

## Overview Report

# Crime and Disorder Select Committee

## Overview Meeting 2021

11 February 2021

### Administration, Democratic and Electoral Services

#### Context

The Council has a strong track record of sound financial management. In the current economic climate, finances are always going to be a challenge, and we work hard to make our budget go further. We have adapted to unprecedented funding reductions over the last eight years, saving around £53m. Our medium-term financial planning approach has allowed us to continually balance our budget through delivering savings and efficiencies but also to plan ahead and deliver invest-to-save schemes and innovative changes to service delivery models. We carefully target investments to stimulate economic growth, provide great assets and deliver financial returns to offset funding reductions.

Since the initial development of this Council Plan we have and still are experiencing the effects of the Coronavirus pandemic. Coronavirus provides huge challenges for us to address in terms of community and economic recovery and dealing with the long-term implications of the pandemic. We have reviewed our priorities for the coming year and have adapted these to reflect the focus that is needed to respond to this challenge.

The challenge for all Members is to ensure that decisions about the basis on which services will be delivered are within the resources available, taking account of a number of factors such as the uncertain financial position, changing demographics, increasing demand, new national legislation and policy direction.

Members are reminded of the Council's Vision that supports decision-making:

- A place where people are healthy, safe and protected from harm, where
  - People live in cohesive and safe communities
  - People are supported and protected from harm
  - People live health lives
- A place with a thriving economy where everyone has opportunities to succeed, creating
  - A growing economy
  - Improved education and skills development
  - Job creation and increased employment
- A place that is clean, vibrant and attractive, creating
  - Great places to live and visit
  - Clean and green spaces
  - Rich cultural experiences

The Council plays its part in making sure this is achieved by being a Council that is ambitious, effective and proud to serve.

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### Performance Reporting

Performance across the Council Plan was reported on a six-monthly basis to Executive Scrutiny Committee. Please see the link:

<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl?cmte=SCR>

### Administration, Democratic and Electoral Services – Assistant Director – Margaret Waggott

Relevant services include:

- Licensing

### Council Plan 2020-2023

The Council Plan sets out the aims and objectives for all services and is refreshed on an annual basis.

The key priorities for 2020-21 for the Administration, Democratic and Electoral Services theme are attached at Appendix 1.

### Emerging Issues

The service has had to adapt and respond to the pandemic which has included changes to the Licensing Act 2003, Business & Planning Act 2020, lockdowns, and tier systems. Officers have carried out Covid compliance patrols on the hospitality trade from April 2020 onwards, which have resulted in enforcement action being taken against a very small minority of problem premises.

In response to the pandemic the Business & Planning Act 2020 introduced a brand new pavement licensing regime, to allow businesses to apply for a licence to put removable furniture on adopted highway. As a new regime this required the introduction of back office process, consultation processes and practices as well as the development of application forms and an application process.

As a Licensing Service we have increased pace with our digital agenda during the pandemic we continue to identify service improvements for the trade and help place shape through the strengthening of working relationships with our partners. Some of the improvements have seen:

- Back office / front end processes are continually being reviewed to implement smarter ways of remote working, including the introduction of Goss online forms and automatic fee payments for the transport trade.
- Smarter methods of remote communication with the licensed trade which has seen the increase in the use of Facebook, emails, texts, and Microsoft Teams.
- Online licensing training solutions for staff.
- Improved intelligence pipeline leading to targeted joint working with police and the Covid Compliance Unit.

Both the Licensing Act 2003 Statement of Licensing Policy and Sex Establishment Licensing Policy are due for review in 2021, following government advice we proposed to readopt the current policies with minor administrative amendments until a time we can meaningfully consult with stakeholders in the hospitality industry.

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The service continues to meet statutory obligations and timescales and works closely with the trade and responsible authorities. Acting as a responsible authority, the service has submitted representations in support of premise licence review applications brought by the police against problem premises and against premise licence applications which are in conflict with the current statement of licensing policy. The service also sits on and contributes to the Alcohol Related Harm Reduction Steering Group.

We continue to explore the further capabilities of Goss, for online forms and exploring further back office and data storage functionality and capabilities. We have also researched and used the Gov.notify system for mass texting communication with our transport licensed trade.

In 2020 the service brought its first prosecution under the Animal Welfare Act, against an unlicensed dog home boarder, who failed to engage with the service, ignored correspondent's and continued to carry out licensable activity putting animals welfare at risk. A defendant pleaded guilty and was fined at court.

The service joined the other Tees Valley licensing services in the first joint operation against unlicensed scrap metal collection, working with police, DVLA and HM revenue and customs unlicensed collectors were stopped across the Tees Valley in a week long operation resulting in enforcement action.

### **Licensing - Priorities for the year ahead**

The service will continue to provide COVID-19 business restrictions advice. Where breaches are reported or found we will continue to investigate and if needed enforce under COVID legal provisions.

The impact of the pandemic on the licensing service will be further felt throughout 2021 and beyond as the trade emerge from lockdowns and restrictions, the service will have to consider Covid sustainability and will continue to support the licensed trade with ever changing legislation and guidance. We have seen a decrease in numbers of licensed vehicles, drivers, and dog home boarders as a direct result of the pandemic. As statutory annual fees are requested it is anticipated alcohol licensed premises and Gambling Act premises will also decline.

As legislation and restrictions change communication with the trade has increased with the service following the engage, educate, encourage before enforcement model. We will continue to compare best practice with our counterparts to respond to ever changing legislation and government restrictions and guidance.

The current private hire & hackney carriage licensing policy was approved in 2016 and amended in 2018 and again in 2019. In July 2020 the Department for Transport published the 'Statutory Taxi and Private Hire Vehicle Standards'. Which it recommends all Local Authorities adopt. The current licensed transport policy already included some of these statutory standards, and in this policy review it is proposed all the Department for Transport's standards are adopted in full. Summary of the consultation and any further licensing committee comments will be considered by Cabinet on 25 February 2021 and full Council on 24 March 2021. Following approval any changes agreed would come in to effect on 1 April 2021.

As a service we are going to continue to undertake proactive engagement campaigns to promote public safety across all areas of licensing, in particular the service actively participates in National Licensing Week, Responsible Gambling Week and an annual safety campaign around explosives (fireworks).

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### **Licensing – Challenges and opportunities**

On 1 October 2018, the new regulations of activities involving animals came into force which changed the previous licensing regime for businesses including involved in animal activities, including dog breeding. Lucy's Law introduced in 2020 bans the sale of kittens and puppies from third parties making buyers deal with breeders directly. The pandemic has seen a rise in puppy sales and we are increasing investigations into unlicensed dog breeding. In the first instance we will engage, educate, and encourage these businesses to become licensed. There will be a minority of business where the approach will not work and an increase in enforcement work and potential prosecutions against unlicensed dog breeding is anticipated in 2021.

As the use of outside space is encouraged there will be an increase in business taking advantage of new legislation allowing removable furniture on the highway the first instance we will engage, educate, and encourage these businesses to become licensed. There will be a minority of business where this approach will not work and an increase in enforcement work and potential prosecutions against unlicensed activity is anticipated in 2021.

Unlicensed scrap metal collection has increased during the current pandemic, gathering intelligence for enforcement action is difficult as members of the public who use these services will not engage, and the legislation is poorly worded, however we will continue efforts to disrupt this activity.

### **Potential Areas for In-Depth Review**

Members are reminded that topics are being sought for the Scrutiny Work Programme 2021-22. Using the information provided as part of the performance updates and this Overview meeting, the Committee is invited to identify potential topics for review within this theme.

Potential topics will be considered at Executive Scrutiny Committee on 23 March.

Animal Activities Licensing

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### **Appendix 1 – Council Plan - Key Priorities 2020- 2021 – Administration, Democratic and Electoral Services**

Making the Borough a place where people are healthy, safe and protected from harm means creating a place where:

- People live in cohesive and safe communities
- People are supported and protected from harm