

**TO: LICENSING AND SAFETY COMMITTEE  
11 JUNE 2015**

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**ANNUAL REPORT AND WORK PLAN  
Chief Officer: Environment and Public Protection**

**1 PURPOSE OF REPORT**

1.1 This report covers the activities carried out by the Licensing Section during the period 1 April 2014 to 31 March 2015. The report also includes the proposed work plan for the period 2015/16. The Committee is also asked to consider and comment upon this document.

**2 RECOMMENDATIONS**

**2.1 That the Committee:**

- i) notes the work completed in 2014/15 and detailed within this report; and**
- ii) subject to any comments, approves the work plan for 2015/16 at Annex B.**

**3 REASONS FOR RECOMMENDATIONS**

3.1 The Committee agreed a work plan for 2014/15 at its meeting on 12 June 2014. This report details some of the main achievements of the service during 2014/15 and requests that members comment upon and approve a plan for 2015/16.

**4 ALTERNATIVE OPTIONS CONSIDERED**

4.1 None.

**5 SUPPORTING INFORMATION**

5.1 Attached as Annex A is a list of those licences, registrations, permits and consents that are current as of 1 April 2015 or were issued within the last year. This is a single indicator of the number of transactions that the Licensing Service 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.

5.2 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.

5.3 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, MOT certification, public liability insurance, criminal record disclosures, professional training records and health and safety risk assessments. These checks are essential to ensure the continued confidence of the Council, and ultimately the user, in the

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safety of the service or goods being supplied. 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 99% in 2014/15.

- 5.4 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 internet or through the Customer Service Centre. Additionally officers regularly meet with applicants or licence holders to give guidance, such as attendance at Pubwatch meetings run by the trade, meeting with new Designated Premises Supervisors for premises licensed for the sale of alcohol, private hire operators at their base and taxi drivers at the ranks. A newsletters for the taxi trade to give an update on legislative changes and procedures and was issued at the same time as new guidance booklets were issued.
- 5.5 Officers use a risk based assessment programme to visit licensed premises and vehicles to check compliance and provide assistance and advice for those businesses. In 2014/15 officers carried out 109 programmed inspections (166 in 2013/14). Additionally officers carried out 20 non-programmed inspections (50 in 2013/14), many in the evenings and weekends where we had intelligence from residents, complaints or details passed to us by agencies such as Thames Valley Police that non-compliance was occurring. These inspections were significantly down on last year due to a long term absence of an officer. The team is now fully staffed moving into 2015/16. 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.
- 5.6 In the last year officers issued 1 warnings in relation to licensing matters (3 in 2013/14), and 264 enforcement points were issued to 26 licensed drivers (184 points in 2013/14). The points were issued for the following matters:
- 2 drivers for breach of construction & use regulations
  - 5 drivers for failing to comply with traffic signs
  - 13 drivers for failure to notify the council of convictions
  - 4 drivers for failing to wear/display their badge
  - 11 drivers for failing to display the vehicle licence plate properly
  - 6 drivers for illegal tyres
  - 2 drivers for using a mobile phone whilst driving
  - 1 driver for parking in a disabled parking bay

It can be seen that the incidents of non-compliance identified were actually higher than last year and whilst we did prioritise work towards this the number of inspections were actually less. This is a disappointing result and we will focus in this area in 15/16 and closely monitoring compliance levels.

- 5.7 Other areas of work that were completed in 2014/15 include:
- (i) A total of 4 multi-agency checks involving Council officers, Thames Valley Police and VOSA were conducted. Issues of concern detected during the taxi checks included defective tyres, lights and failure to display the vehicle plate or driver's badge. Penalty points were issued as detailed above.
  - (ii) The Safety Advisory Group received approximately 72 forms for local events during 2014/15. This was a slight increase on demand in 2013/14 and shows that event organisers see it as a helpful attribute to them delivering safe and successful events.

- 5.8 Attached as Annex B is the draft workplan for 2015 - 2016. This has been drawn up taking into account national and local priorities together with local knowledge of our licensed businesses.

## **6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Solicitor

- 6.1 The legal implications are identified within the report.

### Borough Treasurer

- 6.2 There are no significant financial implications arising from the recommendation in this report.

### Equalities Impact Assessment

- 6.3 There are no implications arising from the recommendation in this report.

### Strategic Risk Management Issues

- 6.4 There are no strategic risk management implications arising from the recommendation in this report.

## **7 CONSULTATION**

### Principal Groups Consulted

- 7.1 The key partners have been consulted upon the outcomes of work conducted in 2014/2015. Where there is positive feedback and a continued perceived need then similar work will be programmed for 2015/2016. All feedback is taken into account and helps inform the plan's future development. There has been no feedback that needs to be taken into account in the proposed plan

### Method of Consultation

- 7.2 The workplan will be discussed with key partners during the year and adjustments made where necessary.

### Representations Received

- 7.3 None.

### Background Papers

None

### Contact for further information

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