

MAIDSTONE BOROUGH COUNCIL

LICENSING COMMITTEE

29 JANUARY 2015

REPORT OF HEAD OF HOUSING AND COMMUNITY SERVICES

Report prepared by Claire Perry

1. LICENSING PARTNERSHIP UPDATE

1.1 Issue for Decision

- 1.1.1 To receive an annual report on the performance of the Licensing Partnership and an update on future projects.

1.2 Recommendation

- 1.2.1 That the Licensing Committee notes the attached report.

1.3 Reasons for Recommendation

- 1.3.1 The Council is a member of a partnership with Tunbridge Wells and Sevenoaks Councils which provides line management to their respective licensing compliance teams and an administration team at Sevenoaks to carry out the processing of licence applications and representations.
- 1.3.2 This arrangement provides each council with sovereignty over its policies and decision making processes whilst operating within a partnership that provides service resilience and capacity to deal with the fluctuating demands on the service through the year. This report is to update the Licensing Committee on the progress during the last full financial year.
- 1.3.3 Background and information
- 1.3.4 In 2009 it was agreed that both the line management and administration of the Council's licensing processes would be undertaken in partnership with Sevenoaks District Council (SDC) and Tunbridge Wells Borough Council (TWBC). It was agreed that the administrative team processing licensing applications would be based at the offices of SDC with Licensing Officers continuing to be based at each council.

- 1.3.5 Each council retained responsibility for setting its licensing policies, compliance strategies, fees and decision making at Sub and Full Licensing Committees. Claire Perry, the shared Licensing Partnership Manager, has line management responsibility for the operation of the administration team and the licensing teams of the three councils.
- 1.3.6 In January 2010 the new Licensing Partnership took effect and the back office functions started to be transferred to the administration hub based at SDC. This month the Licensing Partnership celebrates 5 years of a successful partnership.
- 1.3.7 The administration team 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 authority basis and allows for the variances that still exist in the policies and procedures of the three authorities.
- 1.3.8 The Partnership is governed by a legal agreement and an IT Software and Data Sharing Agreement made between the three councils. The Heads of Service/Chief Officer responsible for licensing at their respective authorities meet regularly as a Licensing Partnership Board to oversee performance and the direction of the Partnership. John Littlemore, Head of Housing and Community Services is the Chair of the Licensing Partnership Board for 2015. Gary Stevenson, Head of Environment and Street Scene for Tunbridge Wells was the Chair in 2014. The last meeting was on 1st December 2014.
- 1.3.9 First 9 months of 2014/2015 Performance Outturn
- 1.3.10 Of the eleven performance indicators for the service nine are being achieved. The Licensing Partnership's performance indicators for the first 9 months of 2014/15 are as follows:-

- a. Number of licensed premises compliance visits to date (risk assessed) – **105**

Target for the first nine months was **135**.

Licensing Officers have carried out a risk assessment of the premises following a compliance visit. This sets a frequency for the next visit being due based on the type of premises, activities carried out at the premises, an assessment of the management of the premises and whether the premises has been the subject of recent complaints. Due to a staff vacancy between March and July we are slightly behind on our target but there is a plan in place to rectify this before the end of the financial year.

- b. Number of taxi checks carried out to date – **154**

Target for the first nine months is **135**.

Licensing Officers have carried out vehicle checks at the Council Offices and out at ranks around the Borough to ensure compliance with the Council's Policy. Despite the staff vacancy we are 19 checks ahead of target which has been in response to requests from the trade to carry out more compliance checks.

c. Percentage of valid personal licence applications to be processed within two weeks – **100% (86 out of 86 applications)**
Target is 95%.

d. Percentage of temporary event notices processed within 72 hours – **100% (257 out of 257 notices)**
Target is 90%.

e. The number of Hackney Carriage Vehicle licences issued within 5 working days – **98.08% (51 out of 52 applications)**
Target is 90%. This has been increased from last year's target of 75%.

f. The number of Private Hire Vehicle licences issued within 5 working days – **94.92% (187 out of 197 applications)**
Target is 90%. This has been increased from last year's target of 75%.

g. The number of Hackney Carriage and Dual Driver licences issued within 10 working days (reduction from last year by 20 working days) – **100% (23 out of 23 applications)**
Target is 90%. This has been increased from last year's target of 75%.

h. The number of Private Hire Driver licences issued within 10 working days (reduction from last year by 20 working days) – **98.51% (66 out of 67)**
Target is 90%. This has been increased from last year's target of 75%.

i. The number of Private Hire Operator licences issued within 10 working days (reduction from last year by 20 working days) – **86.32% (82 out of 95 applications)**
Target is 90%. This has been increased from last year's target of 75%.

There was an administrative error in calculating the number of days to process the applications in June which was immediately rectified. Other misses in the target were due to workload.

j. 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 – **100% (29 out of 29 applications)**
Target for the year is 95%.

k. Percentage of applications outstanding for more than one month
– 3.06% **(12 out of 392 applications processed.)**
Target for the year <10%

- 1.3.11 As highlighted above, as a result of the excellent performance of the team last year the targets for this year are far more stretching. All those that were 75% have been increased to 90% for 2014 / 2015 and with the exception of one of these indicators we are meeting this increased target.
- 1.3.12 In addition to this the processing target time for drivers and operator licences has been reduced from 30 working days to 10 working days to motivate a swifter delivery of the service to the customer.
- 1.3.13 The service is committed to improving service delivery and the performance set out above confirms this being achieved.
- 1.3.14 Key activities in the last six months and innovation for the future
- 1.3.15 In the first 9 months of 2014/15 in excess of 2,500 licences have been processed and issued under the various licensing regimes and over 4,800 tasks in the administration team have been completed. The Licensing Officers continue to carry out compliance actions and present reports to Licensing and Licensing Sub Committees. Officers across the Licensing Partnership have also:
- 1.3.16 Implemented the ability for customers to use the bespoke online forms for submitting Temporary Event Notices, as demonstrated in the table below.

Month	Total TENS received in month	Number of online TENS received	% of those online
April	106	59	55.7%
May	171	109	63.7%
June	160	110	68.8%
July	116	78	67.2%
August	85	57	67.1%
2 vehicle applications and 1 personal application were received			
September	96	66	68.8%
October	116	85	73.3%
1 vehicle application and 2 personal application were received			
November	142	102	71.8%
3 out of 18 Personal licence applications and 1 vehicle applications was			

received			
December	58	40	69%
1 personal licence, 22 change of details for a personal licence and 4 vehicle applications were received			

1.3.17

1.3.18 Continuing with the actions identified in the Customer Insight toolkit action plan (developed with the assistance of the Business Delivery Unit at Tunbridge Wells Borough Council) further online forms are in the process of being implemented within the next few months. This will enable our customers to make applications to the Licensing Authority 24 hours a day, 7 days a week. Personal Licences, including the new renewal form issued on 15th December 2014, Taxi Vehicle, Taxi Driver and Taxi Private Hire Operator application forms are now available online. The scrap metal dealer forms, change of details for premises licences and Designated Premises Supervisor variation application forms are also available.

1.3.19 The forms have been designed to input the information provided by the applicant directly into the back office database system which is used to process applications. Under the current online form system, operated by Central Government, the Licensing Authority is sent a pdf form via email and the Administrative Officers still have to input this information onto the database system. Therefore, the need to double key the information provided is being reduced making the whole process streamlined.

1.3.20 It is anticipated that over the next 4 months at least a further 15 application forms will be introduced to enable customers to make an online application. Each one of these forms will require extensive testing and the web page for each of the application will need to be amended. A transfer of a premises licence and a new premises licence application form should be available within the next month. Testing is currently being carried out on animal establishment forms and development is taking place for the Lottery Registration forms.

1.3.21 Every year around 1,500 invoices are issued for payments due to the Licensing Partnership. A large project has been undertaken to recover outstanding annual fees and suspension notices for those payments that have not been paid have been issued. This is an ongoing piece of work and the service is now more up to date than has ever been the case with the lowest amount of debt outstanding. This work demonstrates the genuine partnership between the Administration Team Officers and the Licensing Officers with additional support to the whole partnership being provided by one of the Licensing Officers at Sevenoaks.

- 1.3.22 A Document Retention Policy for the Licensing Partnership has been introduced to assist in moving towards a 'paper-less' office environment and the service is working towards ensuring that older hard copy records, where appropriate, are scanned on and held as electronic documents.
- 1.3.23 Member training continues to be provided keeping Members up to date with the continuous change in legislation.
- 1.3.24 The service continues to provide 4 weeks of valuable work experience at the Hub for ten people through the Job Centre placement scheme and now have a licensing administration apprentice in place who is completing a NVQ course whilst being trained in office administration.
- 1.3.25 Licensing Officers at Sevenoaks and the Licensing Partnership Manager have provided cover and support for the long term absence of a Tunbridge Wells Licensing Officer between the end of July 2014 and November 2014 so that the service to the customer has not been affected. The Sevenoaks Officers also covered the vacancy for the Maidstone Licensing Officer between March 2014 and the beginning of July 2014. This shows the additional resilience the partnership now has. The cover was provided at no extra cost to Tunbridge Wells or Maidstone.
- 1.3.26 Progress is continuing to be made on a large project which combines the introduction of the online forms with reducing costs as well as paper. Licensees whose licences are due to expire are currently notified as a matter of courtesy by letters sent by post. The Licensing Partnership issues approximately 50 letters per week and each letter is accompanied by forms and information.
- 1.3.27 As a result of the Customer Insight Project it was identified that the taxi trade relies extensively on the use of Smartphone devices. It is therefore proposed to notify customers of action they need to take via either email or text messaging. In the emails there will be a link to the online forms. This will encourage those customers that want to use the online forms to do so. They can also make their payment at the same time as submitting the form reducing back office reconciliation checks. Those who still wish to submit their forms by paper are able to do so via the same link to the web page where all of the necessary documents are available to download.
- 1.3.28 The Partnership's Service Plan for 2014/15 had the following eight service objectives. The Service Plan is agreed by the Licensing Partnership Board which comprises John Littlemore (MBC), Gary Stevenson (TWBC) and Richard Wilson (SDC). Claire Perry also

attends the Licensing Partnership Board meetings. The current position on each of these is set out below:-

- 1.3.29 1. To manage the Licensing Partnership to deliver efficiency savings and achieve performance targets
- 1.3.30 The budget for 2014/15 has realized £30,000 savings in the cost of the Licensing Partnership. Every year since the start of the partnership there has been a surplus in the budget due to increased income and savings on expenditure. This surplus has either been returned to each council in the ratio of the percentage paid to the partnership or it has been invested in improvements to the partnership. For example bulk buying the external vehicle plates, purchasing laptops for the Administration Officers so that there is business continuity in the event of officers not being able to access the building and moving over to online DVLA checks of driving licences.
- 1.3.31 2. Investigate further undertaking of licensing functions for other local authorities.
- 1.3.32 Discussions are taking place with Tandridge District Council and Swale Borough Council.
- 1.3.33 3. Utilise customer insight and bench marking information to inform service improvements as appropriate
- 1.3.34 This is an ongoing process. There are a number of projects that are in progress such as the online forms as well as changes that are being developed for the notification of renewals for our taxis licensees mentioned earlier.
- 1.3.35 4. Ensure on line forms are implemented and in use by customers
- 1.3.36 The online forms are in the process of being introduced.
- 1.3.37 5. Undertake a program of training for Members and officers, especially in light of the legislative changes
- 1.3.38 A program of training is in place and carried out at the three authorities.
- 1.3.39 6. Transfer remaining licences that are being processed by MBC and TWBC so that they can be managed on FRED Uniform e.g. street trading, special treatments
- 1.3.40 No action has been taken with regard to this objective as other objectives have taken priority. However, work is planned to start on this objective in February and March 2015.

- 1.3.41 7. Officers and Licensing Committees to consider opportunities for greater harmonization of policies
- 1.3.42 The three Portfolio Holders of the three Licensing Authorities met in October 2014. As an outcome of that meeting a decision was made to celebrate the successes of the Licensing Partnership with a tri-authority meeting to enable Members to meet one another and to have the opportunity to see the Licensing Partnership Administration team in operation.
- 1.3.43 To date it has not been possible to introduce greater harmonization with the policies that are in existence.
- 1.3.44 8. Officers and Licensing Committees to ensure that the locally set fees are consistent across the Licensing Partnership and that the methodology used is the same for each partner.
- 1.3.45 Progress has not been possible with this objective as there has not been any legislative progress in allowing Licensing Authorities to set their own fees for the Licensing Act 2003.
- 1.4 Alternative Action and why not Recommended
- 1.4.1 The report is for information only.
- 1.5 Impact on Corporate Objectives
- 1.5.1 The information given in this report sets out the performance of the Licensing Partnership to date and the actions taken and planned to achieve Corporate and Customer Excellence including achieving an effective value for money service.
- 1.6 Risk Management
- 1.6.1 The actions taken by the council in respect of the Licensing Partnership has put the Council in a stronger position.
- 1.7 Other Implications

1. Financial
Note as set out in body of report
2. Staffing
3. Legal
4. Equality Impact Needs Assessment

x
x

5. Environmental/Sustainable Development
6. Community Safety
7. Human Rights Act
8. Procurement – may need to put forms contract and right to challenge here
9. Asset Management

1.7.1 The financial and staff implications are set out in the body of the report.

1.8 Relevant Documents

1.8.1 Appendices

1.8.2 None.

1.8.3 Background Documents

1.8.4 None.