

Licensing & Regulatory Committee

Agenda

Date

Wednesday 25 July 2018

Time

9:00 am

All Members of the Committee are needed to consider Items 1 - 6 on the agenda

Mrs S C Gurney - Chairman
Mr S Dunn - Vice Chairman

Mrs C H Bannock
Mrs J K Copplestone
Mr R F Grady
Mr R J Knowles
Mr K G Leggett MBE
Mr I N Moncur
Mr V Ray-Mortlock
Mrs B H Rix
Mr V B Tapp
Mr D B Willmott

The following Members ONLY are needed to consider items 7 - 10 on the agenda:

Mrs S Gurney – Chairman
Mr R F Grady
Mr I Moncur

Place

Trafford Room
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich

Contact

Dawn Matthews tel (01603) 430404

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If any member wishes to clarify details relating to any matter on the agenda they are requested to contact the relevant Head of Service.



@BDCDemServices

The Openness of Local Government Bodies Regulations 2014

Under the above Regulations, any person may take photographs, film and audio-record the proceedings and report on all public meetings. If you do not wish to be filmed / recorded, please notify an officer prior to the start of the meeting. The Council has a protocol, a copy of which will be displayed outside of each meeting room and is available on request.

**The Chairman will ask if anyone wishes to
film / record this meeting**

A G E N D A

Page No

- | | | |
|---|--|---------|
| 1 | To receive declarations of interest under Procedural Rule no 8 | |
| 2 | Apologies for absence | |
| 3 | <u>Minutes of the meeting held on 30 May 2018</u> | 9 – 12 |
| 4 | Matters arising therefrom (if any) | |
| 5 | <u>Local Government (Miscellaneous Provisions) Act 1976 – Town Police Clauses Act 1847 - Hackney Carriage and Private Hire Vehicle Drivers – Charging for Safeguarding Training</u> | 13 – 16 |
| | To consider a proposal to charge for safeguarding training delivered to private hire drivers | |
| 6 | <u>Regulatory Services and Licensing – Annual Report 2017/18</u> | 17 – 34 |
| | To receive an update by the Food, Safety and Licensing Manager | |
| | <u>The Committee will break at this point and will reconvene at 11:15 am to consider the remaining business with the following Members only: Mrs S Gurney, Mr Grady and Mr Moncur</u> | |
| 7 | Exclusion of the Press and public | |
| | The Chairman will move that the Press and public be excluded from the meeting for the remaining items of business because otherwise, information which is exempt information by virtue of Paragraphs 1, 3 and 7 of Part I of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, would be disclosed to them. | |
| 8 | (11:15am) Local Government (Miscellaneous Provisions) Act 1976 – Private Hire Vehicle Driver Licensing | |
| | <u>To consider matters involving a personal licence holder</u> | 35 - 48 |
| | <u>A copy of the procedure to be followed is attached</u> | 5 – 8 |
| 9 | 1:30pm) Local Government (Miscellaneous Provisions) Act 1976 – Private Hire Vehicle Driver Licensing | |
| | <u>To consider matters involving a personal licence holder</u> | 49 - 64 |
| | <u>A copy of the procedure to be followed is attached</u> | 5 – 8 |

P C Kirby
Chief Executive

Quasi-judicial procedure rules - Suspension and revocation of Private Hire Vehicle Driver's licences

The Committee comprises 3 district councilors, at least 2 of which must be present at each hearing.

The Council may suspend, revoke or refuse to renew a driver's licence on the following grounds:

- (1) The driver has, since the grant of the licence, been convicted of an offence involving dishonesty, indecency or violence.
 - (2) The driver has, since the grant of the licence, been convicted of an offence under or has failed to comply with the provisions of the Town Police Clauses (1847) or Local Government Miscellaneous Provisions (1976) Acts.
 - (3) Any other reasonable cause.
-

1 Opening remarks by the Chairman of Committee

- 1.1 The Chairman will introduce those present at the hearing and will ensure that all present understand the procedure to be followed.
- 1.2 The Chairman will give a brief outline of the matter to be considered.

2 The Council's Case

- 2.1 The Council's representative will present its case.
- 2.2 The Council's representative may then be questioned by the following in the order shown:
 - (1) the Private Hire Vehicle Driver or his representative;
 - (2) the Council's legal representative;
 - (3) the representatives of consultees (eg Police, general practitioner)
 - (4) the members of the Committee.

3 The Private Hire Vehicle Driver's Case

- 3.1 The Private Hire Vehicle Driver or his representative present their case.
- 3.2 The Private Hire Vehicle Driver or his representative may then be questioned by the following in the order shown:
 - (1) the Council's representative and / or legal representative;

- (2) the representative of any consultee (eg the Police, general practitioner)
- (3) the members of the Committee.

4 Representatives / Consultees

- 4.1 The representatives of any consultees present shall then each present their case.
- 4.2 The representatives of any statutory consultees present may then each be questioned by the following in the order shown:
 - (1) the Private Hire Vehicle Driver or his representative;
 - (2) the Council's representative and / or legal representative;
 - (3) the representative of any other consultee and
 - (4) the members of the Committee.

5 Closing Statements

- 5.1 Closing statements will then be made in the following order:
 - (1) the Council's representative and / or legal representative;
 - (2) the representative of each consultee and
 - (3) the Private Hire Vehicle Driver or his representative.
- 5.2 All persons present, with the exception of members of the Committee, the advisor and the clerk, will then leave the meeting.

6 The Committee's Decision

- 6.1 The Committee will discuss the matters under consideration and determine by voting, the action to be taken.
- 6.2 In the event of an equality of votes, the Chairman has a second or casting vote.
- 6.3 During the decision making process, the Committee may seek the advice and guidance of its clerk and advisor.
- 6.4 All persons referred to in paragraph 5.2 above, will be asked to re-join the meeting. The Chairman will announce the Committee's decision with a summary of the reasons why if the application is refused or special conditions are added.
- 6.5 The Private Hire Vehicle Driver will be provided with a full written copy of the Committee's decision within 5 working days of the hearing.

- 6.6 In the event of a decision that is of disbenefit to the Private Hire Vehicle Driver, the Committee must clearly state the reasons how the Committee reached its decision.
- 6.7 The Private Hire Vehicle Driver should be advised that he has a right of appeal to the Magistrates' Court within 21 days of receiving the written decision.

Minutes of a meeting of the **Licensing & Regulatory Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Wednesday 30 May 2018** at **9.30am** when there were present:

Mrs S C Gurney – Chairman

Mr R Knowles

Mrs B Rix

The applicants (as identified in minute no: 4 below and in minute no: 6 in the exempt appendix to the signed copy of these Minutes) attended the meeting for their respective applications.

Also in attendance were Mr D Lowens (the Committee's legal advisor), the Food, Safety and Licensing Team Manager, the Technical Officer (Licensing Enforcement) and the Committee Officer (DM).

1 DECLARATIONS OF INTEREST

Member	Minute No & Heading	Nature of Interest
Mrs Gurney	4 – Local Government (Miscellaneous Provisions) Act 1976 – Private Hire Vehicle Licensing	Non pecuniary, local choice interest, the representative from Desira was known to her.

2 APOLOGIES FOR ABSENCE

None received.

3 NON-EXEMPT MINUTES

The non-exempt Minutes of the meetings held on 2 May and 15 May 2018 were confirmed and signed as a correct record.

4 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – PRIVATE HIRE VEHICLE LICENSING

Mr Leon Davies and Mr James Phillips trading as Zero Taxis and Mr Alex Bilham from Desira were in attendance for this item

The Committee considered an application to make an exception to the Council's Private Hire Vehicle and Hackney Carriage Policy and Conditions (PHVHCPC) in respect of the engine size of an eco-friendly vehicle.

Section 7 of the PHVHCPCs stated: the Council encourages the use of eco-friendly vehicles. Any application to license a vehicle with an engine capacity of less than 1300cc will be considered on its own merits. On 23 March 2018, Mr Davies and Mr Phillips contacted the Licensing Office in respect of licensing a Nissan Leaf electric vehicle. Mr Davies and Mr Phillips were not currently an established Private Hire Operator but were intending to trade as Zero Taxis. The vehicle had been inspected by Licensing Officers who had determined that, other than the engine capacity, the vehicle complied with the standard licensing requirements. Mr Davies and Mr Phillips requested that the Committee gave consideration to licensing electric vehicles in line with their business model of providing zero emission Private Hire Vehicles.

The Food, Safety and Licensing Team Manager presented his report in full and commented that the Council currently had a number of operators using hybrid vehicles within their companies but this was the first application in respect of a fully electric vehicle.

It was noted that, in addition to the Nissan Leaf, a number of manufacturers were now marketing electric cars. The purchase cost of these vehicles was such that it was still prohibitive for some companies to consider them.

Mr Davies informed Members that he was ex-air force and had experience in the renewable energy sector working off-shore. He often used taxis in the Netherlands and Holland where use of electric cars was extensive. He felt there was a niche in the market to develop use of electric cars in Norwich. Mr Davies and Mr Phillips outlined the proposals for the company and explained how they would manage the work undertaken by their two electric vehicles by way of local contract work with a range of businesses and organisations (for example journeys to and from the airport and train station). A number of organisations had already been contacted some of which had direct access to charging points. A number of other charging points were available and easily accessible by electric payment methods and grants were available to help with the cost of installing points. The company was very mindful of the constraints on long distance journeys and work would focus in and around Norwich. Two charging points would be available at the proposed operating base both of which benefitted from connection to solar power which would allow for overnight charging at virtually no cost during the summer and for limited cost during the winter. The electricity company supplying power to the operating base used 100% renewable sources to supply electricity. Whilst he had not worked in the private hire industry before, Mr Davies confirmed that he had researched a company in Wales which now operated 5 electric cars and had shadowed a company in Cornwall to see how it was run. With regard to questions about the limited capacity of the battery and the safety of the travelling public, Mr Davies commented that the careful management of the work accepted would avoid any issues. In practice, the normal average daily mileage of a typical taxi driver was between 140-160 miles and the electric car was capable of 150-170 miles on one full charge. The daily operations would also allow for an overlap of the two cars. Mr

Bilham commented that the cars were capable of receiving up to 80% of their full charge in 40 minutes if they did need topping up during the day. When stationary, the cars did not use their charge, and so there would be no problem if they were held up in traffic. The cars had an air source heat pump and electric seats to provide heating. Air conditioning had a nominal drain on the car's battery. The life expectancy of the current cars was estimated to be 8 years or 100,000 miles. A first generation electric car used for taxi work and being charged three times per day had been driven for 160,000 miles. Despite the initial high purchase costs, the running costs associated with an electric car were low and this could be reflected in the fares charged to customers.

The Food, Safety and Licensing Team Manager invited Members to review the application and determine the matter.

Mr Davies commented that much research had been undertaken by him and his partner in conjunction with Nissan into the operation of a taxi company using electric cars and careful thought given to the management of the work and the use of contract work to avoid any issues.

After consideration of all the information presented to them about the Nissan Leaf and the company's management proposals, and having regard to public safety, Members agreed to grant an exception to Section 7 of the Private Hire Vehicle and Hackney Carriage Policy and Conditions in respect of vehicles with an engine capacity of less than 1300cc in order to licence Nissan Leaf electric vehicles with the specification set out on pages 39 – 40 of the report. The operating centre for any such vehicle shall have at least one charging point present and maintained during the period of the relevant Private Hire Vehicle Operating Licence.

RESOLVED

to grant an exception to Section 7 of the Private Hire Vehicle and Hackney Carriage Policy and Conditions in respect of vehicles with an engine capacity of less than 1300cc in order to licence Nissan Leaf electric vehicles with the specification set out on pages 39 – 40 of the report. The operating centre for any such vehicle shall have at least one charging point present and maintained during the period of the relevant Private Hire Vehicle operating licence.

5 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

to exclude the Press and public from the meeting for the remaining business because otherwise, information which was exempt information by virtue of

Paragraphs 1, 3 and 7 of Part I of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, would be disclosed to them.

6 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – PRIVATE HIRE VEHICLE DRIVER LICENSING

The Committee considered an application for a Private Hire Vehicle Driver Licence, as detailed in the exempt appendix to the signed copy of these Minutes. After due consideration, it was

RESOLVED

to refuse the application for a Private Hire Vehicle Driver Licence.

7 EXEMPT MINUTES

The Exempt Minutes of the meeting held on 2 May 2018 were confirmed and signed as a correct record.

The meeting closed at 12:20pm

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976
TOWN POLICE CLAUSES ACT 1847**

Hackney Carriage and Private Hire Vehicle Drivers

CHARGING FOR SAFEGUARDING TRAINING

1 SUMMARY

- 1.1 This report details a proposal to charge for safeguarding training delivered to private hire vehicle drivers.

2 INTRODUCTION

- 2.1 In August 2016 Broadland adopted new safeguarding conditions in respect of licensed private hire vehicle drivers including a requirement that all existing drivers and future new applicants should receive safeguarding training. Since August 2016 Broadland, in collaboration with Breckland Training Services (BTS) and Norwich City Council (NCC), has provided safeguarding training to private hire vehicle drivers and as a result the vast majority of Broadland's licensed drivers (over 330) have received the training.

3 THE ISSUES

- 3.1 In light of 2.1 the future provision of training sessions will be aimed at new applicants. A similar situation exists in respect of NCC where the majority of their existing licensed drivers have also attended the training.
- 3.2 In order for the training sessions to prove cost effective, up to a maximum of 25 delegates have been booked to attend each session with more than one training session being delivered on the same day at the same venue.
- 3.3 With the emphasis moving to new applicants (on average Broadland receives six applications per month) collaboration with Norwich will continue to prove very important to enable the cost effective delivery of the training.
- 3.4 Meetings have also taken place with licensing officers from South Norfolk Council (SNC) and Great Yarmouth Borough Council (GYBC) as each are now contemplating implementing safeguarding conditions including requiring the training of licensed drivers. SNC and GYBC intend to stage training sessions in their respective areas but also wish to have the facility to take up spaces at the Broadland/Norwich training sessions. SNC are already taking up places.
- 3.5 Under the terms of the original agreement with BTS and NCC, BTS were

charging £150 per session with a number of sessions being delivered on the same day at the same venue. Broadland shared the cost with NCC.

- 3.6 Broadland and Norwich licensed drivers were not charged for attending the training; Broadland was able to provide funding from appropriate budgets. However, it was also agreed the situation would be reviewed after 31 March 2018 with a view to levying a charge in the future. This now proves necessary because the charges per session are being raised by BTS to £320 to reflect a general increase in charges including the fact that only one session would in future be delivered per day.

4 PROPOSED ACTION

- 4.1 Following careful consideration, it is proposed that a charge of £25 per delegate be levied by Broadland on the basis of the share of the costs per session to be paid by Broadland. This takes into account:
- (a) the administration and organisational arrangements provided by Broadland;
 - (b) the venue is provided by Broadland;
 - (c) the fee should not be more than reasonably necessary to cover the costs of the provision of the service.

5 RESOURCE IMPLICATIONS

- 5.1 There are no specific resource implications in respect of the proposals contained within this report. Any additional activities will be addressed from existing resources.

6 LEGAL IMPLICATIONS

- 6.1 There are no legal implications.

7 EQUALITIES

- 7.1 There are no equalities issues specific to the proposals contained within this report.

8 RECOMMENDATION

- 8.1 The Committee is **RECOMMENDED** to :
- (1) Agree to levy a charge of £25 per person for attendance at a safeguarding training course provided by Broadland District Council in

respect of the requirements of the Council's Private Hire and Hackney Carriage Drivers Policy.

and

- (2) Agree the charge should be applied in respect of safeguarding training delivered after 1 September 2018.

Paul Hemnell
Food, Safety and Licensing Team Manager

Background Papers:

Local Government (Miscellaneous Provisions) Act 1976

Town Police Clauses Act 1847

Broadland District Council Private Hire and Hackney Carriage Drivers Policy and Conditions

For further information on this report please contact Paul Hemnell on (01603) 430577 or email paul.hemnell@broadland.gov.uk



REGULATORY SERVICES AND LICENSING

ANNUAL REPORT

2017-18

1. INTRODUCTION.

1.1 Purpose.

Protect me from harm associated with any regulated activity.

1.2 Council Ambitions.

1.2.1 Links to Corporate Ambitions.

To deliver economic success in our area

To achieve environmental excellence in everything we do

To plan and provide well housed communities

To increase levels of health and wellbeing

To keep people safe and secure

To continue to provide high quality, value for money services on our own or as a trusted partner

1.2.2 The Regulatory Services and Licensing Service Plan is linked to all corporate ambitions via the Housing and Environmental Services, Service and Financial Plan with particular links to the Environmental Excellence and Keep People Safe and Secure ambitions.

1.2.3 The key measure as identified in terms of Systems Thinking is:-

The number of appeals arising from the determination of licence applications (excluding applications determined by Committee).

2. SCOPE OF THE SERVICE

2.1 A team of officers headed by the Food, Safety and Licensing Team Manager is responsible for discharging the council's duties under public health, private hire and animal welfare licensing legislation, the Licensing Act 2003 and Gambling Act 2005.

2.2 Service provision includes:-

The issue of licences, registrations and permits and maintenance of registers, records and database,

risk rated programmed premises inspections,
reactive and other, premises inspections,
investigation of complaints,
investigation of un-licensed activities,
promotional and educational activities for business and the customers
of those businesses,
enforcement,
multi-agency enforcement work and liaison.
advice to current and prospective duty holders.

3. DEMANDS UPON THE SERVICE

- 3.1 Inspections of licensed or registered premises and activities are carried out in compliance with the risk based inspection programme. The programme does not require that all premises/activities are inspected annually. Inspections and activities also involve specific projects targeting emerging issues or matters of concern and work activities routinely require liaison and joint working with a range of partners.
- 3.2 The Licensing Act 2003 regulates the supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment. It also provides for the issue of personal licences to those individuals involved in the supply of alcohol. Most applications under the Act are dealt with by officers using delegated powers. However, in the case of any application attracting representations, or an application to review a premises or personal licence, the matter is determined by the Licensing and Regulatory Committee. Please see Appendix One for details of applications for Premises Licences and applications to Vary Premises Licences which have been determined by officers using delegated powers during the period since 1st April 2017 to 31st March 2018.
- 3.3 Officers also determine a wide range of other Licence and Registration applications using delegated powers and in accordance with the Councils procedures. A schedule detailing the number, type and diversity of licences and registrations issued appears at Appendix Two. In addition a range of requests for service, guidance, information and advice are dealt with.
- 3.4 Any applications which cannot be resolved under delegated powers or officers conclude that waiving their delegated powers would be appropriate, are reported to the Licensing and Regulatory Committee for determination.
- 3.5 The Gambling Act 2005 regulates a range of gambling activities and transferred certain additional licensing responsibilities to the Council. Most applications under the Act are dealt with by officers using delegated powers. The Council's Policy in respect of the Gambling Act is to be reviewed during 2018 with the reviewed, consulted upon and adopted new policy to be implemented by 31 January 2019. (A project

plan has been developed and agreed to ensure all the necessary actions are pursued in a timely manner. (See Appendix Four)

- 3.6 After the initial surge of Licensing committee activity arising from the implementation of the Licensing Act 2003, there followed a gradual annual decline in the number of occasions the committee has been required to convene. Therefore, during 2017 a corporate decision was taken to combine the Licensing and Regulatory Committees thereby providing for efficiencies in committee secretariat and operational and cost effectiveness.
- 3.7 During the period under review four applications for a private hire vehicle driver were refused, one private hire vehicle operator's licence revoked and one personal licence revoked.
- 3.8 Officers attend Magistrates' Court to represent the Committee when appeals are made in respect of decisions of the Committee or officers. There were no appeals, in respect of Committee or officer decisions.
- 3.9 Partnership working continues with all Norfolk Authorities and regular liaison with other enforcement and regulatory agencies has provided for a countywide consistent approach, the sharing of good practice and cost effective staff and member training.
- 3.10 Update and refresher training for members of the Licensing and Regulatory Committee and officers is provided as required. The staging of mock committees with officers taking the role of applicants has proved particularly successful and helpful in providing refresher training both for members and officers.
- 3.11 In addition to the programmed inspections detailed above an additional extra workload is created during the summer season involving the licensing of a number of large scale open air regulated entertainment events at various locations across the District.
- 3.12 Web based registers are maintained in respect of the Licensing Act 2003; a register of licensed and unlicensed House to House bag collections which enables residents to make an informed decision as to whether to contribute or not to the collection; and a wide range of information and advisory pages and links. Actions continue to enhance the information available via the website and to improve the user experience.
- 3.13 The annual meeting of the Broadland Safety Advisory Group (SAG) is programmed for March of each year with further meetings arranged as demand requires. During 2017/18 no additional meetings of the SAG were deemed necessary.
- 3.14 Following a committee resolution aimed to address national concerns regarding the safeguarding of vulnerable persons, all private hire and hackney carriage drivers are required to attend safeguarding training.

This is a prerequisite to the issue of a private hire vehicle and hackney carriage driver licence and designed to ensure drivers have an awareness of the issues, know what to look out for and how to deal with and report concerns and other relevant information. In addition to and following training, in order to support and provide assistance and to re-iterate the Council's expectations of drivers, a Safeguarding Code of Conduct now forms an appendix to the current private hire and hackney carriage policy and conditions.

- 3.15 The training has once again been provided in liaison and partnership with adjoining Authorities enabling economies of scale and consistency of approach. By 31 March 2018, 316 private hire drivers had completed the training.
- 3.16 From 6 April 2017 changes to the Equalities Act 2010 introduced a requirement for all taxi and private hire vehicle drivers to, transport wheelchair users in their wheelchair, provide passengers in wheelchairs with appropriate assistance and charge wheelchair users the same as non-wheelchair users. Licensing Authorities were required to review and amend policies to facilitate the introduction of the new requirements. Following resolutions by Committee, officers have pursued a project plan of actions to ensure the new requirements were introduced in a timely manner. Currently, 13 private hire vehicles are designated as wheelchair accessible vehicles and are detailed in a schedule published on the Council's website.
- 3.17 The Immigration Act 2016 amended existing licensing regimes in the UK to seek to prevent illegal working in the private hire vehicle (PHV) and taxi sector. With effect from 1 December 2016, the provisions in the 2016 Act prohibited all licensing authorities from issuing a licence to anyone who is disqualified by reason of their immigration status. Therefore, in order to discharge this duty by conducting immigration checks, officers have developed questionnaires and make use of one interview room in the reception area where the computer has been loaded with software linked to relevant national databases. All applicants are now required to make an appointment to meet with a member of the licensing team. This is to enable detailed checks to be completed including the review of various documents and where any doubt exists, liaison with the Immigration Service.
- 3.18 From 6th April 2017, immigration checks also applied to licences issued in respect of the Licensing Act 2003.
- 3.19 The Licensing Team continues its membership of the Norfolk Scrap Metal Forum which includes Norfolk Constabulary, Norfolk District Councils and other Regulators to deliver actions focused on preventing crimes associated with the theft of metals and cables. The forum has proved significant in enabling a countywide consistency of approach and the sharing of good practice.

- 3.20 The Licensing Team issues licences for a range of animal premises including: pet shops, animal boarding establishments (including home boarding) dog breeding establishments, dangerous wild animals and zoos. Each of these premises is controlled by specific legislation and the premises are inspected using a risk based assessment. The number of businesses offering home boarding has once again increased. Major changes to animal welfare licensing are being introduced from October 2018 including some additional activities being passed to local authorities. Officers will be required to attend targeted training and there are significant changes to the administration of the licensing regimes. A project plan will be developed to introduce the changes once statutory guidance has been issued to accompany the new legislation. This will clearly present an officer resource issue during 2018-19.
- 3.21 Some skin piercing practices such as: tattooing, ear piercing, body piercing, acupuncture and electrolysis, when carried out as a business activity, require the operator to register with the District Council. The registration requires compliance with byelaws detailing hygiene and infection control measures. These premises are also visited on a risk basis.

SERVICE DELIVERY

4.1 Inspections

- 4.1.1 Premises and activities are inspected in accordance with a risk based assessment and a programme produced using data held on the departmental APP Civica database, and with reference to the Team Regulatory Services and Licensing Action Plan. (See Appendix Three). A total of 167 inspections were completed during 2017/18. (This figure does not include inspections carried out by officers when the primary reason for the visit is not licensing but for example food safety or health and safety.) Licensing Officers are also authorised by the Security Industry Authority to conduct routine on site checks of the licence status of security personnel.

4.2 Complaints

- 4.2.1 Complaints regarding licensed premises or activities or the staging of un-licensed events or activities are investigated and followed up with appropriate enforcement action in compliance with the Council's enforcement policy. During 2017/18, 30 complaints were investigated and appropriate action taken. Some investigations are made in liaison and cooperation with the Environmental Protection Team, particularly when noise nuisance is involved. Other investigations may involve partnership working with the Police, Gambling Commission, DVSA, HMRC and Trading Standards. With the increased provision of the home boarding of dogs, the number of complaints relating to this activity has increased involving some complex investigations. Also,

there has been an increase in the number of complaints relating to dog breeding.

4.3 Advice and Guidance

- 4.3.1 Application forms, detailed information, advice and guidance and Licensing Act 2003 registers are posted on the Council's web site supplemented by a number of information leaflets produced 'in house' and covering specific topics. Web page information notes and signposting to government websites have been increasingly used to update the public in respect of licensing issues, for example, changes to private hire licensing. Articles are occasionally produced for inclusion in Broadland News, and for the local media, press and local radio. A separate news-sheet covering matters relating to Licensing and aligned Health and Safety and Food Safety matters is produced and circulated to businesses within Broadland. This continues to be particularly well received. A helpline service is provided for telephoned enquiries and on site visits can be arranged to offer guidance and advice particularly in respect of proposed new applications.

4.4 Liaison with other Organisations

- 4.4.1 In order to accomplish the service delivery detailed above, and as already mentioned, close working liaison is necessary with sister departments within the council together with a number of external organisations including,

Charity Commissioners
DBS
DVLA
DVSA
Gambling Commission
HM Revenue and Customs,
HSE
Norfolk Fire Service
Norfolk Police
Norfolk County Council - Children and Young Persons,
Norfolk County Council - Trading Standards,
Norfolk County Council – Public Health
Norfolk District Councils
Parish Councils,
RSPCA
SIA

Officers are encouraged to participate in appropriate liaison groups and working parties including, for example, the Norfolk Local Authorities Licensing Forum. As a result countywide partnership initiatives have been developed in order to promote the exchange of ideas, enhance service provision, ensure consistency of approach and best practice, particularly in respect of the Licensing Act 2003 and the Gambling Act

2005, Animal Welfare and Private Hire Licensing. One team member is also a personal member of the Institute of Licensing and able to utilise the resources of that organisation. These initiatives prove valuable in facilitating and assisting the work of the Food, Safety and Licensing Team. In particular, It enables the optimisation of the available staffing resource to effectively target the key issues of the time and emerging problems. With this systems thinking approach, the service is continually reviewed and updated with the focus of effective service delivery.

5. Staffing Allocation

- 5.1 The licensing role is undertaken by the Food, Safety and Licensing Team Manager, (0.2fte) the Senior Environmental Health Officer (Health and Safety and Licensing)(0.3fte), two Licensing Technical Officers (2fte.), District Environmental Health Officer (0.05) , supported by 1 Administrative Officer (0.35fte) Total **2.90fte.**

APPENDIX 1

REGULATORY SERVICES AND LICENSING ANNUAL REPORT

Licensing Act 2003

Applications for Premises Licences Received and Determined Since 1 April 2017:

- Kerri's Farmhouse Pine Ltd, The Old Railway Station, Station Road, Reepham
- Broads Boating Co (Pedro's), Horizon Craft, Old Road, Acle
- Saints Event Venue, 217 Yarmouth Road, Thorpe St Andrew
- Norwich Dry Gin Company Ltd, Dolphin Cottage, North Walsham Road, Crostwick
- Jubilee Park, Willoughby Way, Rackheath
- The Post Office, 40 Riverside, Reedham
- The Bridge Restaurant, Norwich Road, Wroxham
- The Ratcatchers, Easton Way, Eastgate, Cawston
- Heydon Village Tea Room, The Street, Heydon
- Diane's Pantry, 8 Market Place, Reepham
- Peter Waller Bowling and Activity Centre, Woodland View, Stratton Strawless
- The Willows Café Bistro, 6 Drayton High Road, Drayton
- Norfolk Premier Golf, Yarmouth Road, Blofield

Applications to Vary a Premises Licence Received and Determined Since 1 April 2017:

- East of England Co-op, Norwich Road, Acle
- Co-Operative Food Group Ltd, The Street, Brundall
- Maltsters, The Hill, Ranworth
- David Lloyd Leisure – Norwich, Drayton High Road, Hellesdon
- Dinosaur Adventure Park, Weston Park, Weston Longville
- Oaklands Hotel, 89 Yarmouth Road, Thorpe St Andrew

Applications for Minor Variations to a Premises Licence Received and Determined Since 1 April 2017:

- Aylsham SF Connect, Burgh Road, Aylsham
- Morrisons, 100 The Paddock, Old Catton
- Sainsbury's, Pound Lane, Thorpe St Andrew
- The Crown, 90 Ollands Road, Reepham
- Town House Hotel, 18-22 Yarmouth Road, Thorpe St Andrew

APPENDIX 2

Schedule of Licences as at 31 March 2018

Licensing Act 2003

Personal Licences	1525
Premises Licences	346
Club Premises Certificates	27
TENs	311 (Received 1 Apr 17 to 31 Mar 18)

Gambling Act 2005

Betting Premises Licences	2
Unlicensed Family Entertainment Centre Permit	2
Alcohol Licensed Premises (Automatic Entitlement)	73
Alcohol Licensed Premises	
Gaming Machine Permit	10
Club Machine Permit	15
Club Gaming Permit	1
Small Lotteries	169

Animal Welfare

Animal Boarding (Incl. Home Boarding)	39
Dog Breeding	3
Dangerous Wild Animals	1
Pet Shop	6
Riding Establishments	3
Zoo Licence	2

Health and Safety

Acupuncturists	22
Cosmetic Piercing	36
Electrolysis	25
Tattooists	4
Semi-Permanent Skin Colouring	15
Scrap Metal Dealer (site)	5
Scrap Metal Dealers (Collector)	12

General

House to House **	320 (days on which licence issued during 2017/18)
Street Collections **	20 (days on which permit issued during 2017/18)

Private Hire

PHV Drivers	328
Private Hire Vehicles	210
PHV Operators	33

** = No fee charged

APPENDIX 3

Plan for 2018/19

Regulatory Services and Licensing

NUMBER	OBJECTIVE	TASK	TIME SCALE	
1.	Determine Applications.	<ol style="list-style-type: none"> 1. Receive, evaluate, determine, licence applications as required by statute and in compliance with the Council's procedures. 2. Make necessary records for file and the database. 	<p>Ongoing.</p> <p>Determine applications in compliance with statutory requirements.</p>	
2.	Undertake a risk based inspection programme of licensed and registered premises and activities. Investigate un-licensed premises/activities.	<ol style="list-style-type: none"> 1. Carry out and record inspections. Make necessary records for the database. 2. Undertake partnership working with enforcement authorities as required or appropriate. 	Ongoing	
3.	Undertake revisits and any follow up action required resulting from inspections to secure compliance/improvements.	<ol style="list-style-type: none"> 1. Record revisits and follow up actions required on file and on database. 	Ongoing	
4.	Undertake the investigation of complaints regarding licensed premises or activities or the staging of un-licensed events or activities.	<ol style="list-style-type: none"> 1. Carry out complaint investigations in accordance with the procedures. 	Ongoing	
5.	Undertake the Licensing of Large Scale Open Air Events.	<ol style="list-style-type: none"> 1. Receive, evaluate, determine licence applications including necessary on site inspections and partnership working and liaison with other enforcement authorities and responsible authorities. 	Ongoing	

NUMBER	OBJECTIVE	TASK	TIME SCALE	
6.	Provide information/advisory assistance regarding licensing issues including the Licensing Act 2003 and the Gambling Act 2005.	<ol style="list-style-type: none"> 1. Produce and distribute a newsletter to appropriate businesses and organisations. 2. Provide a helpline service for telephoned enquiries. 3. Provide on-site visits to offer advice and guidance. 4. Ensure Broadland website is kept updated with latest information, advice and guidance and includes all registers in respect of the Licensing Act 2003. 5. Incorporate the use of social media. 	<p>Two editions per year.</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	
7.	Undertake activities to ensure compliance with the requirements of Health Act 2006 in respect of smokefree places and workplaces.	<ol style="list-style-type: none"> 1. Carry out promotion, advisory and enforcement activities. 	Ongoing	
8.	Thoroughly review/audit and update the Licensing databases.	<ol style="list-style-type: none"> 1. Complete an annual audit of the Civica APP and excel databases to ensure correct risk ratings, officer allocations, general accuracy etc of records. 2. Audit 5 records per month. 	<p>Complete during March 2019</p> <p>Complete Monthly</p>	
9.	Undertake a review of the content of the Council web pages relating to licensing matters.	<ol style="list-style-type: none"> 1. Complete a review of all existing web pages. 2. Remove all pages no longer relevant. 3. Create new pages as part of the pilot project building a new Council-wide website. 	<p>Ongoing</p> <p>Further changes to coincide with upgrades to website</p>	

NUMBER	OBJECTIVE	TASK	TIME SCALE	
10.	Implement The Animal Welfare (Licensing of Activities) (England) Act 2018	<ol style="list-style-type: none"> 1. Review existing licence conditions and amend as required by the new legislation. 2. Review all fees and charges and amend as required. 3. Carry out promotional, advisory and enforcement activities in respect of the new legislation. 	To coincide with the introduction of the legislation on 1st Oct 18	
11.	Implement Equality Act 2010 requirements (re. the carriage of wheelchair users).	<ol style="list-style-type: none"> 1. Complete all necessary activities as required by Government guidance and maintain and update as necessary the register of designated wheelchair accessible vehicles published on the website. 	Ongoing	
12.	Implement Immigration Act 2016 in respect of licences issued under the Licensing Act 2003	<ol style="list-style-type: none"> 1. Complete all necessary actions to ensure compliance with legislative requirements 	Ongoing	
12.	Convene the Broadland Safety Advisory Group.	<ol style="list-style-type: none"> 1. Convene the Annual meeting. 2. Convene meetings. 	March 2019 and as required	
13.	Safeguarding awareness for private hire vehicle drivers.	<ol style="list-style-type: none"> 1. Arrange training of PHV drivers 	Ongoing Monthly in liaison with Norwich City, South Norfolk and Gt Yarmouth Council Licensing	
14.	Work Instructions.	<ol style="list-style-type: none"> 1. Review existing and where necessary produce new work instructions 	Ongoing	

Gambling Act 2005

Gambling Policy for Broadland (Review – 2018)

NUMBER	OBJECTIVE	TASK	Time	Comments
1.	Produce Gambling Act Draft Policy for Broadland	<ol style="list-style-type: none"> 1. SH CN and PRH to review LGR guidance Gambling Commission guidance and review and update the existing Gambling policy for Broadland. 2. Record Gambling Policy on Corporate Services Forward Plan. 	By 18 April (Training day 20 April)	
2.	Circulate Draft Policy for Consultation.	<ol style="list-style-type: none"> 1. Draft Policy printed and bound. 2. List of Consultees agreed. 3. Envelopes Addressed and stuffed. 4. Draft Policy dispatched and emailed 5. Consultation Commences 	By 30 April 2 May 2 May 4 May	
3.	Receipt of responses following the consultation process.	<ol style="list-style-type: none"> 1. Consultation period ends. 2. Review and evaluation of responses. 3. Report produced for Licensing Committee. 4. Report finalized and circulated by the orange route. 5. Report forwarded to Corporate Services for dispatch. 	27 July By 21 Aug By 4 Sept	
4.	Draft Policy reviewed and agreed by Licensing Committee.	<ol style="list-style-type: none"> 1. Licensing Cttee. 	19 Sept	
5.	Policy adopted by Full Council.	<ol style="list-style-type: none"> 1. Full Council Meeting. 	1 Nov	

NUMBER	OBJECTIVE	TASK	Time	Comments
6.	Advertise intention to Publish Policy.	1. Take out advert in local press.	By 3 Jan 2019	
7.	Publish Policy.	1. Publish and Circulate the Policy	3 Jan 2019	
8.	Implement Policy.	1. Implement the reviewed Policy	By 31 Jan 2019	

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Pages 35 to 68
are not available to the public because the
information is confidential.

They will be provided separately to
Members of the Committee.