

Committee: Licensing and Environmental Health Committee
Title: Licensing Progress and information report 1/4/19 to 1/4/20
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Summary

- To provide members with a summary of the work undertaken by the Licensing Team over the past 12 months and also to inform members of the direction of travel going forward

Recommendations

- To brief committee members of the activity last financial year and also inform in regard to the expected development opportunities of the team.

Financial Implications

- Not at this stage

Situation

Current Licensing Team Demand 2019 - 2020

1 Licence applications made under the Licensing Act 2003

Application Type	2018-19	2019-20
New Premises Licenses/Club Premises Certificates (CPCs)	9	15
Transfer of Premises Licences/Club Premises Certificates	22	11
Variations (full)	3	2

Minor Variations	3	4
New Personal Licenses and Change of address applications	84	68
Temporary Event Notices	450	364
Late Temporary Event Notices	120	83
Surrendered Premises Licences	4	6
Review applications	3	1
Change of Designated Premises Supervisor (DPS)	34	31

2 Premises licensed under the Gambling Act 2005 & Street and House To House Collections

Application Type	2018-2019	2019-2020
Adult Gaming Centres	2	2
Betting Shops	6	6
Family Entertainment Centre	6	4
Occasional Use Notice	2	0
Small Society Lotteries	119	127
Club Gaming Permits	7	6
Prize Gaming Permit	1	0
Notification of Gaming Machine Permits	40	39

3 Taxi and Private Hire Licensing

Application Type	2019-2019	2019 -20
Private Hire Vehicles	2467	2604
Joint (PHV And Hackney Carriage) driver	2683	2619
Hackney Carriage Vehicles	87	72
Private Hire Drivers	141	118
Private Hire Operator	114	121

Impact

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Communication/Consultation	Not carried out at this stage
Community Safety	Currently UDC is not being as robust to community safety as it should be. There are further gaps to close to improve Community Safety
Equalities	No impact on equalities
Health and Safety	No impact on employee health and safety
Human Rights/Legal Implications	All intervention work is carried out in accordance with existing legislative framework and the Councils' enforcement policy
Sustainability	Enforcement work undertaken in keeping with the principles of sustainability
Ward-specific impacts	No ward specific impact
Workforce/Workplace	No impact

Going forward

Safeguarding – Closing the gaps in our relationship with;

- Operators
- Contractors such as County Councils

Initial discussions with Essex County Council and Herts County Council have revealed different communication strategies and acceptance of risk. Interestingly Herts appear more engaged in joined up working in regard to this area of contractual work. They have regular 'Taxi meetings with local authorities and police. Essex County Council do not currently have any processes. This is an area of risk. Frequently wide ranging complaints are made against the driver – these are initially dealt with by the County Council. However our Operators license state Uttlesford should be informed of any complaint against a driver. It is essential that a risk based approach is developed with partners to give confidence in the exchange of information between Operator/Contractor and Licensing authority to ensure investigations are carried out diligently and partners consulted before appropriate action is agreed and taken. It is after all of our responsibilities to ensure public safety. It is Uttlesford's responsibility to deal formally with the driver. I am concerned there are currently gaps in that relationships with our operators and the councils that they contractually work with.

DBS – Two issues need to be progressed in order to maximize safety of public

- 1 - As a Local authority we have started to update the DBS service with issues of safeguarding risk when they involve Uttlesford drivers. It is the Local authority's responsibility to do this and appears that it has not been done in the past.
- 2 - **Action - To go to consultation prior to Committee** to recommend that it is compulsive for drivers to sign up to the DBS mandate service. This will enable us to periodically complete bulk DBS checks on all our drivers and identify when an individual's DBS changes i.e. the individuals criminal record changes. This will assist Uttlesford manage risk and ensure where necessary action is taken quickly to ensure public safety. Currently we are relying on police forces from around the UK to update us under their obligations under the Crime and Disorder Act. There is a yearly cost of £13 for the driver as they sign up to the Government DBS system directly within 28 days of receiving their DBS. This is in effect a small saving as the cost of an enhanced DBS with Uttlesford which is currently set at £50.07 every 3 years.

NR3 – Is a national database set up and coordinated by the Local Government Association that is available to all local authorities of revoked and refused taxi and PHV drivers. NR3 is part of the NAFN (National Anti-fraud Network.) In essence a local authority should check NR3 at drivers application (renewal or new) to ensure that an individual has not been revoked/refused by another authority. Going forward all Uttlesford revocation and refusals will be uploaded onto the NR3 system. We will also upload past revocations and going forward those we revoke or refuse. The database has been live since 2018 and this action has been supported by our SMT

and proceeded. There is no cost added to drivers, but there is additional time taken to process an application. Over the coming months we will be following a number of step changes to embed NR3 to become business as usual in Uttlesford.

Licensing IT system called IDOX

In early march it was possible to establish some initial management framework in order to understand underlying issues from moving from one IT system to another. This will be an ongoing management oversight with weekly and monthly meetings. We hope this will start to drive business forward. We were therefore able to complete a number of late premises licenses that had been waiting a while.

Guidance Notes

These are currently being written for new and renewal applications using emails initially in order to move away from paper applications. A plan is being progressed to fully go on line in the future starting with Alcohol licensing then rolling onto the taxi trade.

Garages

Action - To go to consultation prior to Committee – We have already redesigned the Uttlesford form that garages complete when they conduct an inspection. This was amended to take account of the emissions policy that started on the 1/4/20. We are currently regularly engaging with our authorised garages as part of the COVID – Virus. Our plan is that garages will be required to sign a legal contract to agree to set standards. Part of that will be greater use of technology with time stamp cameras to be used as compliance to demonstrate that vehicle was inspected at that time. Eventually the vision is for drivers to book vehicles into garages through our website so we know when and where they are being examined.

Internet based

Action - To go to consultation prior to Committee to support our move to online applications. I have been scoping a new DBS and driver check system called TaxiPlus used by a number of local authorities in Essex. The two systems that are currently used are not seen as best practice and have been inherited from our HR system. With TaxiPlus there are opportunities to both be on-line based. Rather than the driver visiting Saffron Walden to check their documents they will need to attend the post office to validate their documents. Once these are validated the driver will receive a Document Certificate. This will be uploaded on-line and that will progress their DBS and their Driving License checks. This avoids Uttlesford staff spending time checking DBS documents and also pushes the focus to the driver as a professional to manage their own affairs responsibly. The reason this needs consultation is there is a slight overall price increase. Currently DBS is £50.07 and Drivercheck £3.50. New price will be £55.00 plus a cost of £12.75 at the post office. This process will assist with the vision that all documents will be submitted on line and the driver will attend for the final Right to work and be issued their badge at that time

Policy Changes

It is the belief of the team that documents should be live and when change is needed to manage risk and best practice then it is our belief that this will be progressed through to committee.

The Team are intending to recommend to committee a number of change to the current policy after consultation. The major ones are

- Enforcement policy - a points based system that is used by many Local authorities such as used at Basildon and Colchester
- Exemptions needs to be added to be clearer within the policy
- Increase use of external and internal signs on vehicles differing between PHV and Taxi to increase safety of public.
- Emission policy needs to be added to the policy – The emission policy also needs clearer specific decision in regard to Wheelchair Access Vehicles (WAVs). There are currently 300 of these that Uttlesford License – approx. 10% of our fleet. We plan for further consultation with garages and operators to agree on a recommendation to bring to committee.
- Clearer understanding of adapted vehicles

Enforcement

We have initially discussed working closer with the police (local and airport) It had been agreed that we could carry out enforcement at three locations at Stansted Airport. The idea being that our enforcement becomes unpredictable and we will be able to do this without using police asset. We had also discussed carrying out joint collaborative enforcement with Braintree council and were seeking to develop a plan for Licensing week in June. We have also progressed with the benefits of four of our officers becoming CSAC (Community Safety Accreditation Scheme) trained which gives licensing staff additional powers in regard to enforcement action.

Uniform

I would like to discuss a Uniform such as worn by other local authorities. This will cover both Health and Safety aspect of our work but also ensure we maintain a highly visible presence in the community.

Minor changes to Policy

There are a number of minor change to the policy that involve simple changes of words or several words that we believe would benefit all.

Other areas of licensing business

Annual payments – we have move to an invoice based approach (managed by the finance team) for all our standard annual renewals of all other licensing matters such as gambling, table and chairs etc. This will assist us collect monies and enforce.

Pub watch – we have engaged the police in regards to getting momentum behind this and the new app that has been funded to the police.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Little or no risk or impact	n/a	None Information only	None required

- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.