

People Select Committee Overview Meeting 2016

21 November 2016

Report from Assistant Director Administration, Democratic and Electoral Services

Licensing Services

Context

Members are well aware that as a Council we have had to adapt to funding reductions of £52 million over the last five years and that we are still confronted with having to find further savings. In relation to Licensing services this has meant delivering efficiencies and savings within the following areas;

- Digitalisation of front end services
- Streamlining processes
- Digitilisation and mobile working for officers

Whilst we acknowledge that we have a strong track record of sound financial management and we have been dealing with these problems successfully for many years, it will not be easy to find the additional savings of over £20 million by 2019/20. Moving forward, expectations will need to be realistic as many more difficult decisions will need to be made.

It is both acknowledged and accepted that we can't continue to do all the things we currently do and that we won't be able to work in the same way. For licensing services this may mean for example re-engineering our key business licensing processes enabling our customer to access services more efficiently.

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 reduced budget allocation, changing demographics, increasing demand, new national legislation and policy direction. Members are reminded of the four policy principles that support our decision-making:

- **Protecting the vulnerable through targeted intervention**, particularly those people in our communities who are subject to, or at risk of harm, people who are homeless or at risk of becoming homeless and those who are financially excluded or whose circumstances make them vulnerable.
- **Promoting equality of opportunity through targeted intervention**, specifically in relation to tackling health inequalities, meeting the skills gap and improving access to job opportunities, tackling fuel poverty, improving education and training opportunities, access to affordable housing and financial and digital inclusion.
- **Developing strong and healthy communities** through the provision of mainstream and preventive services that are available to all those who choose to access them.
- **Creating economic prosperity** across the Borough

It is within this context that the select committee is invited to undertake their overview duties.

WHAT HAS BEEN ACHIEVED?

1. Establishing a firm policy foundation across all licensing areas upon which to build a forward thinking customer focused service.
2. There is strong evidence that this policy foundation is leading to positive outcomes for example, since the introduction of The Private Hire and Hackney Carriage Licensing Policy in January 2016 we have had 41 accident damaged vehicles removed from the fleet, trained 500 drivers in safeguarding, encouraged an additional 49 new vehicles to be registered that comply to Euro 5 emissions, and following intelligence and complaints 19 drivers/applicants have been revoked or refused licenses. In addition the service have identified several areas in which the policy could be improved e.g. having an age related policy for licensed vehicles as opposed to emission standards, computer based knowledge test for new drivers as opposed paper based and moving to annual online Disclosure and Barring Service check as opposed to a three year paper checking service and work has started on the implementation of those suggested improvements.
3. The service has also undertaken a review of the fees for Taxi licensing and the formal process of consultation with Members of the Licensing Committee and the trade will now commence.
4. Work continues to ensure the effectiveness and efficiency of managing the issue of all licenses, permits and registrations, with work now underway on improving the website as a proactive pre-application advice channel, and on-line application / payment portal. In order to support the vibrant night time economy in the Town Centre targeted compliance activity based on intelligence is supporting our move to enable the consideration of developing a Stockton version of the purple flag scheme for Stockton's licensed premises within the Stockton Town Centre area. As a service we are progressing the delivery of educational initiatives and awareness campaigns with respect of the night time economy and taxi trade with regards to vulnerability and Child Sexual Exploitation (VEMT) and have seen several hundred drivers successfully complete the NOCN Level 1 accredited qualification unit Awareness of protection and safeguarding in health and social care (adults and young people) early years and childcare. As a Licensing Authority which works their licensing trade we are keen to ensure that the premises in our area and their staff are provided with opportunities that assist them to implement responsible measures that in turn create a safer night time environment for patrons; we have offered members of staff who work in the Pub Trade in Stockton a fantastic opportunity for free vulnerability training which will enable their staff to identify what makes a person vulnerable and will help them to identify vulnerable persons.
5. In order to support the vibrant night time economy in the Town Centre targeted compliance activity based on intelligence is supporting our move to enable the consideration of developing a Stockton flag scheme recognised outstanding practice across the licensed trade for Stockton's licensed premises within the Stockton Town Centre area.
6. As a Licensing Service we are continuing to review the processes and procedures to ensure the effectiveness and efficiency of managing the issue of all licenses, permits and registrations, with work now underway on improving the website as a proactive pre-application advice channel, and on-line application / payment portal.

7. The Licensing service has undergone a challenging review during 2015/16 which resulted in hitting the required level of financial savings and most importantly achieving. However all team members are leading on several projects and are taking a proactive and enthusiastic approach to the challenges faced.

CHALLENGES

8. Channel shift and transition to a full online licensing service along with managing the ongoing service improvement projects will be challenging to implement, especially with the ongoing daily operational demands on the Licensing Service.

EMERGING ISSUES

9. The service is actively considering the following Government consultations and legal cases and how they may impact in our Borough;
10. Gambling Commission - Controlling where gaming machines may be played in terms of fixed odd betting. This consultation document sets out proposed amendments to the Licence Conditions and Codes of Practice (LCCP) that apply to gambling operators licensed by the Gambling Commission (the Commission). It also sets out proposed amendments to the Commission's statutory Guidance to licensing authorities (GLA).
11. Policing and Crime Bill recently announced - changes to The Licensing Act which are still progressing through Parliament. A Consultation document has been released by the Scrutiny Committee for Authorities to submit comments. That review is seeking to, amend the definition of alcohol, remove the requirement for guidance to be laid before Parliament, amend the summary review process, providing Licensing Authorities with the power to suspend or revoke a personal licence and to update the list of 'relevant offences.
12. Consultation on the review of animal establishments licensing in England – response submitted and awaiting outcome of consultation. This consultation seeks views on a number of proposed changes to the animal establishment licensing system. They are proposing to introduce new secondary legislation under the Animal Welfare Act 2006. This would introduce a single 'Animal Establishment Licence' for animal boarding establishments, pet shops, riding establishments, and dog breeding. We strongly suggest that licensing is retained for all current animal licensing and is introduced for all those premises which are currently exempt or subject to a registration. We do not feel it would be beneficial to have a two tier system as it would be confusing. We see the accreditation system as a vehicle which assists and promotes the standards of welfare rather than an exemption to licensing.
13. The Supreme Court has announced its verdict in the Hemming v Westminster case. The case concerned whether it was legal for Westminster to include within the licence fee for sex shops the cost of enforcement action against both licensed and unlicensed operators. The LGA submitted a written intervention in support of Westminster's case before the case was heard by the Supreme Court in January. The Court ruled that Westminster was entitled to recover these costs. However, it referred to the European Court of Justice the issue of whether it is legal to levy a single application fee covering all these costs, as distinct to an application fee (covering the cost of processing the

application) and subsequent fee charged to successful applicants (covering enforcement costs). The case decision is to be released on the 16 November 2016.

14. Uber – Is an app people can download to their phones and use to book and pay for taxi journeys. Uber launched in 2009 and currently in operation in more than 70 cities across 37 countries, the app makes cities more accessible for people by "seamlessly connecting riders to drivers", according to the company website. However, many authorities have several difficulties with the company and their drivers. The app, when downloaded to the user's mobile phone, detects the GPS and finds the nearest available driver. Uber are applying for private hire operators licence across the region but it appears they cannot comply with current legislation requirements.

Possible Areas for In Depth Review

None identified.