

Service Report Card 2016-2017

Legal Services – Licensing

Section 1: Brief description of the service

Licensing is a small team comprising of 8 people which equates to 6.6 FTE. The Licensing Section is responsible for ensuring that the Council fulfils its statutory duty in respect of the administration and enforcement of the following licensing functions

- Licences issued under the Licensing Act 2003
 - Premises Licences
 - Club Premises Certificates
 - Personal Licences
 - Temporary Event Notices
- Licences issued under the Gambling Act 2005
 - Premises Licences - Betting Shops, Bingo Halls, Adult Gaming Centres, Family Entertainment Centres, Tracks
 - Permits – Gaming Machines
 - Small Society Lottery Registrations
- Hackney Carriage and Private Hire Licences
 - Hackney Carriage (Taxis) and Private Hire Vehicles,
 - Hackney Carriage and Private Hire Drivers
 - Private Hire Operators
- Animal Welfare Licences

- Dog Breeding Establishments
- Animal Boarding Establishments
- Pet Shops
- Riding School
- Dangerous Wild Animals
- Zoos
- Boats and Boatmen
- Charitable Collections
 - Street Collections
 - House to House Collections
- Cosmetic Piercing and Tattooing
- Explosive storage
 - Petrol Station
 - Firework Retailers
- Scrap Metal Dealers
- Sex Establishments
 - Sex Shops
 - Sexual Encounter Venues
- Stage Hypnotism
- Street Trading

Section 2:
Overall Summary of Performance for 2016-17 Financial Year

The items identified as priorities on the business plan 2016/17 have been completed or are awaiting completion following consultation; one priority has not been delivered and this is discussed below.

The number of premises inspections has increased and should be at the required levels by the year end, however, it

will not be possible to also cover the shortfall from last year.

Financially, the Licensing Section should continue to recover at least all its above line costs from those that derive benefit from the service i.e. licence holders.

**Section 3:
Service Priorities 2016-17**

Priority	Actions to deliver priority	Officer Responsible	Timescale	What will be different? Measures and/or Outcomes
1. Risk based inspections	1/3 of licensed premises to be inspected in addition to the shortfall identified from 2015/2016	Neil Chapple	March 2017	Inspected premises to be risk assessed
2. Review of street trading policy	Update existing street trading policy, undertake consultation with interested parties and seek approval from the Registration and Licensing Committee	Neil Chapple	March 2017	The existing street trading policy to be replaced with a revised policy, approved by the Registration and Licensing Committee.
3. Implement online DBS checks for taxi drivers	Identify and sign up to an online DBS check provider. Communicate changes to the taxi trade and phase out paper based DBS checks.	Neil Chapple	December 2016	Paper based DBS checks will cease and all checks will be processed via the online provider.
4: Develop and implement a system for enabling online taxi driver applications	This is only possible once the DBS applications are completed online. A system will need to be developed locally as online taxi licensing is not supported by GOV.UK	Neil Chapple	January 2017	Taxi drivers will be enabled to apply for their licences online.
5: Implement taxi driver training in relation to safeguarding issues including child sexual	Continue to work on removing the obstacles delaying the implementation of training, in particular funding. In the	Neil Chapple	September 2016 for Knowledge test and	Application packs to contain relevant materials and the knowledge tests to be reviewed and

exploitation	interim period, safeguarding questions are to be added to the knowledge test and safeguarding factsheets are to be added to the application pack		factsheets. March 2017 for training	approved by the Registration and Licensing Committee. Taxi drivers will receive safeguarding training.
6: Review of licence fees to ensure the Council recovers the cost of the Licensing Service from those that derive benefit from it	This is an ongoing task and will be included in all future business plans. The aim is to ensure that the Council recovers as much of its costs (as is legally permissible) from the licensed trade.	Neil Chapple	March 2017	Implementation of a new fee structure for the period 2017/18.
7: Ongoing compliance inspection programme to ensure public safety and animal welfare.	Premises licensed under the Licensing Act 2003 to be inspected in accordance with the risk based inspection programme. Premises licensed under the following provisions to receive at least one inspection per year: <ul style="list-style-type: none"> • Gambling Act 2005 • Animal Welfare legislation • Firework legislation 	Neil Chapple	March 2017	Compliance inspections carried out and recorded on the licensing software

Section 4: Service Performance Quadrant 2016-17

Priority 1 - Risk based inspections

- 484 premises and 72 clubs are licensed by the authority
- The aim is to carry out an initial inspection on all premises licensed under the Licensing Act 2003, in order to establish its risk assessment score.
- It was proposed to complete the task over a 3 year period, with 1/3 of premises inspected in 2015/16, 2016/17 and 2017/18.
- A total of 161 premises and 24 clubs were therefore identified as requiring an inspection in the period 2016/2017 in addition to a shortfall of 94 inspections from 2015/2016.
- On the 21st February 2017, 150 initial inspections have been conducted in this financial year and it is anticipated that an additional 30 initial inspections will take place before the end of March 2017.
- It is proposed that in order to ensure that all premises are risk assessed by the end of the period 2017/2018, that a table top risk assessment exercise be undertaken to identify those premises expected to have a very low risk assessment score. Such premises are likely to include community buildings, church halls and libraries, where alcohol sales are not authorised.

Priority 2 – Review of street trading policy

- A draft street trading policy was considered by the Registration and Licensing Committee on the 13th February 2017. Members have approved that the draft policy be subject to consultation with interested parties.
- The consultation exercise however is unable to commence due to the election period beginning on the 20th March 2017.
- Consultation will therefore be carried out as soon as the election period ends and the Registration and

Licensing Committee will then be asked to consider adopting a new policy.

Priority 3 – Implement online DBS checks for drivers

- Online DBS checks have been fully implemented and paper checks are no longer used.
- The online DBS system is provided by Powys County Council.
- DBS check turn-around times have been dramatically reduced, with the majority of checks being returned in under 1 week.

Priority 4 – Develop and implement a system for enabling online taxi driver applications

- This priority has not been progressed.
- The Immigration Act 2016 was implemented for taxi drivers on the 1st December 2016. The legislation mandates the authority to carry out immigration status checks on all taxi drivers. This involves having to examine original documentation, i.e. Passport, Birth Certificate, in the presence of the applicant, on both grant and renewal.
- It was considered that there was no real benefit to introduce online applications, when the driver would have to attend the licensing office anyway.

Priority 5 – Implement taxi driver training in relation to safeguarding issues including child sexual exploitation

- The first two training sessions took place on the 14th and 28th February 2017. Drivers were invited to attend on a voluntary basis, and both sessions were completely booked (40 drivers at each session).
- Additional training dates have been arranged for the 17th and 31st March; both sessions are expected to have a capacity attendance.
- The Policy and Resources Scrutiny Committee recommended that an update on this training also be provided to the Children, Young Persons and Education Scrutiny Committee; this report was presented on the 2nd

March 2017.

- The taxi driver knowledge test was reviewed and approved by the Registration and Licensing Committee on the 26th September 2016. The test was implemented for all new drivers after the 1st October 2016.
- Safeguarding materials have been added to the application packs and questions on safeguarding are included in the knowledge test.

Priority 6 – Review of licence fees to ensure the Council recovers the cost of the Licensing Service from those that derive benefit from it

- The fee setting exercise is carried out in February/March each year, ready to have a licensing fee structure in place for the 1st April 2017.
- This work is almost complete and the proposed licence fees for the period 2017/18 will be presented to the Director of Finance shortly.

Priority 7 - Ongoing compliance inspection programme to ensure public safety and animal welfare.

- In addition to the initial risk based inspections identified at priority 1, premises that were inspected in the period 2015/2016, are now in the scheduled inspection programme. The percentage of premises inspected in accordance with the schedule is shown in the table below. Percentages of premises inspected for the other licensing functions identified at priority 7 are also shown below.

Measure	2014-15 Actual (Full Year)	2015-16 Actual (Full Year)	Comparative Performance	2015-16 Qtr. 3 (cumulative)	2016-17 Qtr. 3 (cumulative)
Service Measure 1: % of premises licensed under the Licensing Act 2003 receiving an inspection in accordance with the risk based premises inspection programme. (Priority 7)	New	New	Not available	New	100% (5/5)

Service Measure 2: % of premises licensed under the Gambling Act 2005 receiving at least 1 inspection (priority 7)	Not recorded	95% (20 / 21)	Not available	0% (0 / 19)	4% (1 / 22) Inspections routinely take place in March
Service measure 3: % of premises licensed to sell, keep, board or exhibit animals receiving at least 1 inspection (priority 7)	Not recorded	100%	Not available	85% (32 / 41)	92% (38/41)
Service measure 4: % of premises licensed to store fireworks receiving at least 1 inspection (priority 7)	Not recorded	100%	Not available	100% (24 / 24)	100%
Corporate measure (CM01): a) Number of transactional services fully web enabled b) Number of transactional services partially web enabled	Not recorded	10 of 13 services are partially web enabled via GOV.UK	Not available	10 of 13 services are partially web enabled via GOV.UK	10 of 13 services are partially web enabled via GOV.UK

**Section 5:
Financial Quadrant 2016-17:**

- One of the aims of the Licensing Section is that the licensing function be self-financing. In this situation the cost is borne by persons that derive benefit from licences and there is no burden on council tax payers. Additionally legislation dictates that the Council can only levy a fee in order to achieve cost recovery, therefore no profit can be made.
- Licensing fees are calculated annually to ensure that the fee levels are set accurately to recover the costs of the service.
- Targeted income for 2016/2017 is £261,310, however this is likely to be exceeded (as in previous years) and will need to be reviewed for the 2017/18 budget.
- A barrister cost of £5603 is included in the projected 2016/17 service costs. This was an unexpected cost attributed to having to instruct a barrister to represent the council in an appeal hearing.
- Actual levels of expenditure and income will not be available until after the 31st March 2017.

Measure	2014-15 Actual (Full Year)	2015-16 Actual (Full Year)	2016-17 (projected to year end)
Service Cost £	£ 240,730	£259,772	£268,460
Service Income £	£ 267,074	£269,586	261,310

Corporate Measure (CM03):

Amount of FFP savings

Amount of FFP savings at risk

£

None

None

**Section 6:
Employee Quadrant 2016-17**

- Sickness Levels in Licensing have always been very low, with the exception of last year where 1 team member was on long term sick. Sickness levels this year have been exceptionally low compared to the Council average.
- All Licensing team members received a performance appraisal in April 2016 (6 of 6). A new team member joined the Licensing Section in July 2017; an induction was given and a performance appraisal is scheduled to take place in April 2017.
- 2 team members progressed into higher grade posts elsewhere within the Council. The two team members had a post which they job shared (18^{1/2} hours) and have since been replaced by 1 full time team member.

Measure	2014-15 Actual (Full Year)	2015-16 Actual (Full Year)	2015-16 QTR. 3 (cumulative)	2016-17 QTR. 3 (cumulative)
Corporate Measure (CM04): Average FTE (Full time equivalent) working days lost due to sickness absence				
Service: Licensing				
Total Service FTE days lost in the period	15	43.5	38.5	6
Average FTE working days lost per employee	2.3	6.9	6.1	0.9
Directorate: Corporate Services: Average FTE working days lost per employee	8.0	6.0	4.1	5.4

Council: Average FTE working days lost per employee	9.4	9.7	6.8	7.3
		2015-16 Actual (Full Year)	2015-16 QTR. 3 (cumulative)	2016-17 QTR. 3 (cumulative)
Corporate Measure (CM11): Staff engagement Measure		Being developed by CEX	Being developed by CEX	Being developed by CEX
Corporate Measure (CM05): % of staff who have received a performance appraisal during 2016-17 (Target 100%)		0%	0%	83%
Number of staff who have received a performance appraisal during 2016-17		0 of 6	0 of 6	5 of 6
Corporate Measure (CM06): Number of employees left due to unplanned departures		0	0	2

Section 7: Customer Quadrant 2016-17

- It is considered that many letters, emails and verbal comments go unrecorded as compliments as officers do not consider that the compliment has reached the necessary threshold to be recorded as such. Following discussions with Corporate Strategy Officers, new criteria for recording will be introduced for next year.

Measure	2015-16 Actual (Full Year)	2015-16 Qtr. 3 (cumulative)	2016-17 Qtr. 3 (cumulative)
Corporate Measure (CM07): Total number of complaints			
Internal	0	0	0
External (from the public)	0	0	0
Corporate Measure (CM08): Total number of compliments			
Internal	0	0	0
External (members of the public)	0	0	0
Corporate Measure (CM09): customer satisfaction measure/s	Not recorded	Not recorded	