

**TO: LICENSING AND SAFETY COMMITTEE**  
**13 JULY 2017**

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**ANNUAL REPORT**  
**Public Protection Manager**

**1 INTRODUCTION**

- 1.1 This report covers the activities carried out by the Licensing Section during the period 1 April 2016 to 31 March 2017.

**2 SUPPORTING INFORMATION**

- 2.1 Attached as Annex A is a list of the licences, registrations, permits and consents that are current as of 1 April 2017 or were processed within the last year. The list includes details of numbers for the previous two years for comparison purposes. This is a single indicator of the number of transactions that the Licensing Section has with businesses operating within the Borough. Legislation requiring a licence/permit for a business activity is generally enacted on health and safety grounds to protect users of a service or those that might be affected due to their proximity to the licensed premises or their interaction with a licensed person.
- 2.2 The Licensing Service considers and issues a range of licences and permits required by businesses in order that they can deliver a range of services and goods to residents and visitors to Bracknell Forest. The service is aware that the licensing function, whilst offering protection, can also act as a barrier to others who wish to deliver services or supply goods and every effort is made to assist businesses to understand and progress rapidly through the licensing process. The service therefore has a number of functions including business advice, processing of applications, monitoring compliance and where necessary taking enforcement action.
- 2.3 A number of the licences require the submission of documents which have to be validated by the Licensing Service. These include such items as vehicle insurance documents and inspection certificates, medical reports, criminal record disclosures and risk assessments. These checks are essential to ensure the continued confidence of the Council, and ultimately the user, in the safety of the service or goods being supplied.
- 2.4 The service sets itself a target to issue licences within either 2 or 3 working days of receipt of a complete and valid application on 95% of occasions. The service achieved 94% in 2016/17. Whilst on target for most of the year, there was a sharp drop for the final three months of the year during transition to the new database and due to the Operational Support team being short-staffed.
- 2.5 A further aspect is that of assisting businesses to grow whilst complying with the legal requirements and conditions. The service provides an extensive range of advice and information sheets via the Council's website. Additionally officers regularly meet with applicants or licence holders to give guidance, such as attendance at Pubwatch meetings run by the trade, and meeting private hire operators at their offices and taxi drivers at the ranks. The Licensing Section dealt with just over 876 complaints and requests for service in 2016/2017 (compared with approximately 1000 complaints and requests for service in 2015/2016).

## Unrestricted

- 2.6 Officers use a risk based assessment programme to visit licensed premises to check compliance and provide assistance and advice for those businesses. In 2016/17 officers carried out 106 programmed inspections (182 in 2015/16). Additionally officers carried out 16 non-programmed inspections (60 in 2015/16), which includes visits outside of office hours where we had intelligence from residents, complaints or details passed to us by agencies such as Thames Valley Police that non-compliance was occurring.
- 2.7 These figures reflect the issues that have arisen in recent months with the short staffing of the support team, as officers have been required to fill the gap and log applications in order to meet the legislative deadlines. In addition, intelligence from Thames Valley Police has been minimal in recent months as the officer covering Bracknell has been asked to cover Oxford City in addition to his existing areas.
- 2.8 Officers initially deal with non-compliance by working with the business to raise standards and further unannounced visits may be made to verify improvement. Where non-compliance continues, officers use an Enforcement Policy which provides for a stepped process to include warnings, cautions, review, suspension or revocation of a licence or finally prosecution.
- 2.9 In the last year officers issued no formal written warnings in relation to licensing matters (6 in 2015/16), and 114 enforcement points were issued for 17 incidents of non-compliance (178 points for 27 incidents in 2015/16). The points were issued for the following matters:
- 10 drivers for failure to notify the council of convictions
  - 1 driver for failing to wear/display their badge
  - 2 drivers for illegal tyres
  - 1 driver of a private hire vehicle parked on a rank
  - 2 drivers for using a mobile phone whilst driving
  - 1 driver for illegal plying for hire
- 2.10 Over the course of the year, the following licences and applications were considered by Licensing Panels:
- 1 temporary event notice – refused
  - 1 personal licence – refused
  - 3 drivers – 2 warnings and 1 required to take practical driving assessment
  - 3 premises licence applications – two agreed by mediation prior to hearing and one variation was granted as applied for.
- 2.11 Other areas of work that were completed in 2016/17 include:
- A total of 9 multi-agency checks involving Council officers and Thames Valley Police were conducted. In addition officers assisted RBWM with checking licensed vehicles during the Royal Ascot event, and also attended enforcement operations at Heathrow airport.
  - An operation was held to test underage sales within alcohol licensed premises with gaming machines. Of the 12 premises tested, 10 premises failed. Further operations are planned for 2017 which will include re-testing the premises which failed.
  - The Safety Advisory Group received forms for 64 local events during 2016/17, and continues to receive positive feedback from event organisers who see it as helpful to them delivering safe events.

**3 EQUALITIES IMPACT ASSESSMENT**

3.1 None.

**4 STRATEGIC RISK MANAGEMENT ISSUES**

4.1 None.

Background Papers

None

Contact for further information

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