

Date: 17 February 2014
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To:
Members of the Licensing & Enforcement Committee
(Councillors David Atkins, Roger Boote, Peter Burrows, Bob Buxton, Madeleine Chapman, Christine Drew, Steve Gazzard, Pat Graham, Steve Hall, John Jeffery, Jim Knight, Frances Newth, Ken Potter, Pauline Stott, Tom Wright.)

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**Meeting of the Licensing & Enforcement Committee
Tuesday 25 February 2014 at 9.30am in the Committee Room, Knowle,
Sidmouth**

Members of the public are welcome to attend this meeting when items listed under Part A of the agenda are being considered.

Councillors and members of the public are reminded to switch their mobile phones to silent during the meeting. If this is not practical due to particular circumstances, please advise the Chairman in advance of the meeting.

A G E N D A

	Page/s
1 To confirm the minutes of the meeting held on 19 November 2013.	4-7
2 To receive any apologies for absence.	
3 To receive any declarations of interests relating to items on the agenda.	
4 To consider any items which, in the opinion of the Chairman, should be dealt with as matters of urgency because of special circumstances. (Note: Such circumstances need to be specified in the minutes; any Member wishing to raise a matter under this item is requested to notify the Chief Executive in advance of the meeting).	
5 To agree any items to be dealt with after the public (including the press) have been excluded. (There are no Items which the Officers recommend should be dealt with in this way).	
6 Committee Update - Licensing Act 2003, Gambling Act 2005, Taxis & General Licensing. Including Apps A-E	8-21

Decision making and equality duties

The Council will give due regard under the Equality Act 2010 to the equality impact of its decisions.

An appropriate level of analysis of equality issues, assessment of equalities impact and any mitigation and/or monitoring of impact will be addressed in committee reports.

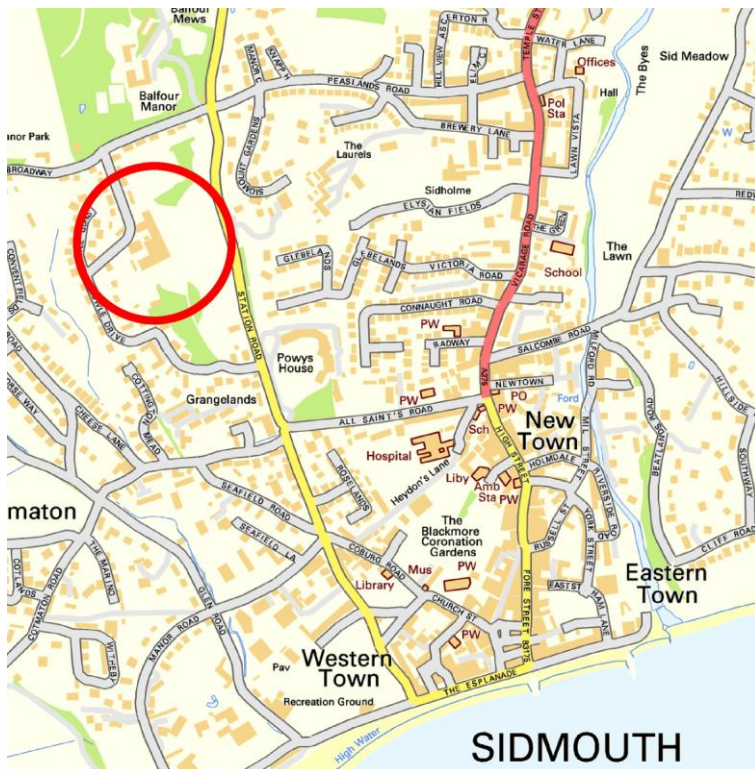
Consultation on major policy changes will take place in line with any legal requirements and with what is appropriate and fair for the decisions being taken.

Members will be expected to give reasons for decisions which demonstrate they have addressed equality issues

Members and co-opted members remember!

- ❑ You must declare the nature of any disclosable pecuniary interests. [Under the Localism Act 2011, this means the interests of your spouse, or civil partner, a person with whom you are living with as husband and wife or a person with whom you are living as if you are civil partners]. You must also disclose any personal interest.
- ❑ You must disclose your interest in an item whenever it becomes apparent that you have an interest in the business being considered.
Make sure you say what your interest is as this has to be included in the minutes. [For example, 'I have a disclosable pecuniary interest because this planning application is made by my husband's employer'.]
- ❑ If your interest is a disclosable pecuniary interest you cannot participate in the discussion, cannot vote and must leave the room unless you have obtained a dispensation from the Council's Monitoring Officer or Standards Committee.

Getting to the Meeting – for the benefit of visitors



The entrance to the Council Offices is located on Station Road, Sidmouth.

Parking is limited during normal working hours but normally easily available for evening meetings.

The following **bus service** stops outside the Council Offices on Station Road:

From Exmouth, Budleigh, Otterton and Newton Poppleford – 157

The following buses all terminate at the Triangle in Sidmouth, From the Triangle, walk up Station Road until you reach the Council Offices (approximately ½ mile).

From Exeter – 52A, 52B

From Honiton – 52B

From Seaton – 52A

From Ottery St Mary – 379, 387

Please check your local timetable for times.

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Information for Visitors:

Please note that the doors to the civic suite (meeting rooms) will be opened ¼ hour before the start time of the meeting. Councillors are reminded to bring their key fobs if they wish to access the area prior to that time. The Committee Suite has a separate entrance to the main building, located at the end of the visitor and Councillor car park. The rooms are at ground level and easily accessible; there is also a toilet for disabled users.

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL
Minutes of a Meeting of the Licensing & Enforcement
Committee held at Knowle, Sidmouth on Tuesday, 19
November 2013

Present: Councillors:
Steve Hall (Chairman)
Jim Knight (Vice Chairman)

Roger Boote
Bob Buxton
Peter Burrows

Christine Drew
Steve Gazzard
John Jeffery
Frances Newth
Pauline Stott
Tom Wright

Officers: John Tippin, Licensing Manager
Neil McDonald, Licensing Officer
Chris Lane, Democratic Services Officer

Apologies: Councillors:
David Atkins
Madeleine Chapman
Pat Graham
Ken Potter

The meeting started at 9.30 am and ended at 11.20 am.

***8 Minutes**

The minutes of the meeting of the Licensing & Enforcement Committee held on 3 September 2013, were confirmed and signed as a true record.

***9 Declarations of interest**

Councillor/ Officer	Minute number	Type of interest	Nature of interest
Councillor Steve Hall	*10	Disclosable Pecuniary	Private Hire Licence Holder.

***10 Committee update – Licensing Act 2003, Gambling Act 2005 and General Licensing**

The Licensing Manager presented his report and highlighted activities undertaken by the Licensing Service. Details of the work undertaken were included as appendices to the report.

Members raised and discussed a number of issues from the report:

1. Licensing Act 2003

Sidmouth Folk Week was held this year between the 1 and 9 August 2013. Officers were involved in checking both licensed premises and the trade stalls along the Esplanade on Sidmouth Seafront. The Festival was well run and did not cause any

*10

Committee update – Licensing Act 2003, Gambling Act 2005 and General Licensing (cont) – issues raised

licensing issues. On 16 August licensing officers attended the Beautiful Days event held in the grounds of Escot House which had been licensed by way of a time limited premises licence. This annual event was found to be well run with no issues or complaints made to the Licensing Authority.

On 12 September and 7 October officer chaired pre-review meetings were held at a licensed premise in the Seaton area. Concerns had been raised by both the Police and Environmental Health Service about the operation of a 'nightclub type venue' in the basement of the premises. At the second meeting (that was also attended by the area manager of the brewery which owned the premises and the DPS), agreement was reached about the future operation of the premises. It was also reported that the 'nightclub type events' had now been cancelled. There had been no further complaints since the last meeting. Following discussions, a member of the Committee raised the issue of Ward Members being informed via email when issues regarding licensed premises occurred in their Ward.

On 24 October officers took part in a pre-event meeting for the Christmas Cracker Event that was now being held annually in the Strand Gardens at Exmouth. Officers' attendance was requested by the organisers of the Christmas Cracker to give advice on licensing issues raised by the size and variety of the event. John Tippin, Licensing Manager informed members of the New Year Fireworks event which would be held in Exmouth Town Centre and had been arranged by Exmouth Town Council. A local licensee had obtained a licensed bar at this event, via a TENs application.

A member raised the issue of Ward Members, particularly in town centres; not always knowing which premises in their ward were licensed and for what purpose. The Licensing Manager pointed out that all this information was available on the website.

2. Gambling Act 2005

Members noted that a programme of visits to licensed premises and other premises where gaming was permitted continued. It was reported that no Gambling Act offences had been detected; a result that confirmed that regular inspections were a valuable tool to ensure compliance.

3. Taxis

On 5 November 2013 the current fleet of hackney carriage vehicles stood at 163, with 186 hackney carriage driver licences issued. The re-licensing period for hackney carriages was 1 November 2013 and the number of vehicles and drivers relicensed would increase in the coming weeks as there were always those who left it to the last minute to re licence. The private hire fleet licensed at 5 November 2013 stood at 14 private hire vehicles, 11 private hire operators and 21 private hire driving licences issued.

Members discussed the Sub Committee hearing during the last quarter which dealt with three separate hackney carriage applications. Members noted that some decisions at this meeting had gone against policy, but that there were exceptional reasons which the Sub Committee had felt had been valid to make these decisions.

***10 Committee update – Licensing Act 2003, Gambling Act 2005 and General Licensing (continued) – issues raised**

The importance of having valid reasons for any such decisions and having these reasons recorded and detailed was emphasised.

Members noted that the work to lower the kerb stones at the new Strand taxi rank had still not been completed by Devon County Council. John Tippin, Licensing Manager, updated Members on a reply from Devon County Council which indicated that the lowering of the pavement at one end of the rank had been further delayed by an objection by Exmouth Town Council to the proposed design of the new shelter at Rolle Street. It was hoped that a new design for the shelter could be agreed shortly.

4. General Licensing including Animal Licensing and skin piercing

The Committee noted that since the last update report in September, the Scrap Metal Dealers Act 2013 had come into force. A separate report was considered below at minute *11.

The Sidmouth Folk Festival 2013 had taken place and all the sea front street trading pitches had been sold. Application numbers for street trading permits at this time of year was traditionally low after the busy summer demand during the Sidmouth Folk Festival.

5. Consultations and Partnership Working

The Licensing Manager advised that a very useful liaison meeting with the taxi trade had been chaired by Cllr Steve Hall on Thursday 31 October 2013. This was one of the twice yearly meetings held on behalf of taxi proprietors and operators. The minutes were attached to the report. The next liaison meeting would be held on Thursday 3 April 2014.

RESOLVED

1. that the report be noted;
2. that all Ward Members be informed by email when issues surrounding licensed premises in their Ward occurred.

***11 Implementation of the Scrap Metal Dealers Act 2013**

The Licensing Manager reported that the Scrap Metal Dealers Act 2013 received Royal Assent on 28 February 2013 delivering much needed reform of the scrap metal sector. The Act provides effective and proportionate regulation of the sector, creating a more robust, local authority run, licensing regime that would support legitimate dealers yet provide powers to effectively tackle unscrupulous operators. The aim was to raise trading standards across the whole sector.

The Commencement and Transitional Provisions Order was made by Parliament on 6 August 2013 bringing into force the Act in stages with the majority of the criminal offences in the legislation coming in from 1 December 2013. All existing operators who were already registered with the council were written to and invited to apply for a licence under the new legislation to ensure they could continue to trade.

***11 Implementation of the Scrap Metal Dealers Act 2013 (Cont)**

The key features of the new regime included:

- Requiring all individuals and businesses to complete an enhanced application process to obtain a scrap metal dealer's licence. The local authority has the power to refuse unsuitable applicants.
- Giving the local authority power to revoke licences.
- Requiring all sellers of metal to provide personal identification at the point of sale, which must be recorded by the scrap metal dealer.
- Powers for the police and local authority to enter and inspect sites.
- Creating a central public register hosted by the Environment Agency of all individuals and businesses licensed as scrap metal dealers.
- Widening the definition of a scrap metal dealer to include motor salvage operators.
- Giving local authorities power to set fees to recover costs stemming from administering and seeking compliance with the regime. That power, however, did not extend to recovering costs of enforcement action against unlicensed activities.

Members noted that the Council had received 19 applications for Scrap Metal Dealer Licences including 14 applications for Collector's licences and 5 for Site Licences. The fees had been set at £280 for the grant of a Site Licence and £200 for the grant of a Collector's Licence.

The Act provided that an application for a licence must be accompanied by a fee. The fee was set locally by each council on a cost recovery basis, but local authorities have a duty to have regard to guidance issued by the Secretary of State. The guidance outlines the issues that should be considered by councils when setting the fee and what activities the fee could cover. The licence fee table was agreed by Council at its meeting on 23 October 2013. Licences under the Scrap Metal Dealers Act 2013 were issued for three years meaning the fee needed to cover not only the assessment of the application and grant of licence but also the cost of enforcement/inspections of licensed sites and collectors over a three year period.

The local authority may not issue or renew a licence unless it is satisfied that the applicant is a suitable person to carry on a business as a scrap metal dealer. If there were concerns about the suitability of an applicant which could mean a refusal or a revocation or the imposition of conditions the applicant had an opportunity to make representations before a decision was made. In these circumstances the application would be considered by a Sub Committee of three members of the Licensing & Enforcement Committee. If the Sub Committee decided to refuse, revoke or impose conditions then the applicant did have the right of appeal to the Magistrates' Court.

RESOLVED that the report be noted;

Chairman Date

Agenda Item 6

Licensing & Enforcement Committee

25 February 2014

JT/NM/DJ/ES/SS/SC



Committee Update -

Licensing Act 2003, Gambling Act 2005, Taxis & General Licensing

Summary

The report provides an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005 and Taxi legislation together with other general licensing matters.

Recommendation

That the report be noted

a) Reasons for Recommendation

To keep the Council's statutory committee up to date with current arrangements and statistics relating to the Licensing Service.

b) Alternative Options

Not Applicable

c) Risk Considerations

Failure to provide an efficient licensing service may result in complaints or legal challenges being made against the Licensing Authority.

d) Policy and Budgetary Considerations

None

e) Date for Review of Decision

Not Applicable

1 Licensing Act 2003

1.1 Applications Received, Licences Issued and Notices Given

1.1.1 The numbers of applications received, licences issued and notices given since the last update report to the Committee are set out in **Appendix A**.



1.2 Premises Risk Ratings

- 1.2.1 Almost two thirds of the high risk premises licence visits have been completed the remaining checks will be completed by officers over the next two months. The completion date for all visits is the end of March 2014.

1.3 Applications

- 1.3.1 Officers have been involved in several contentious licensing applications that have been very emotive and challenging to both officers and the administration staff. Three applications in particular at Colyton, Exmouth and Sidmouth saw large numbers of objectors who actively solicited support from local people to oppose the applications. The mediation meetings organised by the officers were well attended but proved difficult to facilitate due to the aggressive nature of some of the objectors who at times reduced their complaints and comments to a personal level. Despite these problems mediation was partly successful on two of the applications with some objectors withdrawing their representations or coming to an 'agreed position'. These applications were subsequently heard by a Licensing Sub Committee and licences granted with no appeals against the decisions. These applications took up a great deal of officer time.

1.4 Hearings

- 1.4.1 The numbers of hearings held since the last update report to Committee are set out in **Appendix A**.

1.5 Prepare for Minimum Price Alcohol

- 1.5.1 The Home Office has announced the introduction of a ban on selling alcohol below the combined price of the duty and VAT. The ban still needs parliamentary approval but it is intended that it will come into force on 6 April 2014 as an additional mandatory condition on the licence. The Home Office state that 'cost' will be defined as the level of duty plus value added tax ('VAT') payable on the duty element of the product price.
- 1.5.2 This will mean a 440ml 4% ABV can of beer will no longer be able to be sold below 41p, a 750ml bottle of 12.5% ABV wine cannot be priced at less than £2.41 and a 70cl bottle of 37.5% ABV spirits at less than £8.89. For higher strength beers, a 440ml can of 9% ABV lager will have to be priced at a minimum of £1.16 a can and a 500ml can at £1.31.
- 1.5.3 Responsibility for complying with the new condition will apply to the Premises Licence Holder, Designated Premises Supervisor or Personal Licence Holder or (for a Club Premises Certificate) a member or officer of the club who is present and able to prevent a supply of alcohol. The Premises Licence Holder, Designated Premises Supervisor or Personal Licence Holder is also responsible for ensuring that any person responsible for amending prices on the premises is aware of the new condition.
- 1.5.4 The Guidance issued by the Home Office states that responsibility for enforcing the new condition will lie with the Licensing Authority, Trading Standards and Police.

- 1.5.5 The ban will prevent businesses from selling alcohol at heavily discounted prices and aims to reduce excessive alcohol consumption and its associated impact on alcohol related crime and health harms.

1.6 Licensing Act 2003 - no impact on alcohol related violence

- 1.6.1 According to Cambridge University research published in December last year the introduction of 24-hour drinking, as part of the Licensing Act 2003, failed to reduce rates of alcohol-related violence.
- 1.6.2 It is claimed that the Licensing Act 2003, which allowed closing times beyond the traditional 11.00 pm cut-off, had no impact on crime statistics and it was built on weak evidence that contradicted more credible, evidence-based theories.
- 1.6.3 Dr David Humphreys, from the University of Cambridge, claims other initiatives implemented over the past decade have also lacked 'evaluation or systematic appraisal'. He added: 'This has resulted in missed opportunities to generate evidence and to learn, both of and from, any mistakes.'
- 1.6.4 The Act, which came into effect in November 2005, was based on the belief that staggered closing would see drinkers emptying into the streets at different times, making confrontation and violence less likely. But, the researchers found, that there was no difference between rates of violent crime in February 2004 and December 2007.
- 1.6.5 Dr Humphreys also suggested the recent introduction of a late-night levy in Newcastle, with additional fees for premises serving beyond midnight, suffered from a similar lack of research. He added: 'While the emphasis on change and improvement should be encouraged, the enthusiasm to act needs to be balanced with careful, systematic attempts to understand the implications and effectiveness of these interventions.'

2 Gambling Act 2005

2.1 Applications Received, Licences Issued and Notices Given

- 2.1.1 The numbers of applications received, licences issued and notices given since the last update report to the Committee are set out in **Appendix B**.

2.2 Enforcement

- 2.2.1 The programme of visits to licensed premises and other premises where gaming is permitted continues. It is still the case that no Gambling Act offences have been detected, a result which is pleasing and confirms that regular inspections are a valuable tool to ensure compliance.

2.3 Hearings

- 2.3.1 The numbers of hearings held since the last update report to Committee are set out in **Appendix B**.

3. Taxis

1.1 Applications Received and Licences Issued

- 1.1.1 The numbers of applications received and licences issued since the last update report to the Committee are set out in **Appendix C**.

3.2 Enforcement

- 3.2.1 The Licensing Team has continued the education based enforcement and monitoring approach to the Hackney Carriage and Private Hire drivers and vehicles as we have used with the Licensing Act. Close liaison is maintained with partner agencies and the taxi trade to ensure that the principles of consistency, transparency and proportionality are maintained.
- 3.2.2 There have been no recent combined operations involving licensing officers, and other agencies as they have proved difficult to arrange in the current climate. However the Devon and Cornwall Constabulary seem still keen to corporate with joint multi agency taxi checks. It is hoped that some will be arranged during the year but the Council is reliant on police cooperation. In support of the new Scrap Metal Dealer legislation the police intend to carryout checks with Council Licensing Officers to detect unlicensed dealers and it is anticipated that this will also be an opportunity to check and inspect taxi and Private Hire vehicles.

3.3 Hearings

- 3.3.1 There has been one Sub Committee hearing during the past quarter, relating to an application to licence a vehicle that was more than four years old, our policy requires that vehicles be less than four years old, from the date of first registration before they are licensed. In this instance, the sub committee granted the licence as the vehicle was in a very good condition.

3.4 Taxi Rank Update

- 3.4.1 Exmouth – As the Committee has been aware the Exmouth Taxi Association and some taxi drivers from the Exmouth area have been unhappy with the new Strand rank provided as a result of the regeneration scheme in the town. The main issue being the lowering of the pavement at one end of the rank. On the 31 October 2013 following a request for an update on progress Devon County Council replied:

“Regrettably the work to the taxi ranks was to be undertaken at the same time as the new shelter at Rolle Street. Unfortunately Exmouth Town Council has objected to the proposed shelter design. I understand DCC and EDDC have written to ETC asking them to provide their proposal and full costings by end Dec 2013 for consideration by EDDC and DCC. This has inadvertently delayed the work to the taxi ranks. Until an agreement is reached on the way forward with ETC I am not able to advise when the works to the taxi rank will be undertaken.”

- 3.4.2 To date (January 2014) the work still has not been completed by Devon County Council.

4. General Licensing including Animal Licensing and Skin Piercing

4.1 Animal, Skin Piercing and Scrap Metal Dealers Licensing Statistics

- 4.1.1 The statistics relating to animal, skin piercing and scrap metal dealer licensing and registrations since the last update report to Committee are set out in **Appendix D**. These statistics include, where relevant, the numbers of licences issued, the number of hearings held and the number of applications received.

4.2 Scrap Metal Dealers and Motor Salvage Operators – New Legislation and Powers

- 4.2.1 Members will recall that the Licensing Manager has reported that the Scrap Metal Dealers Act 2013 was due to come into force on the 1 December 2013. This legislation is intended to strengthen the previous legislation dealing with this issue and provide the Council and police with stronger powers. Prior to the implementation date all existing registered Scrap Metal Dealers and Motor Salvage Operators were invited to apply for licences under the new Act. The Council has received a total of 15 applications for mobile Scrap Metal Collector's licences and 7 applications for Scrap Metal Dealer site licences. However one of these applicants has since closed their business in East Devon. Once all the consultations have been completed it is anticipated that we will have a total of 15 collectors licences and 6 site licences. Previously only dealers with sites in the District needed to register with the Council.
- 4.2.2 A combined police and Council operation involving the Vehicle Inspectorate (VOSA), East Devon and Exeter City Licensing Officers took place on Wednesday 22 January 2014 on the Exeter outskirts where vehicles thought to be carrying scrap were stopped and checked. There were no offences disclosed involving collectors operating in the East Devon area however it will have acted as a warning to the trade and shows that the authorities are prepared to use their new powers. Further checks are planned in more central parts of Devon and Cornwall in the coming weeks however we have secured a promise that the police will provide resources for a combined operation within the district in the coming months. We plan to combine that with the opportunity to carryout taxi checks as we hope that (VOSA) would also be in attendance to undertake vehicle examinations.

4.3 Street Trading

- 4.3.1. The statistics relating to street trading since the last update report to Committee are set out in **Appendix E**. These statistics include, where relevant, the numbers of permits issued, the number of hearings held and the number of applications received.
- 4.3.2 Street Trading applications tend to go quiet during the winter months and so far this winter it has remained so. Each year the real work starts when we release the application forms for the Sidmouth Folk Week pitches on the Esplanade. It is planned that these will be available from the 1 April. In recent years we have maintained an emailing list to warn applicants that the application form is available on the website. However an excellent suggestion has been made by a new team member to save additional work. In future we will merely inform all those on our current mailing list and all new enquirers that the new application form will be available each year on the 1

April. That will save the licensing office maintaining the mailing list which does prove quite time consuming.

5. Consultations and Partnership Working

5.1 Meeting between Members, Taxi Proprietors and Officers

5.1.1 The next liaison meeting has been arranged for Thursday 3 April 2014 (during the Spring half term) commencing at 1430 hour in the Council Chamber, Knowle, Sidmouth. The Committee's Chairman and Vice Chairman normally attend these meetings.

5.1.2 A Licensing Officer always tries to attend any meeting of the local taxi trade associations. There are at least two of these meetings annually.

6. LGA propose comprehensive review of licensing laws

6.1 Earlier this month in its publication 'Rewiring Public Services' the Local Government Association published the following proposals:

- ☐ Government undertakes **a comprehensive review of the licensing legislation to determine what can be scrapped, or amended and consolidated.**
- ☐ A reformed licensing framework should be overseen by a single Government Department. The Government should deliver on their overdue commitment to localise alcohol fees.
- ☐ Licensing decisions should be reached locally based on a broader set of licensing objectives that includes the protection of public health. Businesses should be able to apply to councils for a single licence tailored to their business needs
- ☐ The licence for life should be consistently applied to all licences with clear mechanisms for addressing issues of non-compliance
- ☐ The process for appeal should be transparent and consistent across all licences ensuring no applicant is disadvantaged.
- ☐ When granting licences councils should be able to effectively consider local representation, where there is a public interest.
- ☐ Government should ensure that councils have the legal flexibility to offer diverse payment options to businesses.
- ☐ Councils should consider what more they can do to assist businesses, including direct debits and instalments.

It will be interesting to watch how this develops.

7. Licensing & Enforcement Committee and Sub Committee Meeting Dates

7.1 Members will be aware that over recent months some Licensing & Enforcement Sub Committee and Committee meetings have clashed with the Development Control Committee meetings. This has meant that the Licensing &

Enforcement meetings have been moved to the Committee Room.

- 7.2 Whilst the Committee Room may be of sufficient size on most occasions to accommodate meetings there are occasions, as happened recently with the Salcombe Hill hearing when we could find ourselves in difficulties. The situation is not likely to get better as it is understood that the Development Control meetings are likely to get longer and certainly not shorter meaning that they will want to start more often in the mornings. On the other side, the indications are that the number and size of licensing hearings are likely to increase. Certainly since the interested party requirement and 'vicinity' test were removed we have seen an increase in the number of objections and applications going to full hearing.
- 7.3 Careful thought has been given to a long term solution. Owing to the numbers of people involved with the Development Control meetings the advice has been given that it can not be moved from its Tuesday spot. So as to prevent future clashes over the Council Chamber it is proposed that Licensing & Enforcement Sub Committee and Committee meetings should be moved to Wednesdays commencing in the next Council year beginning after the Council's Annual meeting in May.
- 7.4 This proposal has been included in the proposed timetable of Council meetings to be considered for approval by Council.

8. Customer Service Excellence (Chartermark)

- 8.1 The Licensing Team has been re-awarded the Customer Service Excellence award for the fifth year following the annual inspection in November 2013. The team first received this award in November 2009. The assessor was extremely complementary of the standard the team continues to maintain and again commented that it is very unusual to have an assessment that contains no partial compliances to the standard. He went further and awarded two 'Areas of Compliance Plus':
- (a) The Service is exceptional in the efforts made within its Mediation approach to achieve a high quality of customer service for all customers.
 - (b) Discussions with customers, at the time of visit, reinforced the view that the Service is excellent at responding to enquiries, and providing responses that are tailored to consider individual customer circumstances.
- 8.2 The assessor listed seven Areas of Good Practice:
- ☐ The continuing attention given to a customer focused approach is very evident.
 - ☐ There are many examples to show that the Licensing Service is set upon a course of continuous improvement that engages, and involves, the variety of its customers.
 - ☐ The key to the successful outcomes, achieved against the Customer Service Excellence standard, is the high level of commitment shown by all members of staff. This is underpinned by the exchange of information and practice at weekly and monthly team meetings.
 - ☐ The 2013 Customer Survey is now more in depth and includes measurement of specific areas of investigation.

- ❑ It is pleasing to see that Licensing News continues to be distributed and, as commented on by customers, is a welcome source of up to date information.
- ❑ It is noted the Devon Licensing Officers Group is a positive forum for exchanging ideas and the sharing of good practice.
- ❑ The attention currently given to tracking the individual customer journey is to be commended.

8.3 The assessor recorded some comments that were made to him during his assessment day and include:

- ❑ 'Very accessible and very easy to talk to. When they say they'll get back to you, they always do' – Local Business representative.
- ❑ 'Nothing was too much trouble. We had excellent support right throughout a very difficult process for us' – New Business manager.
- ❑ 'A highly professional group who also show great diplomacy' – A District Council with no connection to the Licensing & Enforcement Committee but who has been involved with a difficult mediation.
- ❑ 'The team are noted for their thoroughness and expertise. We, as councillors, always feel very well informed' – Chairman of the Licensing and Enforcement Committee.

8.4 The Customer Service Excellence is an award for demonstrating the achievement of national standard for excellence in customer service for the United Kingdom public service sector. Introduced in 1991 as the Charter Mark, it was replaced in 2008 by the Customer Service Excellence standard and continues to be administered by the Cabinet Office. The Charter Mark was one of the consequences of a political initiative by the then Prime Minister, John Major to improve the face of government. The standard tests in great depth those areas that research has indicated are a priority for customers, with particular focus on delivery, timeliness, information, professionalism and staff attitude. There is also emphasis placed on developing customer insight, understanding the user's experience and robust measurement of service satisfaction.

Legal Implications

There are no legal implications requiring comment.

Financial Implications

There are no financial implications contained in this report.

Appendices

- Appendix A - Licensing Act 2003 Licensing Statistics
- Appendix B - Gambling Act 2005 Licensing Statistics
- Appendix C - Taxis Licensing Statistics
- Appendix D - Animal, Skin Piercing and Scrap Metal Dealers Licensing Statistics
- Appendix E - Charitable Collections and Street Trading Licensing Statistics

Background Papers

- ❑ Home Office - Guidance on banning the sale of alcohol below the cost of duty plus VAT. For suppliers of alcohol and enforcement authorities in England and Wales
- ❑ Local Government Association publication 'Rewiring Public Services'
- ❑ Customer Service Excellence Assessment Report November 2013

John Tippin Ext. 2787
Licensing Manager

Licensing & Enforcement Committee
25 February 2014

Licensing Act 2003

Number of Current Licences and Notices Given

	Jan-13	Jan-14	Changes
Premises Licences	593	607	14
Club Premises Certificates	58	57	-1
Personal Licences	1,711	1,822	111
Temporary Event Notices including sale or supply of alcohol - includes late TENS	4,847	5,528	681
Temporary Event Notices Entertainment and/or Late Night Refreshment only - includes late TENS	464	541	77

Hearings

	Nov-13	Dec-13	Jan-14
Hearings where no agreed position has been reached	0	2	0
Hearings held to approve an agreed position	1	0	2

Applications Received and Notices Given

	Nov-13	Dec-13	Jan-14
Grant of a Premises Licence	2	3	4
Variation of a Premises Licence	1	1	5
Transfer of a Premises Licence	7	3	1
Change of Designated Premises Supervisor	5	4	3
Minor Variations	1	1	4
Grant of a Personal Licences	6	14	13
Personal Licence Change of name or address	4	0	6
Temporary Event Notices given	66	28	53

Gambling Act 2005

Number of Current Licences and Notices Given

	Jan-13	Jan-14	Changes
<u>Premises Licences</u>			
Adult Gaming Centre	4	4	0
Betting	9	9	0
Bingo	1	1	0
<u>Total</u>	13	13	0

	Jan-13	Jan-14	Change
<u>Premises Permits</u>			
Family Entertainment Centre	10	8	-2
Prize Gaming Permit	1	1	0
Club Machine Permit	21	19	-2
Licensed Prem Machine Permit	13	13	0
Notification of Gaming Machines	89	99	10
<u>Total</u>	134	140	6

	Jan-13	Jan-14	Change
<u>Small Society Lotteries</u>	162	167	5

Taxis

Number of Current Licences

	Jan-13	Jan-14	Changes
Hackney Carriages	157	161	4
Private Hire Vehicles	17	14	-3
Hackney Carriage Drivers	202	200	-2
Private Hire Drivers	30	22	-8
Private Hire Operators	14	11	-3
<u>Total</u>	420	408	-12

Hearings

	Nov-13	Dec-13	Jan-14
Hearings	0	1	0

Applications Received

	Nov-13	Dec-13	Jan-14
Hackney Carriage Licence (including renewals, transfers & vehicle changes)	23	5	8
Hackney Carriage Drivers Licence (including renewals)	20	3	11
Private Hire Vehicle Licence	0	0	1
Private Hire Vehicle Drivers Licence	1	0	1
Private Hire Operators Licence	0	0	0

EH Licensing

Number of Current Licences

	Jan-13	Jan-14	Changes
Animal Home Boarding	19	24	5
Kennels/Catteries	20	19	-1
Pet Shops	11	10	-1
Dangerous Wild Animals	2	2	0
Zoo	4	4	0
Riding Establishments	10	9	-1
Ear-Piercing	16	18	2
Electrolysis	15	15	0
Tattooing	11	14	3
Motor Salvage Operators	8	0	-8
Scrap Metal Dealers	9	0	-9
ScrapMetal Dealer - Mobile Collector	0	13	13
Scrap Metal Dealer - Site Licence	0	1	1
<u>TOTAL</u>	125	115	-10

Hearings

	Nov-13	Dec-13	Jan-14
Hearings	0	0	0

Applications Received

	Nov-13	Dec-13	Jan-14
Animal Home Boarding	1	4	3
Kennels/Catteries	11	8	0
Pet Shops	4	8	0
Animal Breeding	0	0	1
Dangerous Wild Animals	0	0	0
Zoo	0	0	0
Ear-Piercing	0	0	0
Electrolysis	0	0	0
Riding Establishments	2	0	0
Acupuncture Premises	0	0	1
Tattooing	1	1	1
Scrap Metal Dealer - Mobile Collector	0	0	0
Scrap Metal Dealer - Site Licence	0	0	1

General Licensing

Number of Current Permits

	Jan-13	Jan-14	Changes
Street Collections	27	85	58
Street Collection cancellations	0	0	0
House to House	2	8	6
Street Trading	0	0	0
Street Trading (Charitable)	4	0	-4
<u>Total</u>	33	93	60

Hearings

	Nov-13	Dec-13	Jan-14
Hearings	0	0	0

Applications Received

	Nov-13	Dec-13	Jan-14
Street Collections	31	30	28
House to House	3	2	3
Street Trading	0	0	1
Street Trading (Charitable)	0	0	0