years of age.

These conditions will apply to premises including buildings where multiple premises licences are applicable.

The Licensing Authority is aware that tracks may be subject to one or more than one premises licence provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, the Licensing Authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

There are also conditions which the Licensing Authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated) and
- conditions in relation to stakes, fees, winning or prizes.

(ii) "Premises":

Premises are defined in the Act as "any place". It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises and as the Guidance for local authorities' states, it "will always be a question of fact in the circumstances". The Gambling Commission does not however consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

The Licensing Authority will have regard to the Commission's Guidance on the division of premises and access between premises.

The Licensing Authority takes particular note of the Guidance for Local Authorities which states that in considering applications for multiple licences for a building (split premises) or those for a specific part of the building to be licensed, licensing authorities should be aware that:

(iii) Split Premises

- The Gambling Commission's Guidance states that a building can, in principle, be divided into more than one premises and be subject to more than one Premises Licence provided they are for different parts of the building, and the different parts of the building can reasonably be regarded as being different premises. An example is given of units within a shopping mall, where each unit is separate self-contained premises contained within one building. It is also possible for licensed premises to be located next to each other.
- The Gambling Commission state they do 'not consider that areas of a building that are artificially separated, for example by ropes or moveable partitions, can properly be regarded as separate premises'.
- Whether different parts of a building can be reasonably regarded as different premises will depend on the circumstances of the individual building and how any division is proposed. To agree to accept applications to grant or vary a licence for a building which has been divided, the Licensing Authority will need to be satisfied the premises are genuinely separate premises, and not an artificially created additional part of single premises.
- In considering whether different areas of a building are genuinely separate premises the Licensing Authority will take into account factors which will include:
 - whether there are separate registrations for business rates in place for each premises;
 - whether separate sets of staff work in the individual premises;
 - whether there is a separate cash desk/reception for each of the premises;
 - whether each premises has its own postal address;
 - whether the premises are owned or operated by the same person;
 - whether each of the premises can be accessed from a street or public passageway;
 - whether the premises can only be accessed from any other gambling premises.
 - _____
- When considering proposals to divide a building into separate premises, the Licensing Authority will also need to be satisfied that the form of separation between the premises is appropriate.
- The separation between one premises and another must be clearly defined. Any barrier used to separate one premises from another must be permanent and constructed so the public cannot go from one premises to another.

- It may be acceptable for staff working in adjacent premises to have access through barriers between premises. The applicant must demonstrate that in providing staff access there are suitable control measures in place that will ensure the safety and security of staff and will prevent the public from using the same access point to enter the other premises.
- The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 restrict access to different types of licensed gambling premises. In considering proposals to divide a building into different premises, the Licensing Authority will have to be satisfied that proposals to divide buildings are compatible with the mandatory conditions relating to access between premises.
- The Guidance at paragraph 7.22 states “There is no definition of ‘direct access’ in the Act or Regulations, but Licensing Authorities may consider that there should be an area separating the premises concerned (for example a street or café), which the public go to for purposes other than gambling, for there to be shown to be no direct access.”
- It is the Licensing Authority’s opinion that any area which separates licensed premises, and from which those premises can be accessed, must be genuinely separate premises which are habitually and actually used by members of the public other than those using the licensed premises.
- The Licensing Authority does not consider that provisions which prohibit direct access between licensed premises are satisfied where licensed premises are separated by an area created artificially within a building principally for members of the public attending the licensed premises, irrespective of whether this area is unlicensed or provides non-gambling facilities, for example refreshments or cashpoint machines.
- Where the Licensing Authority is satisfied that a building can be divided into separate premises it will expect applicants to ensure that:
 - the premises are configured so that children are not invited to participate in, have accidental access to, or closely observe gambling to which they are prohibited from taking part;
 - the premises are not configured so children are likely to enter an adult only area to join a parent gambling in that adult only area,
 - entrances and exits from parts of a building covered by one or more Premises Licences are separate and identifiable so the separation of different premises is not compromised and people do not ‘drift’ into a gambling area. In this context it should be possible to access the premises without going through another licensed premises or premises with a permit;
 - customers should be able to participate in the activity named on the Premises Licence.~~the third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling but also that they are not permitted to be in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating; and~~

~~• entrances and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.~~

The Licensing Authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly, there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

It should also be noted that an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that references to “the premises” are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. The Licensing Authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensures that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

(iv) Location:

The Licensing Authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission’s Guidance for local authorities, the Licensing Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

(v) Planning:

Planning and licensing are different regulatory systems and will be dealt with separately. The Gambling Commission’s Guidance states: “When dealing with a premises licence application for finished buildings, the Licensing Authority should not take into account whether those buildings have or comply with the necessary planning or building consents.

Those matters should be dealt with under relevant planning control, building and other regulations and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.”

(vi) Duplication:

As stated above in section 12 on Compliance and Enforcement, as per the Gambling Commission's Guidance for local authorities the Licensing Authority will seek to avoid duplication with other regulatory regimes so far as possible.

(vii) Door Supervisors:

The Gambling Commission's Guidance advises local authorities that licensing authorities may require persons operating premises in which gambling takes place to take measures such as the supervision of entrances; segregation of gambling from non-gambling areas frequented by children (assuming such non-gambling areas are compatible with requirements of the Act); and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.

Any person employed to fulfil a condition on a premises licence that requires door supervision should hold a relevant licence issued by the Security Industry Authority (SIA).

It is to be noted that door supervisors at licensed casino or bingo premises are exempt from the requirements of the Private Security Industry Act 2001. Where an authority imposes door supervision requirements on such licences, the personnel will not need licensing under the 2001 Act.

The Licensing Authority therefore has specific requirements for door supervisors working at casinos or bingo premises, where there are multiple licensable activities and/or the Police Licensing Officer has concerns about the licensing objectives being undermined.

Where the premises are licensed under the Licensing Act 2003 door supervisors will be required to hold a relevant licence issued by the Security Industry Authority (SIA).

(viii) Licensing objectives:

The Licensing Authority has considered the Commission's Guidance to local authorities in respect of the licensing objectives.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;

Ensuring that gambling is conducted in a fair and open way;

Protecting children and other vulnerable persons from being harmed or exploited by gambling.

(ix) Reviews:

Interested parties or responsible authorities can make requests for a review of a premises licence; however, it is for the Licensing Authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the following matters:

- it is in accordance with any relevant code of practice issued by the Gambling Commission;
- it is in accordance with any relevant Guidance issued by the Gambling Commission;
- it is reasonably consistent with the licensing objectives; and

- it is in accordance with the authority's statement of licensing policy.

Consideration will be given as to whether the request is frivolous, vexatious, or will certainly not cause the Licensing Authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The Licensing Authority can also initiate a review of a licence on the basis of any reason that it thinks is appropriate.

(x) Provisional Statements:

The Licensing Authority notes the Guidance from the Gambling Commission which states:

S.204 of the Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that he or she:

- expects to be constructed
- expects to be altered
- expects to acquire a right to occupy.

In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances.

In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional licence stage; or
- which in the authority's opinion reflect a change in the operator's circumstances.
- Where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. This must be a substantial change to the plan and licensing authorities should discuss any concerns they have with the applicant before making a decision.

(xi) Adult Gaming Centres (AGC):

The Licensing Authority particularly notes the Commission's Guidance which states: "No-one under the age of 18 years of age is permitted to enter an AGC. Licensing authorities will wish to have particular regard to the location of an entry to AGCs to minimise the opportunities for children to gain access. This may be of particular importance in areas where young people may be unsupervised and an AGC is in a complex, such as a shopping centre or airport."

Because gaming machines provides opportunities for solitary play and immediate payouts, they are more likely to engender repetitive and excessive play. The Licensing Authority in considering Premises Licences for AGC's will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds are not attracted to, or gain access to, the premises.

The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives although appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

(xii) (Licensed) Family Entertainment Centres (FECs):

Family Entertainment Centres are wholly or mainly used for having gaming machines available for use.

The Licensing Authority will, as per the Gambling Commission's Guidance refer to the Commission's website to see any conditions that apply to operator licences covering the way in which the area containing the category C machines should be delineated. This Licensing Authority will also make itself aware of any mandatory or default conditions on these premises licences.

As gaming machines are a form of gambling which is attractive to children and licensed FEC's will contain both Category D machines on which they are allowed to play, and Category C machines on which they are not. Because gaming machines provide opportunities for solitary play and for immediate payouts, they are more likely to engender repetitive and excessive play. The Licensing Authority, in considering applications for FEC Premises Licences, will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives although appropriate measures/licence conditions may cover issues such as:

- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas

- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare
- Measures/training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

(xiii) Tracks:

The Licensing Authority is aware that the Gambling Commission may provide specific Guidance as regards tracks. The Licensing Authority shall have regard to this Guidance in the discharge of its functions.

(xiv) Casinos:

The Licensing Authority has not passed a 'no Casino' resolution under Section 166(1) of the Gambling Act 2005; therefore this would allow the authority to grant a Casino licence.

Any future decision to pass or not pass such a resolution will be made by the Council's Licensing Committee and will need to be endorsed by the Full Council, but will only be taken after a full consultation process has been undertaken within its area.

(xv) Bingo:

The Licensing Authority will have regard to the Gambling Commission's Guidance.

The Licensing Authority expects that where children are permitted in bingo premises, any Category B or C machines are located in an area which is separated from the rest of the premises by barriers or in a separate room, where it is made clear that entry is permitted only for those aged 18 or over. Appropriate signage should be provided to this effect and the area should be monitored by staff, either through direct supervision or by monitored CCTV.

To avoid a situation where a premises holds a bingo Premises Licence primarily to benefit from the gaming machine allowance, the Licensing Authority will need to be satisfied that bingo is regularly played in any premises for which a Premises Licence is issued and that the premises presentation is clearly that of a bingo premises and readily identifiable as such to any customer using the premises.

(xvi) Temporary Use Notice (TUN):

There are a number of statutory limits as regards Temporary Use Notices. It is noted that it falls to the Licensing Authority to decide what constitutes a 'set of premises' where Temporary Use Notices are received relating to the same building/site (see Gambling Commission's Guidance for Local Authorities).

(xvii) Occasional Use Notice (OUN):

The Licensing Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Licensing Authority will need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

(xviii) Small Society Lotteries

The Council will adopt a risk-based approach towards our compliance responsibilities for small society lotteries. We consider the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries

Non-commercial gaming is permitted if it takes place at a non-commercial event as either an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- By, or on behalf of, a charity or for charitable purposes
- To enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact us on 01622 602028 or email licensing@maidstone.gov.uk to seek further advice

(xviii) Travelling Fairs:

It will fall to the Licensing Authority to decide whether, where category D machines and/or equal chance prize gaming without a permit are to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This Licensing Authority will work with its neighbouring authorities to ensure that land which crosses its boundaries is monitored so that the statutory limits are not exceeded.

Help with gambling related problems:

A list of organisations where people may seek help will be available on the Licensing Authority's website.

Appendix 3

Responsible Authorities:

Further information about the Gambling Act 2005 and the Council's licensing policy can be obtained from:

Licensing Team

Maidstone Borough Council
Maidstone House
King Street
Maidstone
Kent
ME15 6JQ

Tel: 01622 602028

e-mail: licensing@maidstone.gov.uk

Website: www.maidstone.gov.uk

Information can also be obtained from:

Gambling Commission

Victoria Square House
Victoria Square
Birmingham. B2 4BP

Tel: 0121 230 6666

Fax 0121 230 6720

e-mail: info@gamblingcommission.gov.uk

Website: www.gamblingcommission.gov.uk

Local Planning Authority

Maidstone Borough Council
Maidstone House
King Street
Maidstone
Kent
ME15 6JQ

Tel: 01622 602736

e-mail:

planningsupport@midkent.gov.uk

Environmental Protection/ Health and Safety

Maidstone Borough Council
Maidstone House
King Street
Maidstone
Kent
ME15 6JQ

Tel: 01622 602202

e-mail:

enforcementoperations@maidstone.gov.uk

Chief Police Officer – (West Division)

Maidstone Police Station
Palace Avenue
Maidstone
Kent
ME15 6NF

Tel: 01622 690690

e-mail:

west.division.licensing@kent.pnn.police.uk

Kent Safeguarding Children's Board

KCC Social Services
Sessions House
County Road
Maidstone
Kent ME14 1XQ

e-mail: kscb@kent.gov.uk

social.services@kent.gov.uk

Appendix 4

TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

Gambling Act 2005	Functions	Delegation
	Final approval of three year licensing policy	Full Council
	Policy not to permit casinos	Full Council
	Fee Setting (when appropriate)	Full Council
Section 29	Duty to comply with requirement to provide information to Gambling Commission	Officers
Section 30	Functions relating to the exchange of information	Officers
Section 163	Determination of application for Premises Licence in respect of which representations have been made (and not withdrawn) Determination of application for Premises Licence where no relevant representations received	Licensing Sub-Committee Officers
Section 162	Attachment of condition to Premises Licence or exclusion of default condition	Licensing Sub-Committee
Section 162	Decision as to whether representation is vexatious, frivolous, or would certainly not influence the authority's determination of application	Officers in consultation with the Head of Service
Section 187	Determination of application to vary Premises Licence in respect of which representations have been made (and not withdrawn) Determination of application to vary Premises Licence in respect of which no representation received	Licensing Sub-Committee Officers
Section 188	Determination of application for transfer of Premises Licence in respect of which representations have been made (not withdrawn) Determination of application for transfer of Premises Licence where no representations received	Licensing Sub-Committee Officers
Section 193	Revocation of Premises Licence for failure to pay annual fee	Officers
Section 194	Determination that a Premises Licence has lapsed	Officers
Section 195	Reinstatement of lapsed Premises Licence in respect of which representations have been made (and not withdrawn) Reinstatement of lapsed Premises Licence where no representation is received	Licensing Sub-Committee Officers
Section 198	Rejection of application for review of Premises Licence on various grounds	Officers in consultation with Head of Service
Section 200	Initiation of review of Premises Licence	Officers
Section 201	Determination that representation about review of Premises Licence is frivolous, vexatious or will certainly not influence a review of a Premises Licence	Officers in consultation with Head of Service

Section 202	Determination of action following review of Premises Licence	Licensing Sub-Committee
Section 204	Determination of application for provisional statement in respect of Premises Licence where representations have been made (and not withdrawn) Determination of application for provisional statement in respect of which no representations received	Licensing Sub-Committee Officers
Section 205	Decision to disregard representations made in respect of application for a Premises Licence after issue of provisional statement	Officers in consultation with Head of Service
Section 218	Issue of counter notice to Temporary Use Notice where number of permitted days are exceeded	Officers
Section 221	Objection to Temporary Use Notice	Officers
Section 222	Issue of counter notice in response to Temporary Use Notice	Licensing Sub-Committee
Section 284	Making of Order to remove exemptions from specified premises	Licensing Sub-Committee
Section 304	Power to designate officer of a Licensing Authority as an authorised person for a purpose relating to premises	Officers
Section 346	Institution of criminal proceedings in respect of an offence under the provisions of the Act	Officers in consultation with Head of Service
Schedule 10		
Paragraph 8	Determination of application for Family Entertainment Centre Gaming Machine Permit	Director of Regeneration and Communities (or in his absence the Head of Housing & Community Services) (Refusal to be exercised only in consultation with Head of Service)
Paragraphs 14 and 15	Notification of lapse of Family Entertainment Centre Gaming Permit	Officers in consultation with Head of Service
Schedule 11		
Paragraph 44	Registration of society for small society lottery	Officers
Paragraph 48	Refusal of application for registration of society for small society lottery	Officers in consultation with Head of Service
Paragraph 50	Revocation of registration of society for small society lottery	Officers in consultation with Head of Service
Paragraph 54	Cancellation of registration of society for small society lottery for non-payment of annual fee	Officers
Schedule 12		
Paragraphs 5 and 10 and 24	Determination of application for Club Gaming Permit and Club Registration Permit and for renewal of permit in respect of which representations have been made (and not withdrawn) Determination of application for Club	Licensing Sub-Committee Officers

	Gaming Permit and Club Registration Permit and for renewal of permit where no representations received	
Paragraph 15	Determination of application for variation of Club Gaming Permit and in respect of which Club Registration Permit and cancellation of permit representations have been made (and not withdrawn) Determination of application for variation of Club Gaming Permit and Club Registration Permit and cancellation of permit where no representations	Licensing Sub-Committee Officers
Paragraph 21	Cancellation of Club Gaming Permit and Club Registration Permit	Licensing Sub-Committee
Paragraph 22	Cancellation of Club Gaming Permit and Club Registration Permit for failure to pay annual fee	Officers
Schedule 13		
Paragraphs 4, 15 and 19	Determination of application for grant, variation or transfer of Licensed Premises Gaming Machine Permit	Officers (Refusal and limitation on number of machines only in consultation with Head of Service
Paragraph 16	Cancellation of Licensed Premises Gaming Machine Permit or variation of number or category of machines in respect of which representations received (and not withdrawn)	Sub-Committee
Paragraph 17	Cancellation of Licensing Premises Gaming Machine Permit and variation of number or category of machine where no representations received Cancellation of Licensed Premises Gaming Machine Permit for failure to pay annual fee	Officers Officers
Schedule 14		
Paragraphs 9 and 18	Determination of application for Prize Gaming Permit and application for renewal of Permit	Officers (Refusal only in consultation with Head of Service
Paragraph 15	Determination that Prize Gaming Permit has lapsed	Officers

Appendix 5
LIST OF CONSULTEES

All Maidstone Borough Councillors

All Parish Councillors

All premises currently licensed to sell or supply alcohol

All premises currently licensed for regulated entertainment

All premises currently licensed for late night refreshments

Any other prescribed in regulations by Secretary of State

Town Centre Management

Environment Agency

British Waterways Board

GamCare

2 & 3 Baden Place

Crosby Row

London SE1 1YW

Tel: 020 7378 5200

Website: www.gamcare.org.uk

The Bingo Association

Lexham House

75 High Street (North)

Dunstable

Bedfordshire LU6 1JF

Tel: 01582 860921

Website: www.bingo_association.co.uk

British Casino Association

38 Grosvenor Gardens

London SW1W 0EB

Tel: 020 7730 1055

Website: www.britishcasinoassociation.org.uk

This list is not finite and other persons or organisations may be added.

SUMMARY OF GAMING MACHINES BY PREMISES

Appendix 6

	Machine category									
Premises type	A	B1	B2	B3	B3A	B4	C	D		
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)								
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)								
Pre-2005 Act casino (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead								
Betting premises and tracks occupied by pool betting			Maximum of 4 machines categories B2 to D							
Bingo premises				Maximum of 20% of total number of gaming machines which are available for use on the premises categories B3 or B4				No limit on category C or D machines		
Adult gaming centre				Maximum of 20% of total number of gaming machines which are available for use on the premises categories B3 or B4				No limit on category C or D machines		
Family entertainment centre (with premises licence)							No limit on category C or D machines			
Family entertainment centre (with permit)										No limit on category D machines
Clubs or miners' welfare institute (with permits)							Maximum of 3 machines in categories B3A or B4 to D*			
Qualifying alcohol-licensed premises								1 or 2 machines of category C or D automatic upon notification		
Qualifying alcohol-licensed premises (with gaming machine permit)			Number of category C D machines as specified on permit							
Travelling fair			No limit on category D machines							
	A	B1	B2	B3	B3A	B4	C	D		

1 Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight¹⁰⁷ category B gaming machines, or 20% of the total number of gaming machines, whichever

is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.

2. Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.
3. Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FEC's and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the FEC permit.
4. Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.
5. Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

Appendix 7

SUMMARY OF MAXIMUM STAKE AND MAXIMUM PRIZE BY CATEGORY OF GAMING MACHINE.

Machine category	Maximum stake (from January 2014)	Maximum prize (from January 2014)	Allowed premises
A	Unlimited	Unlimited	Regional Casino
B1	£5	£10,000 (with the option of a maximum £20,000 linked progressive jackpot on a premises basis only)	Large Casino, Small Casino, Pre-2005 Act casino and Regional Casinos
B2	£100	£500	Betting premises and tracks occupied by pool betting and all of the above
B3	£2	£500	Bingo premises, Adult gaming centre and all of the above
B3A	£2	£500	Members' club or Miners' welfare institute only
B4	£2	£400	Members' club or Miners' welfare club, commercial club and all of the above.
C	£1	£100	Family entertainment centre (with Commission operating licence), Qualifying alcohol licensed premises (without additional gaming machine permit), Qualifying alcohol licensed premises (with additional LA gaming machine permit) and all of the above.
D money prize	10p	£5	Travelling fairs, unlicensed (permit) Family entertainment centre and all of the above

Field

Field

Field

Field

Field

Field

D non-money prize (other than crane grab machine)	30p	£8	All of the above.	Field
D non-money prize (crane grab machine)	£1	£50	All of the above.	Field
D combined money and non-money prize (other than coin pusher or penny falls machines)	10p	£8 (of which no more than £5 may be a money prize)	All of the above.	Field
D combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)	All of the above.	Field

Appendix 8

STATEMENT OF PRINCIPLES FOR UNLICENSED FAMILY ENTERTAINMENT CENTRES, GAMING MACHINE PERMITS & PRIZE GAMING PERMITS GAMBLING ACT 2005

Contents

1. The Gambling Act 2005
2. Purpose of this document
3. Unlicensed Family Entertainment Centres (UFECs)
4. Prize Gaming Permits
5. Statement of Principles for UFEC gaming machine permits and prize gaming permits
6. Supporting documents
7. Child Protection Issues
8. Protection of Vulnerable Persons
9. Miscellaneous Matters

1. The Gambling Act 2005

Unless otherwise stated any references in this document to the Council is to Maidstone Borough Council as the Licensing Authority.

The Act requires the Council, as the Licensing Authority, to aim to permit the use of premises for gambling in so far as the authority thinks it:

- In accordance with a relevant code of practice,
- In accordance with any relevant Guidance issued by the Gambling Commission,
- Reasonably consistent with the licensing objectives, and
- In accordance with the Licensing Authority policy issued under the Act.

The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

2. Purpose of this document

This document has been prepared to assist persons considering making an application for either an unlicensed family entertainment centre (UFEC) gaming machine permit or a prize gaming under the Gambling Act 2005.

Maidstone Borough Council fully endorses the licensing objectives detailed above and expects all applicants to work in partnership to promote these objectives through clear and effective management of each gambling operation whether in respect of a permit or premises licence.

In respect of UFEC gaming machine permits it has been prepared in accordance with Paragraph 7 of Schedule 10 of the Act and in respect of prize gaming permits it has been prepared in accordance with paragraph 8 of Schedule 14 of the Act. The document should be read in conjunction with Maidstone Council Statement of Licensing Policy and Principles. – Gambling Act 2005.

The purpose of the document is to clarify measures that the Council will expect applicants to demonstrate when applying for either of these permits so the Council can determine the suitability of the applicant and the premises for a permit.

Within this process the Council will aim to grant the permit where the applicant is able to demonstrate that:

- They are a fit and proper person to hold the permit, and
- They have considered and are proposing suitable measures to promote the licensing objectives and they have a legal right to occupy the premises to which the permit is sought.

The measures suggested in this document should be read as guidance only and the Council will be happy for applicants to suggest measures above and beyond those listed in the document and or to substitute measures as appropriate.

3. Unlicensed Family Entertainment Centres

The term 'unlicensed family entertainment centre' is one defined in the Act and refers to a premises which provides category D gaming machines together with various other amusements such as computer games and "penny-pushers".

The premises is 'unlicensed' in that it does not require a premises licence but does require a permit to be able to provide its category D gaming machines. It should not be confused with a 'licensed family entertainment centre' that does require a premises licence because it contains both category C and D gaming machines.

Unlicensed family entertainment centres (UFECs) will be most commonly located at seaside resorts, in airports and at motorway service centres, and will cater for families, including unaccompanied children and young persons. The Council will only grant a UFEC gaming machine permit where it is satisfied that the premises will be operated as a bona fide unlicensed family entertainment centre.

In line with the Act, while the Council cannot attach conditions to this type of permit, the Council can refuse applications if they are not satisfied that the issues raised in this “Statement of Principles” have been addressed through the application.

Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time. (Permits are granted for a period of ten years.)

4. Prize Gaming Permits

Section 288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences. Prize gaming can often be seen at seaside resorts in amusement arcades where bingo is offered and the prizes are displayed.

A prize gaming permit is a permit issued by the Council to authorise the provision of facilities for gaming with prizes on specified premises.

Applicants should be aware of the conditions in the Gambling Act 2005 by which prize gaming permits holders must comply. The conditions in the Act are:

- The limits on participation fees, as set out in regulations, must be complied with
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played
- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize) and participation in the gaming must not entitle the player to take part in any other gambling

In line with the Act, while the Council cannot attach conditions to this type of permit, the Council can refuse applications if they are not satisfied that the issues raised in this “Statement of Principles” have been addressed through the application.

Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time. Permits are granted for a period of ten years.

5. Statement of Principles for UFEC gaming machine permits and prize gaming permits

Supporting documents

The Council will require the following supporting documents to be served with all UFEC gaming machine permit and prize gaming permit applications:

- Proof of age (a certified copy or sight of an original birth certificate, driving licence, or passport – all applicants for these permits must be aged 18 or over);
- Proof that the applicant has the right to occupy the premises. Acceptable evidence would be a copy of any lease, a copy of the property's deeds or a similar document;
- An enhanced criminal record certificate. (This should be no greater than one month old.) This will be used to check that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act.)

In the case of applications for a UFEC gaming machine permit evidence that the machines to be provided are or were supplied by a legitimate gambling operator who holds a valid gaming machine technical operating licence issued by the Gambling Commission together with a plan of the premises to which the permit is sought showing the following items:

- The boundary of the building with any external or internal walls, entrances and exits to the building and any internal doorways where any category D gaming machines are positioned and the particular type of machines to be provided (e.g. Slot machines, penny falls, cranes)
- The location where any prize gaming will take place (including any seating and tables) and the area where any prizes will be displayed
- The positioning and types of any other amusement machines on the premises
- The location of any fixed or semi-fixed counters, booths or offices on the premises whereby staff monitor the customer floor area the location of any ATM/cash machines or change machines the location of any fixed or temporary structures such as columns or pillars
- The location and height of any stages in the premises; any steps, stairs, elevators, balconies or lifts in the premises
- The location of any public toilets in the building.

(Unless agreed with the Council, the plan should be drawn to a standard scale with a key showing the items mentioned above. The standard scale is 1:100)

6. Child Protection Issues

The Council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

The Council will assess these policies and procedures on their merits, and they should (depending on the particular permit being applied for) include appropriate measures / training for staff as regards the following:

- Maintain contact details for any local schools and or the education authority so that any truant children can be reported
- Employ policies to address the problems associated with truant children who may attempt to gain access to the premises and gamble when they should be at school
- Employ policies to address any problems that may arise during seasonal periods where children may frequent the premises in greater numbers, such as half terms and summer holidays
- Maintain information at the premises of the term times of any local schools in the vicinity of the premises and also consider policies to ensure sufficient staffing levels during these times
- Display posters displaying the 'Child Line' phone number in discreet locations on the premises e.g. toilets
- Maintain an incident register of any problems that arise on the premises related to children such as children gambling excessively, truant children, children being unruly or young unaccompanied children entering the premises (The register should be used to detect any trends which require attention by the management of the premises.)
- Ensure all young children are accompanied by a responsible adult
- Maintain policies to deal with any young children who enter the premises unaccompanied
- Enhanced criminal records checks for all staff who will be working closely with children

NB: Any supporting evidence of the above measures e.g. Training manuals or other similar documents/written statements should be attached to the application.

7. Protection of Vulnerable Persons.

The Council will expect the applicant to show that there are policies and procedures in place to protect vulnerable persons.

The Council will assess these policies and procedures on their merits; however they may (depending on the particular permit being applied for) include appropriate measures / training for staff as regards the following:

- Display Gamcare helpline stickers on all gaming machines
- Display Gamcare posters in prominent locations on the premises
- Training for staff members which focuses on building an employee's ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect persons who may be vulnerable
- Consider appropriate positioning of ATM and change machines (including the display of Gamcare stickers on any such machines)

NB: Any supporting evidence of the above measures e.g. Training manuals or other similar documents/written statements should be attached to the application.

8. Miscellaneous Matters

The applicant should also be mindful of the following possible control measures (depending on the particular permit being applied for) to minimise crime and disorder and the possibility of public nuisance as follows:

- Maintain an effective CCTV system to monitor the interior and exterior of the premises
- Keep the interior and exterior of the premises clean and tidy
- Ensure the external lighting is suitably positioned and operated so as not to cause nuisance to neighbouring and adjoining premises
- Consider the design and layout of the outside of the premises to deter the congregation of children and youths
- Restrict normal opening hours to 8.45am to midnight daily
- Not permit any person who is drunk and disorderly or under the influence of drugs, to enter or remain on the premises
- Take such steps as are reasonably practicable to eliminate the escape of noise from the premises
- Ensure, where possible the external doors to the premises remain closed, except when in use, by fitting them with a device for automatic closure or by similar means
- Ensure that the premises are under the supervision of at least one responsible, adequately trained person at all times the premises are open

NB: Any supporting evidence of the above measures e.g. Training manuals or other similar documents/written statements should be attached to the application.

Applicants may obtain an enhanced Disclosure Barring Service disclosure on application to Disclosure Scotland on 0870 609 6006 or online at www.disclosurescotland.co.uk

Field

Agenda Item 13

LICENSING COMMITTEE

19th July 2018

Licensing Partnership Update Report

Final Decision-Maker	Licensing Committee
Lead Head of Service/Lead Director	John Littlemore
Lead Officer and Report Author	Sharon Bamborough
Classification	Public
Wards affected	All

Executive Summary

This report outlines the performance of the Licensing Partnership between Maidstone, Sevenoaks and Tunbridge Wells Borough Councils and the London Borough of Bexley.

This report makes the following recommendations to this Committee:

That the performance of the Licensing Partnership is noted.

Timetable

Meeting	Date
Licensing Committee	19 July 2018

Licensing Partnership Update Report

1. INTRODUCTION AND BACKGROUND

- 1.1 The Council is a member of the Licensing Partnership with Sevenoaks, Tunbridge Wells 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.
- 1.2 The Licensing Partnership has completed 8 years of working together, with London Borough of Bexley becoming a partner as of 31st October 2016.
- 1.3 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.
- 1.4 This report is an annual update on the performance and activity of the Licensing Partnership.
- 1.5 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.
- 1.6 Each Council retained responsibility for setting its licensing policies, compliance strategies and decision making at Sub and Full Licensing Committees. Claire Perry, the previous Licensing Partnership Manager, had line management responsibility for the operation of the administration team and the Licensing Officers of the three councils.
- 1.7 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.
- 1.8 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.

- 1.9 In May 2017, Claire Perry, the Licensing Partnership Manager 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.
- 1.10 The new Head of the Licensing Partnership, Sharon Bamborough, comes from a London local authority background.
-

2. 2017-2018 PERFORMANCE

- 2.1 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.
- 2.2 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.
- 2.3 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.
- 2.4 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.
- 2.5 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.

- 2.6 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

- 2.7 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, 2213 pieces of work were for Maidstone.
 - 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, Maidstone's share accounted for over 31% of the work of the entire partnership in 2017/18.

- 2.8 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

- 2.9 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.
- 2.10 The Taxi and Private Hire policy for Sevenoaks District Council has been revised to allow scanned and photographic images of documentation with renewal applications.
- 2.11 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 change 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.
- 2.12 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 hoped that this can be implemented August or September 2018.
- 2.13 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.
- 2.14 The Head is looking to also carry out special enforcement operations where all officers could contribute and take part.
- 2.15 In the coming year, we are keen to work with the Metropolitan Police and Kent Police on the new Met Police initial 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.

3. SERVICE OBJECTIVES FOR 2017/18 AND PLANNED SERVICE IMPROVEMENTS

- 3.1 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.
- 3.2 Objective 2 - Investigate further undertaking of licensing functions for other local authorities.
- a) There are current talks going on with a potential fifth partner who are exploring joining the partnership.
- 3.3 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;*
- 3.4 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)*
- 3.5 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.*
- 3.6 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

4. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	None	[Head of Service or Manager]
Risk Management	A risk assessment is undertaken on an annual basis regarding the service objectives and reviewed regularly	[Head of Service or Manager]
Financial	Financial implications have been dealt with within the body of the report	[Section 151 Officer & Finance Team]
Staffing	No impact on Maidstone Borough Council	[Head of Service]
Legal	This is a report to update on the progress and performance of the licensing partnership	[Legal Team]
Privacy and Data Protection	No impact. This is a report to update on the progress and performance of the licensing partnership	[Legal Team]
Equalities	No impact. This is a report to update on the progress and performance of the licensing partnership	[Policy & Information Manager]
Crime and Disorder	No impact. This is a report to update on the progress and performance of the licensing partnership	[Head of Service or Manager]
Procurement	No impact. This is a report to update on the progress and performance of the licensing partnership	[Head of Service & Section 151 Officer]

5. REPORT APPENDICES

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

- Appendix 1: End of year performance statistics
- Appendix 2: Licensing Partnership Service Plan for 2018/19

6. BACKGROUND PAPERS - none

Key Performance Indicators - Maidstone Borough Council																		
Service Area	Measure Code	Measure Description	Target 2017/18	Unit Type		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	average
Licensing	LIC 001	Valid Personal Licences Processed within two weeks	95%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	LIC 002	Valid Temporary Event Notices Processed within 72 Hours	95%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	LIC 003	Length of time to process an application from date of validation to issue date for new and variation of premises (not DPS) applications for Licensing Act 2003.	95%	%		100.00%	100.00%	100.00%	100.00%	75.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	97.92%
Licensing	LIC 004	Length of time from validation to issue of HC vehicle licence (MPI) - target 5 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	83.33%	67.00%	95.86%
Licensing	LIC 005	Length of time from validation to issue of PH vehicle licence (MPI) - target 5 working days	90%	%		96.88%	100.00%	100.00%	100.00%	100.00%	91.30%	100.00%	96.00%	100.00%	95.00%	66.67%	82.00%	93.99%
Licensing	LIC 006	Length of time from validation to issue of HC driver & dual licence (MPI) - target 10 working	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	75.00%	97.92%
Licensing	LIC 007	Length of time from validation to issue of PH driver licence (MPI) - target 10 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	LIC 008	Length of time from validation to issue of PHO licence (MPI) - target 10 working days	90%	%		100.00%	100.00%	75.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	97.92%
Licensing	LIC 009	Enforcement checks completed (one per Taxi Vehicle)	15	Number		13	7	3	7	5	25	6	12	3	30	16	17	12
Licensing	LIC 010	Number of due monthly premises licensing enforcement visits	15	Number		13	15	3	18	18	18	16	18	16	17	7	19	15
Licensing	LIC 011	Percentage of applications outstanding for more than one month	<10%	%		8.77%		8.89%	10.71%	7.69%	5.88%	0.00%	8.89%	18.18%	16.13%	2.63%	18.00%	8.77%

Key Performance Indicators - Partnership																		
Service Area	Measure	Description	Target 2017/18	Unit Type		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	average
Licensing		Valid Personal Licences Processed within two weeks	95%	%		100.00%	100.00%	100.00%	96.97%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.72%
Licensing		Valid Temporary Event Notices Processed within 72 Hours	95%	%		100.00%	100.00%	98.86%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.90%
Licensing		Length of time to process an application from date of validation to issue date for new and variation of premises (not DPS) applications for Licensing Act 2003.	95%	%		100.00%	100.00%	100.00%	100.00%	88.89%	100.00%	90.91%	100.00%	100.00%	100.00%	91.67%	100.00%	97.62%
Licensing		Length of time from validation to issue of HC vehicle licence (MPI) - target 5 working days	90%	%		100.00%	95.35%	100.00%	100.00%	100.00%	92.31%	100.00%	97.67%	100.00%	100.00%	97.50%	76.00%	96.60%
Licensing		Length of time from validation to issue of PH vehicle licence (MPI) - target 5 working days	90%	%		93.91%	95.92%	100.00%	97.50%	100.00%	94.44%	98.08%	97.87%	100.00%	93.00%	77.78%	76.00%	93.91%
Licensing		Length of time from validation to issue of HC & dual driver licence (MPI) - target 10 working days	90%	%		100.00%	96.15%	96.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	91.00%	98.60%
Licensing		Length of time from validation to issue of PH driver licence (MPI) - target 10 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing		Length of time from validation to issue of PHO licence (MPI) - target 10 working days	90%	%		100.00%	100.00%	90.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	67.00%	96.42%
Licensing		Taxi Compliance checks completed (one per Taxi Vehicle)	35	Number		32	28	16	31	45	37	16	25	42	60	27	32	33
Licensing		Premises compliance monthly visits	50	Number		61	24	31	49	34	72	32	84	24	57	58	110	53
Licensing		Percentage of applications outstanding for more than one month	<10%	%		6.17%	10.00%	13.19%	13.51%	14.93%	13.56%	6.33%	11.96%	24.30%	11.54%	13.11%	27.27%	13.82%

Key Performance Indicators - Sevenoaks District Council																		
Service Area	Measure Code	Measure Description	Target 2017/18	Unit Type		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	average
Licensing	LPI_LIC_002	Valid Personal Licences Processed within two weeks	95%	%	g	100.00%	100.00%	100.00%	75.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	97.92%
Licensing	LPI_LIC_001	Valid Temporary Event Notices Processed within 72 Hours	95%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	LPI_LIC_003	Length of time to process an application from date of validation to issue date for new and variation of premises (not DPS) applications for Licensing Act 2003.	95%	%		100.00%	100.00%	100.00%	100.00%	80.00%	100.00%	50.00%	100.00%	100.00%	100.00%	100.00%	100.00%	94.16%
Licensing	MPI_LIC_012	Length of time from validation to issue of HC vehicle licence (MPI) - target 5 working days	90%	%		100.00%	92.59%	100.00%	100.00%	100.00%	92.86%	100.00%	100.00%	100.00%	100.00%	100.00%	71.00%	96.37%
Licensing	MPI_LIC_013	Length of time from validation to issue of PH vehicle licence (MPI) - target 5 working days	90%	%		90.91%	88.89%	100.00%	80.00%	100.00%	90.91%	100.00%	100.00%	100.00%	100.00%	100.00%	71.00%	93.48%
Licensing	MPI_LIC_005	Length of time from validation to issue of HC driver licence (MPI) - target 10 working days	90%	%		100.00%	95.24%	88.89%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	98.68%
Licensing	MPI_LIC_005	Length of time from validation to issue of PH driver licence (MPI) - target 10 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	MPI_LIC_005	Length of time from validation to issue of PHO licence (MPI) - target 10 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	MPI_LIC_017	Enforcement checks completed (one per Taxi Vehicle)	10/month	Number		10	11	4	0	10	1	10	10	0	10	10	12	7
Licensing	Data_Lic_003	Number of due monthly premises licensing enforcement visits	20/month	Number		20	0	9	8	5	1	7	10	0	9	8	40	10
Licensing	LPI_LIC_004	Percentage of applications outstanding for more than one month	<10%	%		2.38%	10.00%	10.00%	6.67%	25.00%	0.00%	10.00%	19.04%	19.23%	5.71%	20.00%	28.57%	13.05%

APPENDIX A

Key Performance Indicators - Tunbridge Wells Borough Council																		
Service Area	Measure Code	Measure Description	Target 2017/18	Unit Type		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	average
Licensing	MI Licensing 02	Valid Personal Licences Processed within two weeks	95%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	MI Licensing 03	Valid Temporary Event Notices Processed within 72 Hours	95%	%		100.00%	100.00%	96.15%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.70%
Licensing	MI Licensing 05	Length of time to process an application from date of validation to issue date for new and variation of premises (not DPS) applications for Licensing Act 2003.	95%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	50.00%	100.00%	95.80%
Licensing	MI Licensing 11	Length of time from validation to issue of HC vehicle licence (MPI) - target 5 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	80.00%	100.00%	94.74%	100.00%	100.00%	100.00%	86.00%	96.78%
Licensing	MI Licensing 12	Length of time from validation to issue of PH vehicle licence (MPI) - target 5 working days	90%	%		94.50%	100.00%	100.00%	100.00%	100.00%	100.00%	94.74%	100.00%	100.00%	80.00%	83.33%	76.00%	94.50%
Licensing	MI Licensing 13	Length of time from validation to issue of Dual driver licence (MPI) - target 10 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing	MI Licensing 14	Length of time from validation to issue of PHO licence (MPI) - target 10 working days	90%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	50.00%	95.83%
Licensing	MI Licensing 18	Enforcement checks completed (one per Taxi Vehicle)	10	Number		9	10	9	24	30	11	0	3	39	20	1	3	13
Licensing	MI Licensing 01	Number of due monthly premises licensing enforcement visits	15	Number		22	9	9	23	1	25	9	20	0	17	22	31	16
Licensing	MI Licensing 19	Percentage of applications outstanding for more than one month	<10%	%		10.00%		4.00%	0.00%	0.00%	7.69%	0.00%	4.17%	23.53%	6.25%	12.90%	15.79%	7.02%

APPENDIX A

KEY PERFORMANCE INDICATORS - LONDON BOROUGH OF BEXLEY																		
Service Area	Measure Code	Measure Description	Target 2017/18	Unit Type		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	average
Licensing		Valid Personal Licences Processed within two weeks	95%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing		Valid Temporary Event Notices Processed within 72 Hours	95%	%		100.00%	100.00%	98.31%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.84%
Licensing		Length of time to process an application from date of validation to issue date for new and variation of premises (not DPS) applications for Licensing Act 2003.	95%	%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Licensing		Number of due monthly premises licensing enforcement visits	30	Number		6	0	10	0	10	28		36	8	14.00	21.00	20	13
Licensing		Percentage of applications outstanding for more than one month	<10%	%		6.67%		27.50%	31.58%	13.89%	35.29%	21.43%	16.67%	32.50%	13.79%	21.74%	37.93%	23.26%

APPENDIX B

Licensing Service Plan 2018/19

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Licensing
Partnership



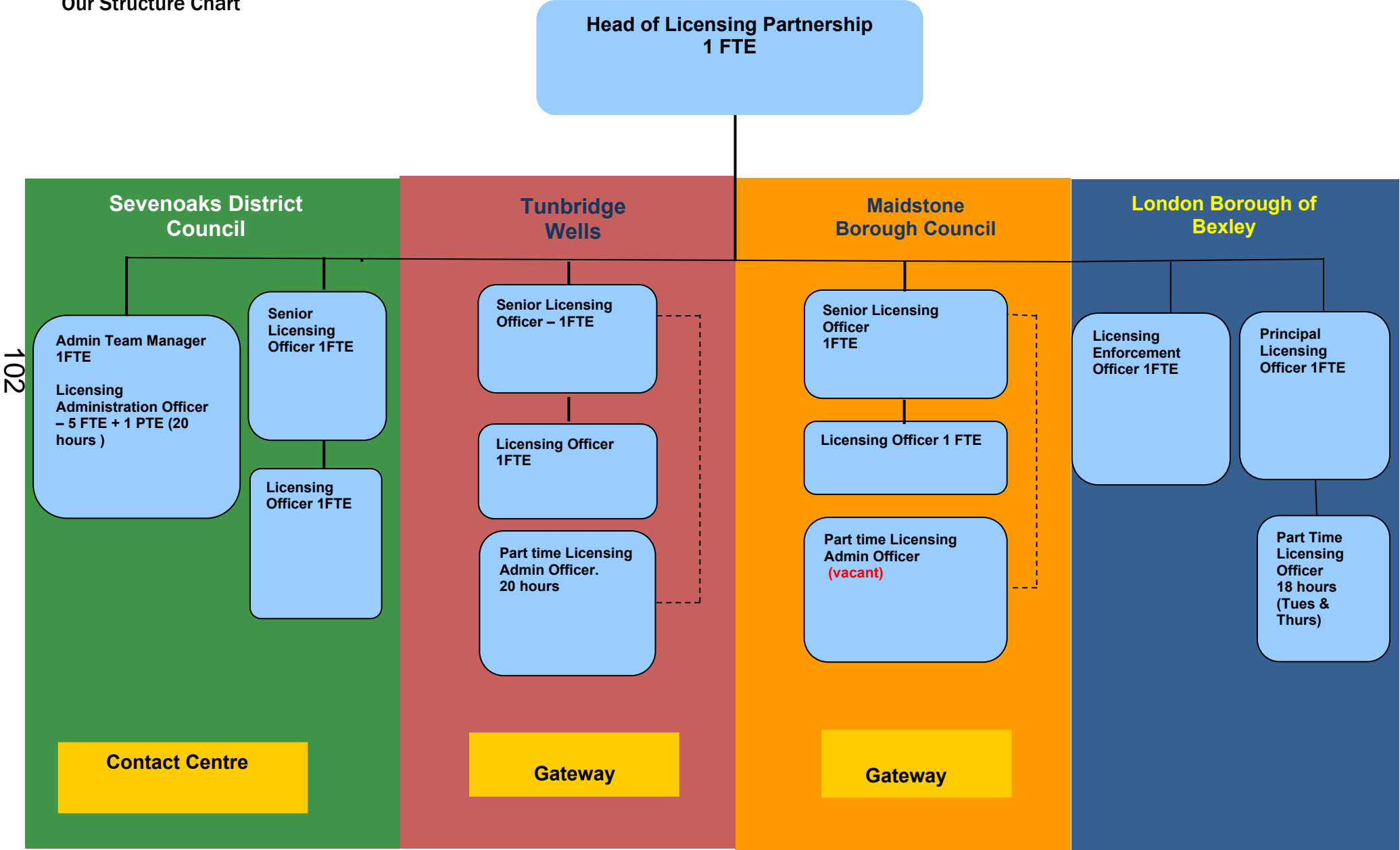
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1. Who we are

Team	Licensing Partnership comprising London Borough of Bexley, Maidstone Borough Council, Sevenoaks District Council and Tunbridge Wells Borough Council
Head of Service	Sharon Bamborough
Chief Officers	Gary Stevenson (Tunbridge Wells), John Littlemore (Maidstone), Richard Wilson (Sevenoaks) and David Bryce-Smith (LB of Bexley)

Our Structure Chart



2. What we do

Key Tasks	<ul style="list-style-type: none">■ Manage and oversee the Licensing Partnership.■ Seek to promote the licensing objectives of the relevant legislation.■ Our aim is to protect the public but also allow legitimate businesses within the area to prosper.■ To ensure that the legitimate taxis and private hire trade are able to provide a safe mode of transport to the residents and users within the Partnership's area.■ Compliance – ensure compliance of licensed premises, activities and events following grant of respective licences, permits and / or notices.■ To ensure that unlicensed premises, taxis/private hire and activities are investigated and appropriate action is taken.■ To enhance customer service while ensuring compliance with legislation.■ Fulfilling statutory duty whilst optimising cost savings and maintaining individual client's Council sovereignty.■ Take advantage of economies of scale to buy services and optimise the collaborative working between partners
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3. 2016/17 Service Objectives

Objective 1	To oversee and lead the Licensing Partnership to deliver efficiency savings and achieve performance targets	Responsible Officer	Sharon Bamborough
Performance Measure	Description	2018/19 Target or Outcome (to be achieved by 31.03.2019)	
LPI LIC 001	Send out renewal invitations for all licences/permits etc. 2 months before the expiry date of the licence and if a valid renewal application is not received before the expiry of a licence send a failure to renew letter out within 1 week of the licence expiring and advise the appropriate Authorities accordingly. (Hub Team)	95%	
LPI LIC 002	The percentage of valid personal licences processed within 2 weeks (Hub Team)	95%	
LPI LIC 003	Percentage of <i>unopposed</i> applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date) [All]	95%	
LPI LIC 004	The percentage of valid temporary event notices served on Responsible Authorities within one working day of receipt (Hub Team)	95%	
LPI LIC 005	The percentage of driver and operator licences issued within 10 days of validation (Hub team)	90%	
MPI LIC 05a	Percentage of Hackney Carriage driver licences issued within 10 days of validation (Hub team)	90%	
MPI LIC 05b	Percentage of Private Hire driver licences issued within 10 days of validations	90%	
MPI LIC 05c	Percentage of Private Hire Operator licences issued within 10 days of validations	90%	

MPI LIC 012	Length of time from validation to issue of HC vehicle licence (MPI) - target 10 working days	REPORT AVERAGE
MPI LIC 013	Length of time from validation to issue of PH vehicle licence (MPI) - target 10 working days	REPORT AVERAGE
MPI LIC 017	<p>Taxi Compliance (licensing officers at Sevenoaks, Tunbridge Wells and Maidstone):-</p> <ul style="list-style-type: none"> • start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc) • reactive/proactive enforcement investigations ongoing/completed • warnings / penalty points issued • vehicle compliance checks 	Non London partners only: 15 actions per month per authority
MPI LIC 018	<p>Premises compliance (all licensing officers throughout partnership) :-</p> <ul style="list-style-type: none"> • notice checks to be carried out within one week of initial display • start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc) • carry out proactive visits in accordance with risk rating system • attend enforcement meetings/briefings/collaborate with partners on multi-agency approach 	<p>Non London partners – 15 actions per month per authority</p> <p>Bexley – 30 actions per month</p>
MPI LIC 019	<p>(for partners where Hub team arrange annual fee collection -does not apply to Bexley)</p> <p>(i) Send out invoices for continuation fees for licences/permits issued under the Licensing Act 2003 and Gambling Act 2005 at least 1 month in advance of the fee being due</p> <p>(ii) Where those fees are not received by the due date, take action to suspend/revoke licence/permit within 1 month of the fee being due.</p> <p>(Hub Team)</p>	95%

(NEW) MPI LIC 020	Action after suspension - Licensing officers to visit /establish status and resolve by 31 March each year (all licensing officers throughout partnership)		95%
Link to Sevenoaks Corporate Plan	Providing value for money	Link to Sevenoaks Community Plan	Safe Communities
Link to Maidstone Statagic Plan	Keeping Maidstone an attractive place for all - Ensuring there are good leisure and cultural attractions		
Link to Tunbridge Wells Key Objectives in the Vision	Providing Value	Link to Strategic Compass	To ensure we operate in a business-like way
Link to Bexley Corporate Plan (Shaping our Future Together)	Innovation and self sufficiency		

Objective 2	Investigate further undertaking of licensing functions for other local authorities.		Responsible Officer	Licensing Partnership Board
Performance Measure	Description		2018/19 Target or Outcome	
Action	Make enquiries with potential partners to undertake licensing functions for a 5 th partner.		Further functions carried out for other partners. To be achieved by 31/03/2019	
Action	Implement the required processes/changes to ensure an additional partner is integrated within the Licensing Partnership		A smooth integration of any additional partners	
Link to Sevenoaks Corporate Plan	Providing value for money	Link to Sevenoaks Community Plan	Safe Communities	
Link to Maidstone Corporate Priorities	Securing a successful economy for Maidstone Borough			
Link to Bexley corporate plan	Innovation and self sufficiency – a commercial approach			
Link to Tunbridge Wells Corporate Priorities	To support a prosperous borough	Link to Strategic Compass	Providing value	

Objective 3	Seek further efficiency savings in processes and use of online facilities		Responsible Officer	Sharon Bamborough
Performance Measure	Description		2018/19 Target or Outcome	
Action	Introduce electronic issue of licences for premises licensing		A reduction in time spent by Hub Team staff printing out paper licences and 'stamping with seal' and then posting out, also will lead to a reduction in postage costs. To be achieved by 31/03/2019	
Action	Update Document Retention Policy and get rid of hard copy duplicate filing system		A reduction in the time spent by Hub Team staff creating and maintaining a separate paper file in addition to the electronic file which is maintained. This will lead to significant time savings which will be better spent on other tasks. To be achieved by 31/03/2019.	
Action	Explore feasibility of online solutions for document checks for taxi applications to reduce face to face visits		If achievable, will lead to a reduction in time spent for Licensing Partnership staff in reception, Town Hall & Gateway. To be achieved by 30/03/2019	
Link to Sevenoaks Corporate Plan	Supporting and developing the local economy	Link to Sevenoaks Community Plan	Safe Communities	
Link to Bexley corporate plan	Innovation and self sufficiency – a commercial approach	Link to Maidstone Corporate Priorities	Securing a successful economy for Maidstone Borough	
Link to Tunbridge Wells Corporate Priorities	To support a prosperous borough	Link to Strategic Compass	Providing value	

Objective 4	Ensure all online forms are implemented and in use by customers and explore other software solutions		Responsible Officer	Sharon Bamborough
Performance Measure	Description	2018/19 Target or Outcome		
Action	The library of on line forms should implemented across the four partners – to include new forms for Bexley (Special Treatments) and any updates needed for existing ones	Complete the introduction/update of all online forms. To be achieved by 31/03/2019		
Action	Arrange for purchase and installation of electronic record management system, Enterprise (from Idox)	Increased efficiency and monitoring tools, with enhanced reporting options To be achieved by 31/03/2019		
Action	Arrange for purchase and installation of electronic enforcement software for use out and about, called Mobile App (from Idox)	Increased efficiency and monitoring tools, with enhanced reporting options To be achieved by 31/03/2019		
Link to Sevenoaks Corporate Plan	Supporting and developing the local economy	Link to Sevenoaks Community Plan	Safe Communities	
Link to Bexley corporate plan	Innovation and self sufficiency – a commercial approach	Link to Maidstone Corporate Priorities	Securing a successful economy for Maidstone Borough	
Link to Tunbridge Wells Corporate Priorities	To support a prosperous borough	Link to Strategic Compass	Providing value	

Objective 5	Undertake a programme of training for Members and officers. Ensure all new Members on each Licensing Committee receive appropriate training.		Responsible Officer	Sharon Bamborough
Performance Measure	Description		2018/19 Target or Outcome	
Action	Deliver a programme of training to the Members and officers.		Programme delivered To be achieved by 31/03/2019	
Action	Hold morning/afternoon sessions where new Members can visit the Licensing Partnership's Administration Team.		To be achieved by 30/09/2019	
Link to Sevenoaks Corporate Plan	Keeping the district safe	Link to Sevenoaks Community Plan	Safe Communities	
Link to Bexley corporate plan	Growth that benefits all – the right skills for jobs of today and tomorrow	Link to Maidstone Corporate Priorities	Securing a successful economy for Maidstone Borough – range of Employment Skills and opportunities across the Borough	
Link to Tunbridge Wells Corporate Priorities	Our People	Link to Strategic Compass	To have relevant skills	

Objective 6	Revision of Policies & Procedures	Responsible Officer	Sharon Bamborough/Lorraine Neale/Sharon Degiorgio/Samantha Laing/Janet Lockie
Performance Measure	Description	2018/19 Target or Outcome	
Action	Review Gambling Policies across the Partnership in readiness for January 2019 when they must come into force	Achieve statutory obligations. To be achieved by 31/12/2018	
Action	Review Street trading policy at Maidstone regarding designation of street trading pitches	To reduce the cost burden of processing each request and/or reduce the number of requests To be achieved by 31/03/2019	
Action	Re-visit (with Legal Services) the approach to street trading in Sevenoaks with a view to assessing what would need to be done to implement such a policy, and report back to Chief Officer (this comes from a discussion at Health Board as to whether anything can be done to stop fast food vans etc parking up near schools, which contributes to childhood obesity)	A up to date view will be taken on feasibility and desire as to whether street trading should be controlled within Sevenoaks and whether it could be used to promote wider health benefits To be achieved by 31/03/2019	
Action	Investigate feasibility and implement if approved, the charging for pre-application advice to licence applicants	To reduce the cost burden of processing each request and/or reduce the number of requests To be achieved by 31/03/2019	
Action	A minor review of Licensing Act Statement of Licensing Policy to introduce, across the partnership, a section on outdoor events.	To reduce the cost burden of processing each request and/or reduce the number of requests To be achieved by 31/03/2019	
Action	A review of the Hub Team Admin procedures and update where necessary	To improve efficiency, reduce mistakes and	

			speed up processing To be achieved by 31/03/2019
Link to Sevenoaks Corporate Plan	Supporting and developing the local economy	Link to Sevenoaks Community Plan	Safe Communities
Link to Bexley corporate plan	Innovation and self sufficiency – a commercial approach	Link to Maidstone Corporate Priorities	Securing a successful economy for Maidstone Borough
Link to Tunbridge Wells Corporate Priorities	To support a prosperous borough	Link to Strategic Compass	Providing value

Objective 7	Health, Safety and Well Being of Staff		Responsible Officer	Sharon Bamborough
Performance Measure	Description		2018/19 Target or Outcome	
Action	Ensure risk assessments are carried out and reviewed as appropriate and at least once a year.		Risk assessments are in place and are reviewed. To be achieved by 31/03/2019	
Action	Ensure 1:1 meetings are carried out on a regular basis.		All Senior Licensing Officers and Licensing Partnership Manager to ensure meetings take place and are documented.	
Link to Sevenoaks Corporate Plan	Supporting and developing the local economy	Link to Sevenoaks Community Plan	Safe Communities	
Link to Bexley corporate plan	Innovation and self sufficiency – a commercial approach	Link to Maidstone Corporate Priorities	Securing a successful economy for Maidstone Borough	
Link to Tunbridge Wells Corporate Priorities	To support a prosperous borough	Link to Strategic Compass	Providing value	

4. Measuring our Performance

Performance Indicators and Target Setting

Code	Description	Collection period	2018/19 target
(NEW) LPI LIC 001	Send out renewal invitations for all licences/permits etc. 2 months before the expiry date of the licence and if a valid renewal application is not received before the expiry of a licence send a failure to renew letter out within 1 week of the licence expiring and advise the appropriate Authorities accordingly. (Hub Team)	Monthly	95%
LPI LIC 002	The percentage of valid personal licences processed within 2 weeks (Hub Team)	Monthly	95%
LPI LIC 003	Percentage of <i>unopposed</i> applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date) [All]	Monthly	95%
LPI LIC 004	The percentage of valid temporary event notices served on Responsible Authorities within one working day of receipt (Hub Team)	Monthly	95%
LPI LIC 005	The percentage of driver and operator licences issued within 10 days of validation (Hub team)	Monthly	90%
MPI LIC 05a	Percentage of Hackney Carriage driver licences issued within 10 days of validation (Hub team)	Monthly	90%
MPI LIC 05b	Percentage of Private Hire driver licences issued within 10 days of validation (Hub team)	Monthly	90%

Code	Description	Collection period	2018/19 target
MPI LIC 05c	Percentage of Private Hire Operator licences issued within 10 days of validation (Hub team)	Monthly	90%
MPI LIC 012	Length of time from validation to issue of HC vehicle licence (MPI) - target 10 working days (Hub team)	Monthly	average number of days
MPI LIC 013	Length of time from validation to issue of PH vehicle licence (MPI) - target 10 working days (Hub team)	Monthly	average number of days
MPI LIC 017	Taxi Compliance (licensing officers at Sevenoaks, Tunbridge Wells and Maidstone):- <ul style="list-style-type: none"> start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc) reactive/proactive enforcement investigations ongoing/completed warnings / penalty points issued vehicle compliance checks 	Monthly	Non London partners only: 180 each (equates to 15 actions per month per authority)
MPI LIC 018	Premises compliance (all licensing officers throughout partnership) <ul style="list-style-type: none"> notice checks to be carried out within one week of initial display start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc) carry out proactive visits in accordance with risk rating system attend enforcement meetings/briefings/collaborate with 	Monthly	Non London partners – 180 each (equates to 15 actions per month per authority) Bexley – 360 (equates to 30 actions per month)

	partners on multi-agency approach		
Code	Description	Collection period	2018/19 target
MPI LIC 019	(for partners where Hub team arrange annual fee collection) Send out invoices for continuation fees for licences/permits issued under the Licensing Act 2003 and Gambling Act 2005 at least 1 month in advance of the fee being due and where those fees are not received by the due date to take action to suspend/revoke licence/permit within 1 month of the fee being due. (Hub Team)	Monthly	95%
MPI LIC 020	Action after suspension - Licensing officers to visit /establish status and resolve by 31 March each year (all licensing officers throughout partnership)	Annual	95%