

**TO: LICENSING AND SAFETY COMMITTEE  
7 JUNE 2018**

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**ANNUAL REPORT  
Public Protection Manager**

**1 INTRODUCTION**

- 1.1 This report covers the activities carried out by the Licensing Service of the Public Protection Partnership in the Bracknell Forest area during the period 1 April 2017 to 31 March 2018.

**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 2018 or were processed within the last year. The list includes details of numbers for the previous three 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, driving licences, medical reports, DBS 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 For 2016/2017, the service set itself a target to issue licences within 2 working days (taxis) or 3 working days (non-taxis) of receipt of a complete and valid application on 95% of occasions. This is in addition to various statutory deadlines which must be met. The service achieved 79% in 2017/18, compared with 92% in 2016/17. This is in the main due to staffing issues within the support team, which result in there being 0 FTE for 2 months, and an equivalent of only 2 FTEs for the remainder of the year, compared with 6 FTEs in the previous year. New members of staff have had to be recruited and they have required training from colleagues which has impacted on the service. In addition, the introduction of the new IT system in 2017 has also had a knock on effect for all staff.

## Unrestricted

- 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 814 complaints and requests for service in 2017/2018 (compared with 876 in 2016/2017).
- 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 2017/18 officers carried out 36 inspections (106 in 2016/17). The majority of these visits were carried out with Home Office Immigration Compliance and Enforcement, in their new role as a responsible authority under the Licensing Act 2003.
- 2.7 These figures reflect that the team was short staffed for 4 months of the year and that officers have also been required to complete work normally done by the support team as they have also had issues as detailed above. In addition, intelligence from Thames Valley Police has been lower than previously as the officer covering Bracknell also covers Wokingham and High Wycombe.
- 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 3 formal written warnings in relation to licensing matters (0 in 2016/17). In addition, officers issued enforcement points to licensed drivers and operators for incidents of non-compliance such as illegal tyres and failure to notify the Council of cautions, fixed penalties and convictions. At the time of writing this report, detailed figures in respect of the enforcement points are not available, but it is hoped that these can be provided at the meeting.
- 2.10 Over the course of the year, the following licences and applications were considered by Licensing Panels:
- 1 driver – granted with a written warning
  - 2 street trading consents – both granted
  - 5 premises licence applications – 3 new (2 granted and 1 refused) and 2 variations (1 granted and 1 part grant part refuse).
- 2.11 Other areas of work that were completed in 2017/18 include:
- No multi-agency taxi or street trader checks were conducted, in the main due to lack of capacity within Thames Valley Police Roads Policing
  - Officers assisted RBWM with checking licensed vehicles during Royal Ascot
  - The Safety Advisory Group received forms for 57 local events during 2017/18, 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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