

# Licensing Committee

11<sup>th</sup> June 2015

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

Yes

## Licensing Partnership Update Report 2015

<b>Final Decision-Maker</b>	Licensing Committee
<b>Lead Director or Head of Service</b>	John Littlemore
<b>Lead Officer and Report Author</b>	Claire Perry
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

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

To note the performance of the Partnership as contained within the report and to ask the Licensing Partnership Manager to provide an annual update on the Licensing Partnership activity to the Licensing Committee at this time in the municipal year.

### **This report relates to the following corporate priorities:**

- Great People
- Great Place
- Great Opportunity

### **Timetable –**

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

# Licensing Partnership Update Report 2015

## **1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 The Council is a member of a partnership with Sevenoaks District and Tunbridge Wells Borough Councils 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 and representations.
- 1.2 This arrangement provides each council with sovereignty over its policies and decision making processes whilst operating within a partnership that gives service resilience and capacity to deal with the fluctuating demands on the service through the year.
- 1.3 This report is a follow up to the report that was presented to the Licensing Committee on 29th January 2015 and provides the Committee with an update on performance for the full financial year.
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## **2. INTRODUCTION AND BACKGROUND**

- 2.1 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.
- 2.2 Each council retained responsibility for setting its licensing policies, enforcement strategies 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 officers of the three councils.
- 2.3 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. The administration hub 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.
- 2.4 The 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 regularly as a Licensing Partnership Board to oversee performance and the direction of the Partnership. John Littlemore, Head of Housing and Community Services at Maidstone is currently the Chair of the Licensing Partnership Board.

### **3. 2014 - 2015 PERFORMANCE REPORT**

3.1 As a result of the continued improvement in service delivery the targets for all the taxi and private hire performance indicators were increased from 75% to 90%.

3.2 In addition the processing target time for drivers and operator licences was decreased from 30 working days to 10 working days to speed up delivery of the service to the customer.

3.3 These improvements were challenging but the team performed very well achieving an excellent performance with the majority of targets met or exceeded. The performance for each authority within the Licensing Partnership and the overall performance of the Licensing Partnership are shown in Appendix A.

3.4 Performance indicators which were not met were:

- a) Maidstone Borough Council - Length of time from validation to issue of Private Hire Operators (PHO) licence (Maidstone Performance indicator) - within 10 working days 84.27% where the target was 90%. The reason this performance indicator was missed was principally due to an administrative error in July when the wrong target date was entered on the Administration Team's worksheet. By the time the error was identified the targets had been missed for 5 applications. Measures were put in place to address this issue and only 2 applications were missed in the remaining 8 months.
- b) Maidstone Borough Council - Premises licensing compliance visits 178 were carried out where the target was 180. This was principally due to the Licensing Officer position being vacant from March 2014 – July 2014. During this period it was not feasible to carry out compliance visits. Subsequently the vacancy was filled and the resulting activity demonstrates the excellent performance of the officers at Maidstone in that they only fell 2 short of the annual target.
- c) Sevenoaks District Council - Length of time to process an application from date of validation to issue date for new and variation of premises (not Designated Premises Supervisor DPS) 85.71% where the target was 95%. 1 application was missed in the year but as the number of applications received that year was also low this had a significant impact on the performance figures. Measures have been implemented to reduce the likelihood of a recurrence.
- d) Tunbridge Wells Borough Council - Length of time to process an application from date of validation to issue date for new and variation of premises (not DPS) 92% where the target was 95%. 2 applications were missed in the year. Both of these applications resulted in a hearing which had an impact in issuing the licences.

3.5 All the other performance indicators were achieved last year with extremely high achievement figures.

3.6 Premises continue to be risk assessed following a visit to ensure that the Licensing Partnership is not placing an undue burden on businesses. By carrying out a risk assessment the premises fall into a category, according to the risk

posed by their types of licensing activity, type of premises, number of complaints about the premises and the confidence in the management at the premises. This category will then determine the frequency of future visits. This frequency will only change if there have been complaints about the premises in which case a visit may be made or if there have been changes at the premises such as personnel, changes in activities/conditions/layout etc. again the premises may be visited.

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#### **4. KEY ACTIVITIES IN THE LAST SIX MONTHS AND PROGRESS REGARDING PREVIOUS SERVICE OBJECTIVES**

- 4.1 Over 3,775 applications under the various licensing regimes have been received and processed within the last year.
- 4.2 There have been 3 Licensing Act sub-committee hearings at Maidstone Borough Council.
- 4.3 At Maidstone Borough Council three Dual drivers, one Hackney Carriage driver, five Private Hire drivers, one Private Hire vehicle and one Hackney Carriage vehicle have been suspended. One Private Hire driver licence has been revoked.
- 4.4 During the last 12 months more online forms have been brought into use. The Licensing Partnership engaged the services of Victoria Forms, an online form provider in the autumn of 2013. Officers have been working closely with Victoria Forms to integrate the online forms with the back office software used by the Licensing Partnership. This means, that wherever possible, the online forms once completed and submitted drop the information provided by the customer into the fields within the database. This negates the need for dual key entry.
- a) In April 2015 118 out of 135 TENS were issued online which is 87.4%, the highest figure to date.
  - b) In addition, the service is now receiving online applications for
    - new Personal licences,
    - renewal of Personal licences,
    - change of details for Personal licences,
    - taxi vehicles,
    - taxi drivers,
    - taxi operators,
    - designated premises supervisor variations
    - transfer of premises licences and
    - the latest online form for new lottery registrations.
  - c) There are 11 forms currently in various stages of testing and these will come online within the next 2 – 6 months.
  - d) Following these 11 there are approximately another 10 forms to test and bring online which is planned for within this financial year.

- e) There is a survey form which the customer may complete upon submission of their application form. The feedback that is received from customers is used to improve the forms and develop them further.
- 4.5 Continuing with the actions identified in the Customer Insight toolkit action plan (developed with the assistance of the Business Delivery Unit from Tunbridge Wells Borough Council) the Licensing Partnership is working with the IT Department at Sevenoaks District Council to change the method by which notify tax licensees are notified that their licence is due for renewal or there is an action that is required in conjunction with their licence.
- 4.6 Currently the Administration Team send out weekly reminder letters and renewal documents in the post. On some weeks this can be up to 80 letters and is usually in excess of 30 letters. This will be replaced with an email notification advising the customer that they need to renew their application and it will provide them with a link to the appropriate web page on the website. This will encourage our customers to use the online application forms. However, there will still be the ability for customers to download the forms from the web pages should they wish to submit applications in a hard copy format.
- 4.7 The Licensing Partnership will also review the need to provide original documentation with applications to renew and will seek to amend the individual policies to permit this.
- 4.8 During 2014/15 the cost of the Licensing Partnership to the three authorities were reduced by £30,000 to £318,000. For 2015/16 the cost for the three partners has remained at this level.
- 4.9 Every year the Licensing Partnership issues just under 1,500 invoices for payments due to the authorities. Work continues with the project in recovering the outstanding annual fees and suspension notices have been issued for those payments that have not been paid.
- 4.10 The Licensing Partnership Document Retention Policy has been implemented to assist in moving towards a 'paper-less' office environment. The team based at Sevenoaks District Council are currently working through all the existing files to strip them down to conform to the Document Retention Policy. The Administration Team have also been scanning the premises files held at Tunbridge Wells so that all the historic documents contained in these files are available electronically to all members of the Licensing Partnership. Work will begin in the next year to scan in any documents from Maidstone Borough Council that should be available electronically.
- 4.11 The Administration Team working on behalf of the three authority partners processed during 2014/15 6,193 tasks which included the processing and issuing of licences.
- 4.12 The Licensing Partnership continues to provide 4 weeks of valuable work experience at the Hub for people sent from the Job Centre placement scheme and during 2014/15 there was a licensing administration apprentice. The

Licensing Partnership Board will consider engaging another apprentice around autumn 2015 once the GCSE and A level results have been published.

4.13 The Licensing Officers and Administration Team have provided invaluable cover for absences at the other authorities. For example Maidstone did not have a Licensing Officer between March 2014 and July 2014 and the Licensing Officer at Tunbridge Wells was off sick following a road traffic accident from July 2014 until November 2014.

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## **5 SERVICE OBJECTIVES FOR 2015/16 AND PLANNED SERVICE IMPROVEMENTS**

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

- a) This is ongoing and performance is monitored on a weekly and monthly basis.
- b) 1:1 meetings with staff are carried out monthly
- c) there is a Licensing Partnership team meeting once a month and
- d) the Licensing Partnership Board meets 4 times a year.

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

- a) Discussions are continuing with another local authority to explore the possibility of joining the Licensing Partnership.

5.3 Objective 3 - Utilise customer insight and bench marking information to inform service improvements as appropriate.

- a) Use of online forms;
- b) changes in renewal process for taxis licensees;
- c) ongoing changes to the web pages;
- d) introducing a separate customer survey questionnaire to improve feedback from customers other than those who submit their applications online;
- e) reducing the face to face contact in reception and the gateways.

5.4 Objective 4 - Ensure all online forms are implemented and in use by customers. See paragraph 4.4 above.

5.5 Objective 5 - Undertake a programme of training for Members and officers, especially in light of the legislative changes and elections taking place in 2015.

The Member's training at Maidstone Borough Council will be delivered by Jayne Bolas. Solicitor and Team Leader (Contentious) for Maidstone Borough Council

- a)
- b) The Licensing Partnership will hold 2 or 3 open mornings/afternoons where Members will be invited to experience the Administration team in action and learn more about how the Licensing Partnership operates.

5.6 Objective 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.

- a) This is currently underway for the Boatmen licences currently administered by Maidstone Borough Council.

5.7 Objective 7 - Officers and Licensing Committees to consider opportunities for greater harmonisation of policies.

- a) Maidstone and Sevenoaks taxis and private hire policies are being drafted to seek greater harmonisation.
- b) Investigations are underway regarding the purchase and implementation of the online Diamond Knowledge Test which would allow for the incorporation of Disability Awareness testing for new drivers.

5.8 The Licensing Partnership Manager will also undertake a review of all the fees and charges that are currently set by the Licensing Authority within the next 6 months.

## **6 NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

6.1 The service objectives will be implemented.

6.2 An update report will be brought annually to the Licensing Committee at the first meeting in the new municipal year.

## **7 CROSS-CUTTING ISSUES AND IMPLICATIONS**

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	None	[Head of Service or Manager]
<b>Risk Management</b>	A risk assessment is undertaken on an annual basis regarding the service objectives and reviewed regularly.	[Head of Service or Manager]
<b>Financial</b>	Financial implications have been dealt with in the body of the report.	[Section 151 Officer & Finance Team]
<b>Staffing</b>	No impact	[Head of Service]
<b>Legal</b>	This is a report to update on the progress of the Licensing Partnership.	[Legal Team]

<b>Equality Impact Needs Assessment</b>	No impact, this is a report to update on the progress of the Licensing Partnership.	[Policy & Information Manager]
<b>Environmental/Sustainable Development</b>	No impact, this is a report to update on the progress of the Licensing Partnership.	[Head of Service or Manager]
<b>Community Safety</b>	No impact, this is a report to update on the progress of the Licensing Partnership.	[Head of Service or Manager]
<b>Human Rights Act</b>	No impact, this is a report to update on the progress of the Licensing Partnership.	[Head of Service or Manager]
<b>Procurement</b>	No impact, this is a report to update on the progress of the Licensing Partnership.	[Head of Service & Section 151 Officer]
<b>Asset Management</b>	No impact, this is a report to update on the progress of the Licensing Partnership.	[Head of Service & Manager]

## 8 REPORT APPENDICES

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

- Appendix I: End of Year Performance report
- Appendix II: Service Plan for the Licensing Partnership

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## 9 BACKGROUND PAPERS

- Revenue tracker 2014/15