

Licensing Office Service Delivery Plan 2008-2009

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Reported to Environment and Licensing Committee on the 6th May 2008

1. Service aims and Objectives.

1.1 Aims and Objectives

The Licensing Office within the Planning and Environment Department of Gedling Borough Council aims to undertake its activities in order to provide the best possible standard of service to customers within the resources allocated by the Council.

The Service Objective of the Section is, **“To provide high quality and accessible services in a sustainable and efficient way so as to protect the general public”**.

The services within the office are designed to meet customer needs, and are provided with reference to policies agreed by the Council. These policies are translated into tasks that are expressed in terms of ‘Best Value’ targets and Departmental targets.

The importance of staff in securing the service specifications to the desired level of performance and quality is acknowledged within the service. Accordingly the Licensing Office will strive to develop quality awareness for all staff by providing the necessary training.

1.2 Links to the corporate mission and priorities.

The services within the service are designed to meet customer needs, and are provided with reference to the overall **“Healthy, Green, Safe and Clean” mission** of this Authority.

The licensing service contributes to all four of the new priorities of the Council by its involvement in regulating taxi licensing, administering liquor and gambling licensing and carrying out the many environmental health licensing and registration functions:

- A high quality local environment.
- A safer community.
- Good health for everyone.
- A good start in life for children and young people.

The service contributes towards a high quality local business environment, which is a fair and level playing field for all businesses meeting the national and local requirements for appropriate licensing and registration. One of the purposes of licensing businesses is to ensure the safety for patrons using the services and thereby contribute generally to good health. Some licensable and registerable activities such as sun bed use and skin piercing have more direct health implications. Both the gambling and liquor licensing legislation have the welfare of children written into their objectives. It is intended that the Licensing Service Delivery Plan will dovetail into a future departmental service delivery plan developed for Planning and Environment.

1.3 National and local standards.

The wide range of licensing work undertaken in the Section is expressible in terms of national indicators-the old '**Best Value**' indicator **BV 166a**, and in the cooperative work carried out with other organisations towards the **new national indicator set** such as those in the 'safer communities' suite of indicators and NI 182 'satisfaction of businesses with local authority regulation services' plus **local service indicators**.

In relation to its licensing responsibilities the service will follow best practice as promulgated by the Better Regulation Executive and the Hampton review of regulatory inspections and enforcement:

- The service will be proportionate in activity undertaking inspections on a risk basis and intervening only when necessary and using remedies that are appropriate to the risk posed, and costs identified and minimised.
- Our service will be accountable and be able to justify decisions made and be subject to public scrutiny.
- The service will be consistent and open and will endeavour to keep regulations simple and user-friendly within the limitations of legislative requirements, which are often out of the control of the service.
- Our service will be targeted, and focussed upon problems and minimising side effects.

This Authority is aware that the **Rogers Review** identified alcohol, entertainment and late night refreshment licensing as being among the important future services for local authority trading standards and environmental health services.

In the future the requirements of the new Regulators' Compliance Code will be included in all licensing activities, new policies and protocols for licensing work.

The paramount importance of the staff within the Section in securing the service specifications to the desired level of performance and quality is acknowledged. Accordingly the Section will strive to develop quality awareness for all staff by providing the necessary training relating to the licensing function.

1.4 Partnership Working

This Authority is a signatory to the Nottinghamshire Local Agreement and a member of the Nottinghamshire Partnership, as well as leading the Gedling Partnership, which engages at both conurbation and county level.

For a number of years this Authority has increasingly worked in partnership with other local authorities and organisations such as the Magistrates' Court Service in the county. Through the auspices of the **Nottinghamshire Authorities Licensing Group (NALG)** common Licensing Act Policies and

Gambling Act Statements have been jointly developed and proved helpful to both businesses and residents. Joint publicity and training for the trade, elected Members and officers continue to be organised through NALG.

Developments in partnership working on licensing issues will be sought as an ongoing strategy during the coming year. Working with partners both within this Authority and external organisations to deliver better services is the keystone to future working and this Authority is aware that in setting out its work plan for the period there are both local and national developments taking place that will influence and shape the delivery of the licensing function.

1.5 Gedling Transformational Programme

This Authority is committed to the "**Gedling Service Transformation Programme**", which has the aspiration to involve all staff in the move from being a 'Good' authority to becoming 'Excellent'. The Planning and Environment Department was the first department to enter the Transformation process and the implementation phase of the process will take place during 2008-9. Service users hold the licensing service in high regard and the transfer over of functions in line with the Transformation process must not lead to a poorer service. Allowances in staff time have been incorporated within this Service Delivery Plan to help implement the necessary changes.

Staff within the Section have been very supportive of the Transformation process which has identified a number of service improvements involving the CAPS system including dealing with specific enquiries and the setting up of departmental-wide technical administrative support to help with CAPS etc. Training on CAPS will continue to be provided to staff as required. Staff will continue to be encouraged to commit some time and become involved in helping further shape improvements in services and suggesting novel and new approaches to issues all with the goal of improving service delivery.

1.6 Equality matters.

This Authority has an **Equal Opportunity Policy** that underpins all aspects of the licensing service. The policy contains a **statement of intent** noting that,

"Gedling Borough Council seeks to create a culture of employment and direct or indirect service delivery through its Members, managers and other employees, in which people can feel confident of being treated with fairness, dignity and tolerance irrespective of their personal circumstances, background or lifestyle. Discrimination consists of conduct or words or practices that disadvantage or advantage people; we will not intentionally discriminate on grounds of disability, race, colour, ethnic or national origins, religion or belief, gender, marital status, gender reassignment, sexual orientation, unrelated criminal conviction, age or trade union membership."

2. Background

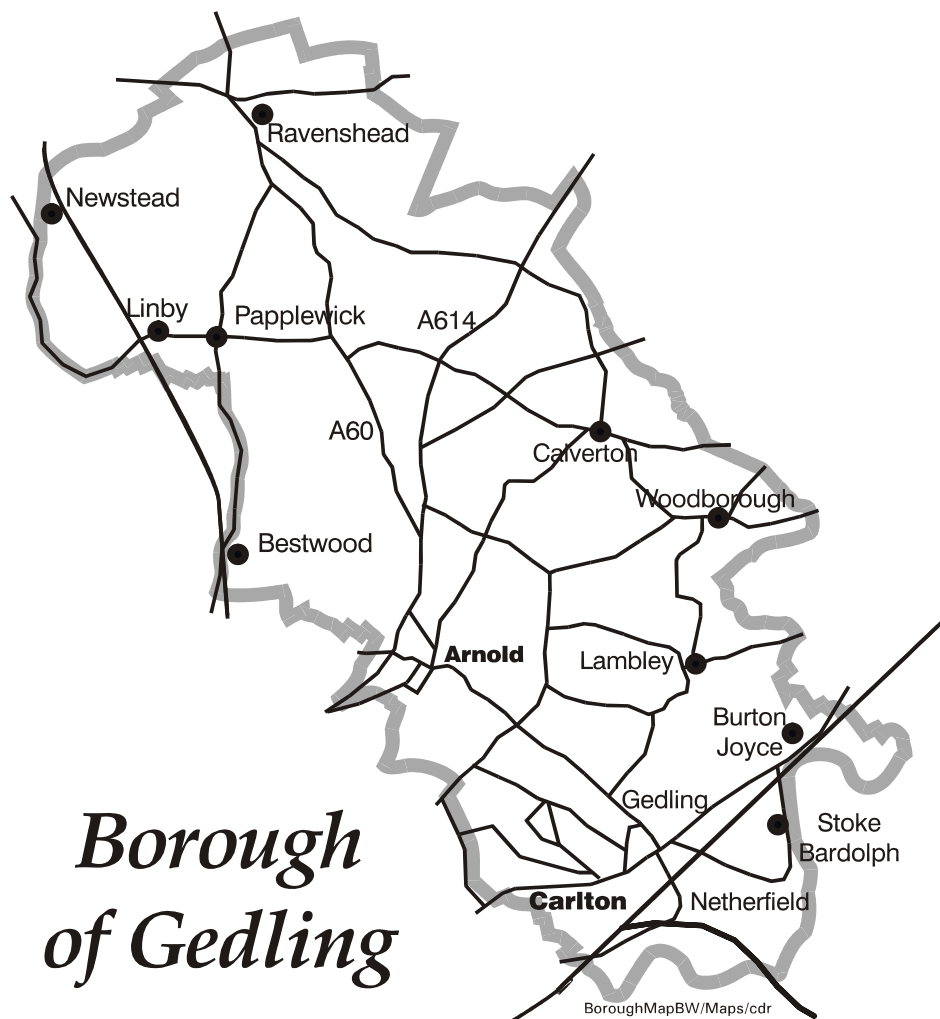
2.1 Profile of Gedling Borough Council area.

The Borough of Gedling covers 120 sq km at the heart of Nottinghamshire, with the City of Nottingham bordering to the South-West. It includes the suburban settlements of Arnold, Mapperley, Carlton, Gedling and Netherfield, ten rural parishes and the urban parish of Colwick. Around 112,000 people live in the Borough in total.

The Borough has an increasing percentage of around 7.3% of the local population that comes from black and minority ethnic (BME) backgrounds. The BME population is spread throughout the Borough and there are no distinct geographical BME communities.

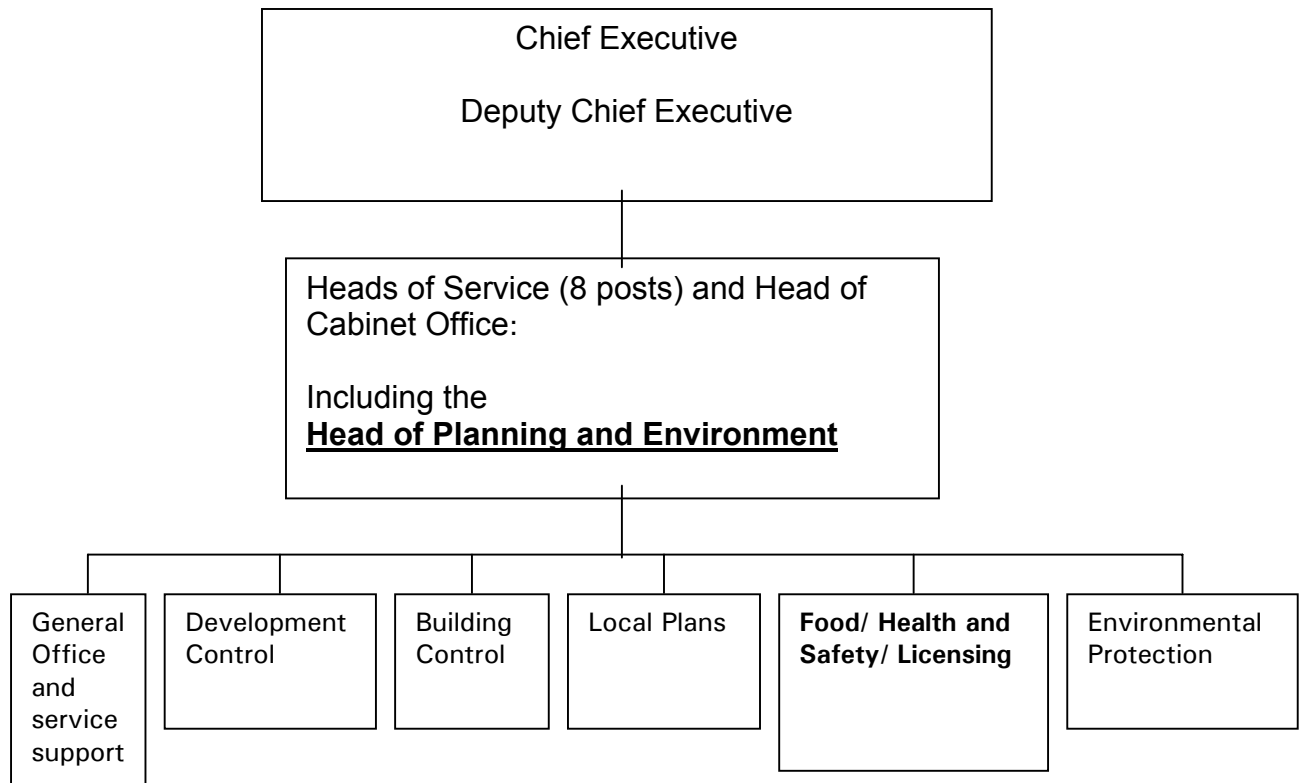
Gedling Borough Council is a non-metropolitan district council providing a wide range of statutory and non-statutory services for the community.

Map of the Gedling area.

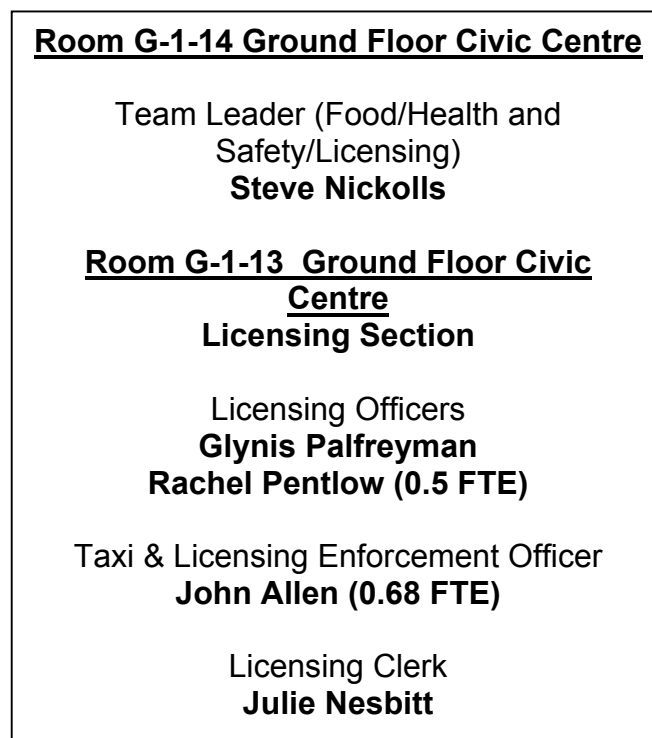


2.2 Organisational Structure.

(a) Corporate Structure:



b) The Licensing Service



2.3 The Scope of the Licensing Office

The Licensing Office has the responsibility for a wide range of Environmental Health licensing and registration functions including:

- Animal boarding;
- Animal breeding;
- Caravan sites;
- Dangerous wild animals;
- Gambling Act work;
- Hackney Carriage and Private Hire licensing;
- Licensing Act work;
- Massage or special treatments;
- Pet shops;
- Riding establishments;
- Skin piercing;
- Street collections;
- Sunday trading.

Several types of licensing premises are inter-connected with food hygiene and occupational health and safety functions of the food and health and safety office. The role of the Licensing Section however necessarily remains 'at arms length' from the other disciplines in regard to its general administration and for enforcement of Taxi licenses and Licensing Act matters. Officers in the Food/Health and Safety Office carry out licensing inspections of a number of licensed and registered premises such as pet shops, massage premises, caravan sites and skin piercers. Veterinary Surgeons undertake the inspection of animal boarding and breeding establishments along with inspection of riding establishments in line with national requirements.

2.4 Inspection and Visit Demands on the Licensing Service.

Within the Gedling Borough the following number of businesses or persons have the benefit of a licence or registration currently provided by this Authority:

Licensed/registered activity	Number issued (2007-2008)
Animal Boarding and Breeding Establishments	8 boarding and 1 breeder
Caravan Sites	2
Hackney Carriages	414
Hackney Carriage/Private Hire Drivers Licences	418
Massage or Special Treatments	24
Pet Shops	11
Private Hire Operators	22
Private Hire Vehicles	251

Riding Establishments	3
Skin Piercing	10
New premises licences	14
Vary designated premises supervisor	74
Transfer of premises licence	37
Vary premises licence	10 (2 later withdrawn)
Temporary event notices	130
Personal licences	94
Vary club premises certificate	2

During the year the Licensing Enforcement Officer from this Authority has attended 17 meetings of the five local Pub Watches in the period to help support the work of the Police and provide information and advice to the trade. In addition the Licensing Enforcement Officer together with a representative from the Environmental Protection Section have attended 7 meetings with the Police and residents at some licensed premises as part of a condition on the premises licence. The Licensing Enforcement Officer undertook 167 risk-based inspections licensed premises in the area in the year.

As a result of the Gedling Transformation Programme routine requests for application forms, taxi testing, leaflets and simple queries will on implementation be answered by Customer Services. The Licensing service will continue to be involved with more complicated licensing issues, back office working, enforcement, service development and Committee work. The level of Licensing resource transferred to Customer Services is currently awaited.

Work Outside of Normal Office Hours.

Due to the nature of the licensing function and the kind of activities licensed some inspection working outside usual office hours is undertaken with either officers from Environmental Protection Section, the Police or other taxi licensing authorities.

3. Service Delivery

3.1 Licensing Programme.

In order to deal with all the applications for licensing and registrations that the Section receives, arrangements are required for the regular inspection of vehicles and/or premises for compliance with the particular legislation concerned. With reference to Hackney Carriage/Private Hire driver's licences, driving tests and medical examinations are undertaken by the applicant. The frequency of inspections and tests, for the different areas of licensing and registration, reflects both any statutory requirements for periodic inspection and testing and the risks associated with the activity.

The Licensing Office has an inspection programme based upon legislative requirements and follows a risk based approach to inspection. Applications for high risk activities and all new licence applications receive an inspection and/or report by suitably qualified officer(s) within the Department or from a veterinary surgeon (as do applications where the last inspection was more than two years previously). It is important that the resources of the Licensing Office and the wider Department, by using a licensing programme, are targeted to those businesses and matters in greatest need of attention.

For the 2008-2009 period the estimated number of incoming licensing applications are detailed in the table below.

Activity	Estimated number of applications to be made annually
Animal Boarding and Breeding Establishments	9
Caravan Sites	Re licensing application not required annually
Gambling premises	2
Hackney Carriages	414
Hackney Carriage/Private Hire Drivers Licences	420
Massage or Special Treatments	24
Licensing Act 2003 - Premises	15
-Personal	100
Pet Shops	11
Private Hire Operators	22
Private Hire Vehicles	251
Riding Establishments	3
Skin Piercing	5

3.2 Licensing Complaints.

All licensing complaints are dealt with in the service and involve investigation by a suitably qualified and experienced officer or veterinary surgeon. Complaints made about the Licensing Office are dealt with in accordance with the official complaints and compliments scheme operated by this Authority.

3.3 Advice to Applicants.

Providing appropriate advice to businesses and to the general public on relevant licensing issues is seen as one of the inherent parts of licensing programme for this Authority. There are a number of ways in which this Authority assists both businesses and members of the public on licensing matters:

- the provision of general advice on licensing matters either during visits, inspections, or later by letter or fax;

- by providing advice via the Internet on our licensing web pages;
- providing help and advice over the telephone;
- by arranging a site meeting or office meeting to view or to discuss matters;
- sending letters with information to new businesses or at site meetings identified at the pre-planning and building control application stages;
- through better liaison with the business community locally (for example the Nottinghamshire-wide Enforcement Concordat initiative);
- through the feedback obtained from businesses on this subject following the sending out of post-inspection questionnaires;
- by advice given on a daily basis to applicants attending the Customer Services desk in the Civic Centre.

3.4 Liaison with Other Organisations.

In this country Environmental Health licensing legislation has been enacted piecemeal over many years and the individual Acts provide a patchwork of responsibilities and powers for licensing authorities to administer and enforce. This approach does have the strength of allowing local authorities to take local factors more into account in the implementation of its licensing functions unlike other service areas where a uniform national approach is often seen.

During the periods of preparation for administration of the Licensing Act and later the Gambling Act regimes the local authorities in the Nottinghamshire were particularly active in working together to produce consistent licensing policy statements that also reflected local circumstances within their pages. This collective approach to consistency and mutual support has also provided collective publicity on licensing matters and the training of elected Members and staff. Work continues on the production of protocols of action with the responsible authorities over applications.

In addition there are other officer-led meetings concerned with the many technical aspects of licensing held across the Nottinghamshire area and meetings with businesses where liaison is carried out to further the aims of the Enforcement Concordat.

3.5 Enforcement and Support Initiatives.

During 2008-2009 the following specific areas of work will be undertaken:

- Joint Enforcement Initiatives with other Authorities, for example, at East Midlands Airport and in Nottingham City Centre during the day and evening for taxi licensing.

- To pursue joint enforcement with the police using special constables depending on their staffing availability.
- Attendance at local Pub Watch meetings to raise awareness amongst the trade on liquor and public entertainment licensing issues.
- Investigation of smoking complaints at licensed businesses.

3.6 National Indicators and Benchmarking.

The licensing service, working locally with other organisations contributes to a number of the new national indicators set, and Licensing Act work particularly contributes to those within the 'safer communities' outcome area concerning crime and anti-social behaviour. The service additionally contributes to NI 182-the satisfaction of businesses with local authority regulation services requiring questionnaires to many service users for feedback, and to report back against the indicator for this authority. Local benchmarking on Licensing Act work is undertaken annually in the Nottinghamshire licensing authorities through the auspices of NALG-previous benchmarking exercises being undertaken in both 2006-7 and 2007-8.

4. Resources.

4.1 Financial Allocation.

The administrative side of Licensing is self-financing, funded by the licence application fees received from the applicants. Appendix 1 contains financial information pertinent to the licensing function.

4.2 Staffing Allocation.

For the period 2008-2009 there will be the following staff full time equivalents from which to resource the licensing areas of work:

0.25 FTE Team Manager post.

1 FTE Licensing Officer post

0.5 FTE P/T Licensing Officer post

0.68 P/T Enforcement Officer post (comprised of 10 hours per week for taxi work and 15 for Licensing Act work)

1 FTE Licensing Clerk post.

0.05 FTE Environmental Health Officer/Technical Officer post (doing licensing related inspection work).

4.3 Staff Development Plan.

The Licensing Office has a number of highly trained and experienced staff with a proven background in working with licensing matters. Both Licensing Officers hold their British Inn Keeping National Certificate for Licensing Practitioners and this is complemented by Environmental Health Officers performing licensing inspection duties within the Section who have either gained the BSc in Environmental Health or its antecedents and registration certificate issued by the Chartered Institute of Environmental Health. The Technical Officer in the office has several years' experience in competently dealing with licensing matters. Certain animal licensing inspection functions are undertaken by a qualified veterinary surgeon. Annual PDR interviews are carried out to provide a framework around the development of staff and identify training requirements.

5. Review.

5.1 Review against the Licensing Service Delivery Plan.

Each year it is the intention of this Authority to undertake a review on the performance of the Section against the Licensing Service Plan for that period and against specified performance targets and performance standards improvements and targeted outcomes.

5.2 Identification of any variation from the Licensing Service Delivery Plan.

In each future year an annual review will be carried out within the Licensing Service Delivery plan to identify any variance from the previous Plan, and identify the reasons for any variance. Where this Authority undertakes alternative work leading to the same outcome or better this will also be reported.

5.3 Areas of Improvement.

Areas of work, which have been identified as requiring improvement by officers, will be documented in subsequent Licensing Service Delivery Plan. The following matters will be put in place during 2008-2009:

- Transformation Programme changes (increased use of CAPS IT system, transfer of initial enquiries and applications to Customer Services).
- Annually review any variation away from the Licensing Service Delivery Plan and identify the reasons for that variance and detail any improvements required.

- Produce a newsletter to holders of Hackney Carriage and Private Hire Licences giving details of any changes in procedure and/or legislation and any other information useful to them
- Produce clear procedure notes to applicants for each type of licence and present application packs in a corporate style folder.
- Continue to inform all relevant businesses of the need to be licensed under the new Licensing Act 2003 especially those businesses that have not previously required licensing (e.g. hot food takeaways operating after 11.00PM).
- Implementing an 'End to End' Licensing solution providing electronic service delivery of applications.
- Involvement with the East Midlands CAPS Licensing Group to explore utilisation of system for licensing purposes.