

# Public Document Pack

## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### LICENSING AND APPEALS COMMITTEE

MONDAY, 5TH NOVEMBER, 2018

#### SUPPLEMENTARY AGENDA

Please find attached supplementary papers relating to the above meeting, as follows:

<b>Agenda No</b>	<b>Item</b>
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7.	<b><u>INFORMATION NOTE: LICENSING ANNUAL REPORT (Pages 1 - 8)</u></b>
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The purpose of this information note is to give the Licensing and Appeals Committee an overview of the work undertaken by the Licensing Service over the past twelve months.

Some of the information in the original report did not reproduce as expected.

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**LICENSING AND APPEALS COMMITTEE**  
**5 November 2018**

**PART 1 – PUBLIC DOCUMENT**

TITLE OF INFORMATION NOTE: LICENSING ANNUAL REPORT  
INFORMATION NOTE OF: LICENSING MANAGER  
EXECUTIVE MEMBER: CLLR BERNARD LOVEWELL  
HOUSING AND ENVIRONMENTAL HEALTH  
COUNCIL PRIORITY: PROSPER AND PROTECT

## 1. SUMMARY

- 1.1 The purpose of this information note is to give the Licensing and Appeals Committee an overview of the work undertaken by the licensing service over the past twelve months.
- 1.2 The period covered by the information note is 1 October 2017 to 30 September 2018.

## 2. OVERVIEW OF SERVICE

- 2.1 The service consists of a licensing manager, a senior licensing officer and a licensing officer. Administrative support, including processing of some application types, is received by officers within the Management Support Unit (MSU).
- 2.2 The licensing service's main activities are the determination, issue and enforcement of licences/consents/permits relating to the following activities:
- (i) **Alcohol, entertainment and late night refreshment**  
(includes: all sales of alcohol, performance of plays, exhibition of films, indoor sporting events, boxing and wrestling, performance of live music, recorded music, performance of dance, sale of hot food/drink between the hours of 11pm and 5am)
  - (ii) **Gambling**  
(includes: betting shops, bingo halls, casinos, racing track betting, amusement arcades, small society lotteries/raffles, gaming machine permits)
  - (iii) **Hackney carriages and private hire**  
(includes: drivers, vehicles and operators)
  - (iv) **Street trading**
  - (v) **Charitable collections**  
(includes: street collections and house-to-house collections)
  - (vi) **Animal establishments**  
(includes: dog/cat boarding, dog breeding, riding establishments, pet shops, zoos, dangerous wild animals, exhibition of animals)
  - (vii) **Sex establishments**  
(includes: sex shops, sex cinemas, sexual entertainment venues such as pole/lap dancing clubs)
  - (viii) **Scrap metal dealers**  
(includes: sites and mobile collectors)
  - (ix) **Hypnotism**

2.3 All activities undertaken by the licensing service are in fulfilment of statutory duties placed on the Council.

### 3. CURRENT LICENCES

3.1 As at 30 September 2018, the number of current licences was:

TOTAL LICENCES			
Alcohol, entertainment and late night refreshment	Premises Licence	495	2051
	Club Premises Certificate	35	
	Personal Licence	1521	
Gambling	Adult Gaming Centre Premises Licence	1	266
	Betting (Other) Premises Licence	19	
	Club Gaming Machine Permit	2	
	Club Gaming Permit	1	
	Fast Track Club Gaming Machine Permit	9	
	Fast Track Club Gaming Permit	2	
	Licensed Premises Gaming Machine Permit	14	
	Notification of 2 or less Gaming Machines	77	
	Small Society Lotteries	140	
	Unlicensed FEC Gaming Permit	1	
Hackney carriage and private hire	Dual Driver	102	705
	Hackney Carriage Driver	138	
	Hackney Carriage Vehicle	169	
	Private Hire Driver	147	
	Private Hire Operator	40	
	Private Hire Vehicle	109	
Street trading	Street Trading (Fixed Pitch)	2	6
	Street Trading (Town Centre Consent)	4	
Charitable collections	House to House Collection	39	94
	Street Collection	55	
Animal establishments	Animal Boarding Establishment	12	39
	Dangerous Wild Animals	1	
	Dog Breeding Establishment	1	
	Dog Day Creche	1	
	Home Boarding	18	
	Pet Shop	4	
	Riding Establishment	2	
Scrap metal dealers	Scrap Metal Dealer Site		4
Sex establishments	Sex Shop		1
			3166

3.2 In addition to these licences which, in most cases, are granted in perpetuity the licensing service also granted 645 temporary licences (known as temporary event notices or TENs) which are specific to one-off small scale events.

### 3. APPLICATIONS

3.1 The number of applications processed within the period 1 October 2017 to 30 September 2018 was:

Number of applications received					
Hackney Carriage and Private Hire	Dual Driver	Change of details	6	34	603
		Upgrade to dual	7		
		Replacement licence	1		
		Replacement badge	1		
		New	2		
		Renewal	17		
	Hackney Carriage Driver	Change of details	6	55	
		Replacement licence	1		
		Replacement badge	1		
		Renewal	46		
		New	1		
	Hackney Carriage Vehicle	Change of details	13	292	
		Transfer of ownership	11		
		New	36		
		Renewal	199		
		Replacement licence	12		
		Replacement plate	6		
		Temporary Vehicle Plate	15		
	Private Hire Driver	Change of details	5	67	
		Replacement badge	1		
		Renewal	20		
		New	39		
		Upgrade to dual	2		
	Private Hire Operator	Change of name or address	1	10	
		New	3		
		Renewal	6		
	Private Hire Vehicle	Change of details	4	145	
		Transfer of ownership	1		
New		29			
Renewal		99			
Replacement licence		6			
Replacement plate		4			
Temporary Vehicle Plate		2			
Street Trading	Fixed Pitch	New	3	8	
		Renewal	5		
	Town Centre Consent	New	2	3	
		Renewal	1		
	Transient Trader	New	1	1	

Animal Licensing	Animal Boarding Establishment	New	3	13	42
		Renewal	10		
	Dangerous Wild Animals	Amend a schedule of animals (No visit)	1	2	
		Renewal	1		
	Dog Breeding Establishment	Renewal	1	1	
	Dog Day Crèche	Renewal	1	1	
	Home Boarding	New	9	19	
		Renewal	10		
	Pet Shop	Renewal	3	3	
	Riding Establishment	New	1	3	
Renewal		2			
Scrap Metal	Site Licence	New	1	1	1
Alcohol, Entertainment and Late Night Refreshment	Club Premises Certificate	Replacement Licence	2	3	
		Minor Variation	1		
	Film Classification	New	1	1	
	Temporary Event Notice	Late TEN	126	645	
		TEN	519		
	Personal Licence	New	74	103	
		Change of name or address	29		
	Premises Licence	New	20	188	
		Change of name or address	8		
		Vary DPS	90		
		Transfer	32		
		Variation	11		
		Minor Variation	20		
Replacement Licence		5			
Notification of Interest	2	2			
Gambling	Notification of 2 or less Gaming Machines	New	10	10	
		Renewal	45	75	
	Small Society Lottery	New	30	85	
Charitable Collections	House to House Collection	New	36	81	
	Street Collection	New	45		
Sex Establishments	Sex Shop	Renewal	1	1	1

TOTAL	1765
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#### 4. MISCELLANEOUS SERVICE REQUESTS

- 4.1 The licensing service receive a high number of service requests in writing and by telephone, most notably requests for advice on the need for and the submission of an application.
- 4.2 The high volume of telephone requests is not currently quantifiable as most are not recorded within the database if they can be resolved either at the time of the call or by a returned call or email. Those that require a more detailed investigation and/or response are logged as service requests for officers.
- 4.3 The number of recorded service requests within the period 1 October 2017 to 30 September 2018 was:

MISCELLANEOUS	
Service requests	205
Taxi complaints	40
Taxi compliance tests	363
Taxi Verbal knowledge tests	118
Taxi computerised topographical tests	40
Taxi DBS appointments	155
	921

- 4.4 The licensing service receives a significant number of freedom of information (FOI) requests, mainly in relation to hackney carriage and private hire, or animals. The total number of FOI requests received within the period 1 October 2017 to 30 September 2018 was twenty-four (24).

#### 5. INSPECTIONS

- 5.1 The licensing service undertakes a series of risk-based planned inspections which are currently reported by way of a local performance indicator. Other ad-hoc visits are undertaken as part of complaint investigations or courtesy visits. The number of programmed inspections undertaken within the period 1 October 2017 to 30 September 2018 was:

INSPECTIONS	
Animal Inspection	21
Gambling Insp - Betting (other)	11
Licensed Premises (alcohol/entertainment/late night refreshment)	260
Private Hire Operator Insp	20
Scrap Metal Site	3
Sex Establishment	1
	316

#### 6. LICENSING HEARINGS

- 6.1 Applications for new, varied or reviewed premises licences/club premises certificates under the Licensing Act 2003 (alcohol, entertainment and/or late night refreshment) that receive representations are determined by a licensing and appeals sub-committee.

- 6.2 The number of licensing sub-committee hearings held within the period 1 October 2017 to 30 September 2018 was seventeen (17).
- 6.3 A licensing and appeals sub-committee would also determine contested applications under the Gambling Act 2005 although no such applications were received within the period 1 October 2017 to 30 September 2018.
- 6.4 A licensing and appeals sub-committee would also determine any application for the grant of a new sex establishment although no such applications were received within the period 1 October 2017 to 30 September 2018.

## **7. POLICY WORK**

- 7.1 To ensure transparency for applicants and the public, and consistent decision-making, each aspect of licensing has its own policy clearly stating the Council's requirements and local interpretation where legislation allows.
- 7.2 Each policy has to be kept under review to ensure that it remains fit-for-purpose and reflects any changes in legislation or national guidance. During the period 1 October 2017 to 30 September 2018, the following policies were reviewed:
- (i) **Review required by prescribed dates within legislation**  
Gambling Act 2005
  - (ii) **Review as locally-set policy review dates had been reached**  
Animal licensing  
House to house collections  
Street collections  
Street trading  
Sex establishments  
Hackney carriage and private hire
- 7.3 Following the review of the animal licensing policy, Government introduced a new licensing regime resulting in the policy consultation having to be withdrawn. The new regime took effect from 1 October 2018 and a new consultation is planned to incorporate the new requirements once officers have implemented the new regime and processed this year's annual renewals. The implementation process was significantly affected by Government only publishing mandatory guidance in late July; prescribed application forms are still awaited.
- 7.4 Following the conclusion of the senior management restructure, all of the existing policies have been or are currently being amended to reflect the new structure.

## **8. FUTURE PLANS**

- 8.1 The licensing service has a number of future developments targeted at smarter ways of working, customer self-service and revenue generation. It is important to be aware that some of these ideas are still at the developmental stage however it is hoped that they can all be achieved.

### **Public Register**

- 8.2 The licensing public register is planned to 'go live' in November giving the public access to all licences and applications, initially for the Licensing Act 2003 and Gambling Act 2005 which are statutory requirements, but hopefully extending to all other aspects of licensing.



- 8.3 Once 'live', further development of the online portal is planned to allow:
- (i) consultation responses to be submitted electrically by statutory consultees and the public; and
  - (ii) electronic submission of applications

It is hoped to have these two developments 'live' by the end of 2019.

#### **Pre-application Advice**

- 8.4 Licensing officers currently undertake a significant amount of advice in respect of applications or potential applications resulting, in part, from a lack of information on our website combined with the specific complexities of each application.
- 8.5 Additionally, applicants are utilising licensing agents and solicitors to make applications on their behalf which is an expensive process.
- 8.6 Whilst licensing case law dictates that Councils cannot make a profit from licensing fees, pre-application advice falls outside of the prescribed fee format. It is planned to introduce a pre-application advice service in 2019 allowing applicants to discuss their specific plans with a licensing officer and receive assistance with the application process. This service will be subject to an hourly-rate, chargeable in 15 minute blocks (or part thereof) and can include advice, application submission and advanced liaison with the statutory consultees.

#### **Customer Self-Service**

- 8.7 To facilitate the introduction of the pre-application advice service and to improve service provision to the public, it is intended to review all of the licensing web pages making them more informative and user-friendly.
- 8.8 Currently, most application forms are sent out in hard copy on request. By moving towards online applications and downloadable forms on the website, the provision of hard copy application forms and the associated postage costs should significantly reduce.

#### **Smarter Ways of Working**

- 8.9 An area that we hope to investigate in 2019 is reducing the amount of customer contact throughout an application process. This is most relevant to hackney carriage and private hire applications where applicants have a number of contacts as part of each application. These contacts can be a mix of telephone, email and face-to-face contacts and involve the submission of various documents to the Council's scanning facility in Nottingham.
- 8.10 If the application process can be simplified and made more convenient for the customer, and more cost effective for the Council, this should be pursued.

### **9. CONTACT OFFICER**

- 9.1 Steve Cobb, Licensing Manager  
[steven.cobb@north-herts.gov.uk](mailto:steven.cobb@north-herts.gov.uk), ext: 4833

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