

Tuesday, 12 April 2022

Report of the Head of Environmental Health**Review of licensing service in 2021-2022****Exempt Information**

None

Purpose

Purpose of this report is an information item briefing the committee about the Licensing Teams administration activities during 2021/22.

Recommendations

It is recommended that the Licensing Committee note the contents of the report and endorse future work for 2022/23.

Executive Summary

The Team deals with the administration, principally of the Licensing regimes under the Licensing Act 2003 and Gambling Act 2005. In addition, it covers Taxi and Private Hire Licensing under Local Government (Miscellaneous Provisions) Act 1976 & 1982.

The Licensing Team also administer the licensing of scrap metal dealers and motor salvage businesses under The Scrap Metal Dealers Act 2013.

Street & House Collections show an increase from last year, this could be due to reductions in public sector funding and with the impact of the recent pandemic thus resorting to charities as an alternative funding stream.

Regulatory Licensing Workload

The Licensing Team processed the following licence applications/requests

SUBJECT AREA	DESCRIPTION	TOTAL 2021/2022
LICENSING ACT 2003	Premises Licence Applications, New/ amendments, variations etc.	50
	Premises/ Club Premises Certificate - Annual Fee (renewals)	213
	Premises/ Club Premises Certificate – Revoked / Surrendered	5
	Temporary Event Notice (TENS) Standard	41
	Temporary Event Notice (TENS) Late	6

	Annual Fee Enquiries	35
	Personal licence, New/amendments. etc.	66
	Sub-Committee/Court Hearings for New/Reviews/Appeals	2
	Application, Licence Transfer and Change of DPS	75
	Request for Service	85

GAMBLING ACT 2005	Licence Applications, amendments, variations etc.	5
	Premises/Permits/ Lottery's Registrations - Annual Fee (renewals)	61
	Premises/ Permits/Registrations - Surrendered	4
	Request for Service	25

LICENSING OTHER	Applications for Street Collections/ House to House Collections, Sex Shop, etc.	75
MISCELLANEOUS LICENSING ENQUIRIES	Request for Service (enquires)	50

Taxis

The Team have generated 328 renewals for Hackney Carriage, Private Hire vehicles and drivers, 72 of which are awaiting returned applications in order to be processed.

Eight new drivers have been granted Taxi Licenses with three new applications pending.

During the pandemic the process had to move to an online process with all applications emailed to Customer Services initially for checking and payment taken either online or over the telephone. This replaced the face to face service at the counter that was conducted by Customer Services.

Once this had been done the applications were forwarded to Taxi Licensing dedicated email account for processing by the team. Plates and licences are then produced, then left for collection from the Post room at Marmion House at allocated time slots.

Currently the time slots agreed are Monday to Friday 10am – 11am, and Wednesday 4pm-5pm. These slots allow a 15 minute timeframe for the drivers to collect their license and plates.

New driver knowledge test were initially conducted on line but are gradually migrating back to face to face in a dedicated room at Marmion House.

Safeguarding - 3 yearly refresher training

Safeguarding courses have been conducted online since the pandemic, but one face to face session has recently been held. Since November when we appointed a Technical Officer to assist we have done the following sessions

Training Date	Number of attendees
29 th November 2021	6 (online session)
27 th January 2022	13 (online session)
18 th February 2022	7 (online session)
21 st March 2022	10 (face to face Marmion House)

The next sessions are planned for April 7th which is being held online, 25th April face to face session at Marmion House, then 9th May, online session.

There were some overdue from 2019, which have now attended the training session.

There were 5 drivers overdue from 2020, 3 of which we are in contact with and for various reasons haven't been able to do the training as yet. 2 we are currently trying to make contact with.

2021 we have 4 overdue, 2 drivers we are in contact with and 2 we are attempting to contact.

We have 16 drivers due their safeguarding in April and 18 Drivers due in May so we have secured dates for training with the Safeguarding Officers during April and May as mentioned above.

We have had 8 drivers inform us they are no longer Taxi driving and they have been removed from the "current driver" database.

DVLA Driver License Checks – Due yearly.

183 reminder letters sent out for in January, these were all overdue

Response of 98 DVLA codes sent back and checked off by the Team.

85 second reminder Letters sent out in February,

A recent report shows until end of April 46 are now overdue, 2 from 2019, 27 from 2020, 14 from 2021 and 3 due by end of April 2022.

Response of 42 DVLA codes sent back after second reminder letter.

43 third reminder letters sent out during March.

Medicals

The team have been chasing medicals, these were very overdue as the appointments during Covid virtually stopped. Reminder letters have been sent out urging drivers to book their medicals.

There is 1 medical outstanding from 2019 in which the driver is unwell. We are in regularly contact with him. He is not currently working.

12 medicals outstanding for 2020, 10 outstanding for 2021 and 11 for 2022 till the end of April. Second reminder letters have been sent out in March.

Medicals are difficult at present. Aldergate medical practice who do the medicals will only do up to a maximum of 19 medicals a month and this has contributed to the backlog. They have been asked by officers to do more but they have stated that working under their Covid protocols it is not possible to do any more then 19 at the moment.

We don't believe there is an unwillingness to have a medical from the drivers. After all it will adversely affect their insurance cover if they have not undergone a medical to comply with our policy.

The issue, is purely of availability of appointments. Hopefully over the coming months we anticipate should ease. Officers feel that a robust approach with the drivers may be counterproductive, however the Team are assisting where possible and catching up on the overdue medicals will put us in better standing moving forwards.

Options Considered

There is a Committee report going to Staffing and Appointments on 21st April requesting 18 month temporary post for a Senior Licensing Officer and extension of the secondment of the Technical Support Officer.

At present the licensing section of the team has a flat structure with three officers reporting directly to the Head of Service. It is proposed that the introduction of a Senior Licensing Officer would have supervisory responsibility of the licensing staff providing them with technical support and supervision. In addition this post would be responsible for reviewing, renewing and retendering contracts, policies and procedures many of which are overdue and again relieve current Environmental Health staff who have been tasked with some of these duties so that they can concentrate on addressing overdue regulatory inspections. With the addition of this post it is also envisaged that the licensing team could undertake a body of proactive work including resurrecting the Responsible Authorities Group, working closely with partners by carrying out enforcement inspections of taxis and licensed premises with both the police, trading standards and the Security Industry Agency (SIA).

Extension of Technical Support Officer:

The Technical Support Officers main duties include but are not limited to assisting in the processing of Environmental Health, Licensing and other related applications and complaints/service requests, including checking of the validity of information, input of data onto the Northgate database, sending out related correspondence and processing of associated fees/reminders. Assistance with production of taxi vehicle plates and driver license badges and development of Northgate database to expedite annual Licensing Fee administration. The extension of the secondment of this post would assist in addressing the back log of licensing checks and support the two substantive licensing posts with administration and relieve the Licensing Officer of some duties to work on supporting migration of licensing to Assure.

Resource Implications

No specific financial implications emanate from this report which provides a review of the Council's Licensing Team's administration activities during 2021/22.

Legal/Risk Implications Background

The Licensing Team exercises the Council's regulatory functions under the Local Government and Miscellaneous Provisions Act 1976 & 1982; Licensing Act 2003, Gambling Act 2005 and the Scrap Metal Dealers Act 2013. The Council will be at risk of legal challenge if its decision making process on determining applications is not transparent and evidentially based. Also the Council will be at risk where a decision to take, or not to take, enforcement action does not follow the Authority's published enforcement policy. This report reviews the work over the last financial year in fulfilment of the Council's obligations. There are no immediate legal implications arising from this report.

Equalities Implications

None

Environment and Sustainability Implications

A visibly effective taxi/licensing/gambling service links into the Corporate Plan Furthermore measures to promote fair trading; reduce crime and disorder will enhance the attraction of Tamworth as a place to visit and run a business.

Background Information

None

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List of Background Papers

None

Appendices

Appendix 1 Alcohol and late night refreshment licensing questionnaire 2021/22

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